

(ORDER LIST: 528 U. S.)

MONDAY, JANUARY 24, 2000

CERTIORARI -- SUMMARY DISPOSITION

98-1427 KRAMER, WARDEN V. DAVIS, DWAYNE A.

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *Smith v. Robbins*, 528 U.S. ____ (2000).

99-451 LEWIS, WARDEN, ET AL. V. DELGADO, JESUS G.

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *Smith v. Robbins*, 528 U.S. ____ (2000).

ORDERS IN PENDING CASES

99M61 COLLINS, MARGARET A. WARNER-LAMBERT CO.

The motion to direct the Clerk to file a petition for a writ of certiorari out-of-time is denied.

98-1167 CHRISTENSEN, EDWARD, ET AL. V. HARRIS CTY., TX, ET AL.

98-1993 FLORIDA vs. J. L.

The motions of the Solicitor General for leave to

participate in oral argument as *amicus curiae* and for divided argument are granted.

99-62 SANTA FE INDEP. SCH. DIST. V. DOE, JANE, ETC., ET AL.

The motion of Students and Parents of Santa Fe Independent School District for leave to participate in oral argument as *amicus curiae* and for additional time for oral argument is denied.

99-312 NORFOLK SOUTHERN RWY. CO. V. SHANKLIN, DEDRA, ETC.

The motion of Texas, et al. for leave to participate in oral argument as *amici curiae* and for divided argument is granted. The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted.

99-6673 IN RE MELVIN LEROY TYLER

The motion of petitioner for reconsideration of the order denying leave to proceed *in forma pauperis* is denied.

99-6705 BURGESS, RICHARD O. V. KITZHABER, JOHN, ET AL.

The motion of petitioner for reconsideration of the order denying leave to proceed *in forma pauperis* is denied.

99-7178 TSU, JOSEPH N. Y., ET UX. V. TRACY FEDERAL BANK, ET AL.

The motion of petitioners for leave to proceed *in forma pauperis* is denied. Petitioners are allowed until February 14, 2000, within which to pay the docketing fee required by Rule 38(a) and to submit a petition in compliance with Rule 33.1 of the Rules of this Court.

CERTIORARI DENIED

- 98- 7579 MARROQUIN, JESUS V. PRUNTY, WARDEN
- 98- 8406 BARONE, CESAR F. V. OREGON
- 98- 8625 WAGENHEIM, CHARLES V. UNITED STATES
- 98- 8712 SAMS, MARQUIS T. V. UNITED STATES
- 99- 479 NTAKIRUTIMANA, ELIZAPHAN V. RENO, ATTY. GEN. , ET AL.
- 99- 613 GEORGE, JAMES F. , ET UX. vs. MORRO BAY, CA, ET AL.
- 99- 641 STEINHARDT, MICHAEL H. V. UNITED STATES, ET AL.
- 99- 671 SHELTON, W. GREG V. BENEFIT PLAN, EXXON CORP.
- 99- 680 HSIA, MARIA V. UNITED STATES
- 99- 731 RICHARDS, SHAMMARA, ETC. V. UNITED STATES
- 99- 747 LEWIS, HAROLD V. KMART CORP.
- 99- 776 GIBERNA, GREGORY J. , ET UX. vs. CARTER, BEULAH, ET AL.
- 99- 784 AM HOME PRODUCTS CORP. V. OREGON, ET AL.
- 99- 799 WASHINGTON, VALERIE V. HEALTH COST CONTROLS, IL
- 99- 824 BOYD, ELNORA M V. WATERFRONT EMPLOYRS. PENSION
- 99- 833 DAIN, PATRICK V. VENTURA, CA, ET AL.
- 99- 834 CONLEY, DONALD E. V. PITNEY BOWES, ET AL.
- 99- 846 CORTES, DORIS P. V. AMERICAN AIRLINES
- 99- 848 BLAKE, CRAIG, ET AL. V. WRIGHT, FRED
- 99- 849 EIE GUAM CORP. vs. SUP. CT. GUAM (LONG-TERM RP)
- 99- 851 SUGARBAKER, STEPHEN P. V. SSM HEALTHCARE, ETC.
- 99- 856 LIN, WEN-CHOUH V. LIN, ANITA C. S.
- 99- 857 DAYTON NEWSPAPERS V. GEN. TRUCKDRIVERS LOCAL 957
- 99- 860 31/32 LEXINGTON ASSOCS. V. NY TAX APPEALS TRIBL. , ET AL.
- 99- 865 STINNETT ENTERPRISES, INC. V. DRAGON TEXTILE MILLS
- 99- 868 VOIT, ROBERT L. V. KENTUCKY

