

(ORDER LIST: 536 U.S.)

MONDAY, JUNE 24, 2002

APPEAL -- SUMMARY DISPOSITION

01-1600 UNGER, JOHN, ET AL. V. MANCHIN, WV SEC. OF STATE

The judgment is affirmed.

CERTIORARI -- SUMMARY DISPOSITION

00-665 MONTEMAYOR, TX CMMR. INS. V. CORPORATE HEALTH INS., ET AL

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 Fifth Circuit for further consideration in light of *Rush Prudential HMO, Inc. v. Moran*, 536 U.S. \_\_\_\_ (2002).

01-1028 SAN ANTONIO, TX, ET AL. V. STUCKY, BRENDA, ET AL.

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 Fifth Circuit for further consideration in light of *City of Columbus v. Ours Garage and Wrecker Service, Inc.*, 536 U.S. \_\_\_\_ (2002).

01-1206 DALLAS, TX V. COLE, PETER T.

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 Fifth Circuit for further consideration in light of *City of Columbus v. Ours Garage and Wrecker Service, Inc.*, 536 U.S. \_\_\_\_ (2002).

**ORDERS IN PENDING CASES**

01M70 CANTRELL, RANDALL A. V. UNITED STATES

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

01-8601 MAYBERRY, MARVIN D. V. BURGHUIS, MARY

01-9727 IN RE JOHN DENNIS SNAVELY

The motions of petitioners for reconsideration of orders denying leave to proceed *in forma pauperis* are denied.

**CERTIORARI GRANTED**

01-1418 ARCHER, A. ELLIOTT, ET UX. V. WARNER, ARLENE L.

The petition for a writ of certiorari is granted.

01-1269 CUYAHOGA FALLS, OH, ET AL. V. BUCKEYE COMMUNITY HOPE

The petition for a writ of certiorari is granted limited to Questions 1, 2 and 3 presented by the petition.

01-1368 NV DEPT. OF HUMAN RESOURCES V. HIBBS, WILLIAM, ET AL.

The motion of respondent William Hibbs for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted.

**CERTIORARI DENIED**

01-200 U. S. HEALTHCARE SYSTEMS, PA vs. PA HOSP. INS. CO., ET AL.

01-336 SERVANTES, PATRICK V. RENNE, LOUISE

01-764 PATRICK, PATRICIA E. V. UNUM LIFE INS. CO. OF AMER.

01-863 FIN CONTROL SYSTEMS V. SURFCO HAWAII

01-873 BOWEN, WARDEN V. RICE, KEVIN  
01-1372 MN SR. FEDN. METRO. REGION V. UNITED STATES, ET AL.  
01-1384 MICHIGAN PEAT vs. EPA, ET AL.  
01-1392 USA POLYMER CORP. V. NLRB  
01-1404 LILLY, SARA E. V. UNITED STATES  
01-1417 PRESUTTI, SALVATORE J. vs. FDIC, ETC.  
01-1429 AMALFITANO, MICHAEL V. UNITED STATES, ET AL.  
01-1449 ERVIN, PAUL L. V. PENNSYLVANIA  
01-1462 LINNEEN, ROSS B., ET UX. vs. GILA RIVER INDIAN COMMUNITY  
01-1547 SOUTH CAMDEN CITIZENS V. NJ DEPT. OF ENVIR. PROT.  
01-1551 PILIPSHEN, KENNETH V. IBM CORP.  
01-1553 OHIO V. REINER, MATTHEW  
01-1560 BARRIOS, PABLO E. vs. FL BD. OF REGENTS, ET AL.  
01-1564 CHAMBERS, FRANKLIN D. V. STERN, HAROLD P., ET AL.  
01-1571 DUHON, JOHN A., ET AL. V. POLICE JURY OF VERMILLION  
01-1578 MEDICAL ASSURANCE OF WV V. PIZARRO, EVANGELINE, ET AL.  
01-1581 IDG, INC., ET AL. V. CONTINENTAL CASUALTY CO.  
01-1583 THURLWELL, ROBERT V. WALT DISNEY PICTURES & TV  
01-1587 DAHLZ, JUSTIN R. V. STATE BAR OF CA  
01-1590 WRIGHT, MATTHEW B. V. DAIGLE, SUPT., WA STATE  
01-1597 DUNN, ROBERT P. V. KEAN, MONA L.  
01-1598 CLARK, MICHAEL V. ILLINOIS  
01-1606 DUNN, THOMAS C. V. KEAN, MONA LISA  
01-1610 McCLURE, REECE N. V. GEORGE, DAVID E.  
01-1612 SCHULTZ, CYNTHIA V. SYKES, CHARLES J.  
01-1613 WENDT, WILLIAM F. V. MINETA, SEC. OF TRANSP.  
01-1615 McLACHLAN, ROSEMARY, ET AL. V. SIMON, DONALD, ETC., ET AL.

01-1619 AKERS, JAMES G. V. BISHOP, CAROLYN P., ET AL.

01-1620 RODRIGUEZ, EDGAR H. vs. TX DEPT. PROTECT. & REG. SVC

01-1621 BEBCHICK, LEONARD N. V. HOLLAND AM. LINE-WESTOURS

01-1673 WAGENKNECHT, CARL R. V. UNITED STATES, ET AL.

01-1724 BAR-MEIR, GENICK V. NORTH AM. DIE CASTING ASSN.

01-8465 SOL, JUAN R. vs. INS

01-8544 MORALES, EDUARDO V. UNITED STATES

01-8643 AMAYA-MATAMOROS, ALBRI V. UNITED STATES

01-8664 WRIGHT, DANIEL V. UNITED STATES

01-8678 FIELDS, DAVID V. UNITED STATES

01-8696 JEAN, EDNER V. UNITED STATES

01-9153 GREEN, JASON M. V. NEWELL, DAVID R., ET AL.

01-9199 THOMPSON, MICHAEL E. V. HALEY, COMM'R, AL