99- 871 STARR, ROBERT ALAN V. PLILER, CHERYL, ET AL.
99- 872 HILL, EUNICE M vs. KS CITY AREA TRANS. AUTH.
99- 873 TYLER, GARY C. vs. O' NEILL, GEORGE, ET AL.
99- 880 INTL. BANK OF COMMERCE V. INTL. ENERGY DEV. CORP.
99- 883 BRADLEY, SCOTT, ET AL. V. KELLY, DIR. , AZ HEALTH CARE
99- 884 LEVERETTE, MILTON LEE V. LOUISVILLE LADDER CO.
99- 885 YU, SEVERIN YANWING V. CALIFORNIA
99- 886 HEMPSTEAD TOWN BOARD, ET AL. V. GOOSBY, DOROTHY, ET AL.
99- 888 DAVIS, HERRON GARNETT V. HILLSIDE, NJ, ET AL.
99- 890 COLUMBIA FALLS ALUMINUM CO. V. ADMNR. , BONNEVILLE POWER
99- 892 MANNATT, ELLEN, ET AL. V. UNITED STATES, ET AL.
99- 894 HARTEY, PATRICK V. VAUGHN, SUPT. , GRATERFORD
99- 895 LOOMIS FARGO & CO. V. KEELEY, JOHN, ET AL.
99- 900 ESPY, GEORGE E. V. ROARING SPRING, PA
99- 904 NEW VALLEY CORP. vs. CORP. PROP. ASSOC. 2, ET AL.
99- 918 EAST LAKE METHODIST, ET AL. V. TRUSTEES OF THE PENINSULA
99- 923 BRIGHT, DAVID L. V. NORSHIPCO, ET AL.
99- 926 LOVELL, MARY ANN BIDDLE V. HIGHTOWER, CLYDE C. , ET AL.
99- 928 COSMAIR, INC. vs. MI DEPT. OF THE TREAS.
99- 931 CREFISA INCORPORATED V. WASHINGTON MUTUAL BANK ET AL.
99- 952 MURLIN- GARDNER, DOLORES V. PA DEPT. OF REVENUE
99- 955 CLASSIC CORP. vs. AM NATL. WATERMATTRESS
99- 976 WILBANKS, SHIRLEY C. vs. A. H. ROBBINS CO. , INC.
99- 979 WIESNER, CHARLES M V. WILLKIE, FARR & GALLAGHER
99- 1008 GEHL CO. V. KINSER, MARY, ETC.
99- 1023 KALAN, DAVID K. V. BOCKHORST, EHRLICH, ET AL.
99- 1028 COSTA, MANUEL V. UNITED STATES

99- 1033 BORNFIELD, MIKEL L. V. UNITED STATES
99- 1050 JASIN, THOMAS P. V. UNITED STATES
99- 1057 DRUCKER, RONALD J. V. UNITED STATES
99- 1061 FOGG, FELIX G. V. UNITED STATES
99- 1080 WIENER, ERIC V. UNITED STATES
99- 6401 TAYLOR, JAMES E. V. UNITED STATES
99- 6515 COCKE, SAMUEL W. V. UNITED STATES
99- 6572 ERICKSON, JAMES E. V. WISCONSIN
99- 6690 DAVIS, HORACE L. V. UNITED STATES
99- 6898 HUNTER, BERT L. V. BOWERSOX, SUPT. , POTOSI
99- 7119 PORTS, WILLIE E. V. DEAN, SUPT. , ET AL.
99- 7130 HORTON, MONTELL M V. McCAUGHTRY, WARDEN
99- 7135 OSWALD, ROBERT L. V. PITCHER, WARDEN
99- 7142 JOHNSON, MALCOLM R. V. REYNOLDS, WARDEN, ET AL.
99- 7147 MOODY, HERMAN L. V. McCROWSKEY, T. W. , ET AL.
99- 7148 KANAZEH, AFAF V. SANDGROUND, BARONDESS & WEST
99- 7153 KOROTKA, KENNETH V. SONDALLE, WARDEN
99- 7156 RABAH, HAIDAR V. BARBO, ADM R, NORTHERN
99- 7164 SMITH, NELSON K. V. CAIN, WARDEN
99- 7165 BENN, TODD V. LOUISIANA
99- 7166 BROWN, WILLIE J. V. CAREY, WARDEN, ET AL.
99- 7168 WINWARD, BRIAN J. V. CARR, SHARESE B. , ET AL.
99- 7170 COOPER, TIMOTHY T. V. MOORE, SEC. , FL DOC
99- 7175 VARGAS, REY D. V. LINAHAN, WARDEN
99- 7184 WuCHANG, CANDACE, ET AL. V. REDWOOD CITY, CA, ET AL.
99- 7196 BOYSIEWICK, STANLEY L. V. SCHRIRO, DIR. , MD DOC, ET AL.
99- 7202 LEE, JESSIE, ET AL. V. MINNESOTA

99-7217) WEATHERSPOON, NATHANIEL V. UNITED STATES
)
 99-7218) WALLACE, KELVIN L. V. UNITED STATES
)
 99-7296) WILLIAMS, ROBERTO V. UNITED STATES

 99-7231 BURGESS, RICHARD O. vs. COOK, DIR. , OR DOC, ET AL.

 99-7255 SEAWORTH, RONALD T. vs. CIR

 99-7261 LONG, FELIX V. DOW CHEMICAL CO. , ET AL.

 99-7262 THORNTON, LARRY G. V. SCARDELLETTI, ROBERT A.

 99-7266 CLARK, RAY M V. AT ENTERTAINMENT, ET AL.

 99-7277 ALLAH, MICHAEL M V. STACHELEK, THOMAS D. , ET AL.

 99-7330 SWINSON, TERRY G. V. ANGELONE, DIRECTOR, VA DOC

 99-7348 KRUEGER, ART V. UNITED STATES

 99-7350 VAILE, THEODORE Q. V. WALTER, SUPT. , AIRWAY

 99-7361 HARROLD, SCOTT A. V. NEBRASKA

 99-7431 JARED W. V. CALIFORNIA

 99-7461 HARRIS, CULLEN R. V. UNITED STATES

 99-7464 MORENO, RALPH V. UNITED STATES

 99-7471 LaFOND, RAOUL V. UNITED STATES

 99-7480 TAYLOR, RICHARD V. UNITED STATES

 99-7482 ARMETTA, JOHN J. V. UNITED STATES

 99-7483 ALLEN, MICHAEL R. V. UNITED STATES

 99-7484 CAMPBELL, DOUGLAS V. UNITED STATES

 99-7491 CAMPBELL, JAMES E. V. UNITED STATES

 99-7493 CLEMONS, AVERY V. O' BRIEN, WARDEN

 99-7501 LACEY, JAMES C. V. UNITED STATES

 99-7503 JIMENEZ-ARREGUIN, EMILIO V. UNITED STATES

 99-7506 LEE, JEFFREY E. V. UNITED STATES

 99-7508 NICKELSON, EVELYN A. V. UNITED STATES

99- 7513 McCOLL, DEWROD V. UNITED STATES
99- 7514 KELLY, KARON V. UNITED STATES
99- 7516 JAMES, STEFFANO V. BOWERSOX, SUPT. , POTOSI
99- 7517 SIMMONS, RICKEY E. V. UNITED STATES
99- 7519 SMITH, STANLEY L. V. UNITED STATES
99- 7520 VALADEZ-CAMARENA, JOSE V. UNITED STATES
99- 7521 CUEVAS-ZAVALA, ERNESTO V. UNITED STATES
99- 7530 JONES, LEONARD L. V. WISCONSIN
99- 7531 MORENO, JUAN V. UNITED STATES
99- 7535 COLEMAN, MARTEZ R. V. UNITED STATES
99- 7540 HATCHER, KAREEM R. V. UNITED STATES
99- 7541 DRAKE, ANTHONY R. V. UNITED STATES
99- 7543 GONZALEZ, FRANCISCO V. UNITED STATES
99- 7544 DUCHARME, ROGER R. V. UNITED STATES
99- 7546 HALL, CLAUDE V. UNITED STATES
99- 7548 DAWODU, LADI V. UNITED STATES
99- 7549 GUTIERREZ-OROZCO, RAPHAEL V. UNITED STATES
99- 7550 JOHNSON, JAMES L. V. UNITED STATES
99- 7551 MILLER, KAY O. V. UNITED STATES
99- 7552 MCCOY, WILLIAM O. V. UNITED STATES
99- 7555 FEREBE, DONALD L. V. UNITED STATES
99- 7556 GOODLEY, ARANDAL D. V. UNITED STATES
99- 7563 CHACON, LEONARD M. V. UNITED STATES
99- 7565 BANKS, VICTOR D. V. UNITED STATES
99- 7569 STOTTS, ROBERT E. V. UNITED STATES
99- 7573 MARTINEZ, JUAN T. V. UNITED STATES

99- 7574 ROACH, SCOTTY V. UNITED STATES

The petitions for writs of certiorari are denied.

99- 449 OKUNIEFF, RHODA V. SKOMROSSKY, ANNE, ET AL.

The motion of National Association for Rights Protection and Advocacy, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

99- 864 ACKERMAN, RICHARD, ET AL. V. COCA-COLA ENTERPRISES

The petition for a writ of certiorari is denied. Justice Breyer took no part in the consideration or decision of this petition.

99- 878 CRAWFORD, GEORGE W., ET UX. V. SIGNET BANK, ET AL.

The petition for a writ of certiorari is denied. The Chief Justice took no part in the consideration or decision of this petition.

99- 7235 BENTLEY, ROOSEVELT C. V. BURNS, ROBERT P., ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8.

99- 7402 TURNER, JOHN P. V. VIRGINIA

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of certiorari is dismissed. See Rule 39.8.

99- 7425 WALKER, ELEANOR V. V. CLINTON, PRESIDENT OF U. S.

The petition for a writ of certiorari before judgment is denied.

HABEAS CORPUS DENIED

99- 7343 IN RE STANLEY NICK EHNES

99- 7591 IN RE JAMES B. McNALLY

The petitions for writs of habeas corpus are denied.

MANDAMUS DENIED

99- 7133 IN RE CHARLES SIMON

The petition for a writ of mandamus is denied.

99- 910 IN RE JUAN ANTONIO TAPIA-ORTIZ

The petition for writ of mandamus and/or prohibition is denied.

REHEARINGS DENIED

98- 9450 FRANKLIN, RAYMOND V. GOODWIN, WARDEN, ET AL.

98- 9925 BEY, YASHUA A. , ET AL. vs. NEW YORK CITY DOC, ET AL.

99- 5518 JOHNSON, ANTHONY V. UNITED STATES

99- 5833 SPEARS, LARRY D. V. MARSH, DOCTOR, ET AL.

99- 5864 GUANIPA, YRAIDA L. V. UNITED STATES

99- 6037 LEE, JAMES A. V. GEORGIA

99- 6125 ZUKER, ALEJANDRO G. V. ANDREWS, PATRICIA K.

99- 6453 WESSINGER, TODD V. LOUISIANA

99- 6490 CEGLAREK, CONNIE V. JOHN CRANE, INC.

99- 6640 LINEBERGER, VINCENT E. V. UNITED STATES

The petitions for rehearing are denied.

98- 9583 WELCH, RICHARD V. LAMBERT, SUPT. , WA

The motion for leave to file a petition for rehearing is denied.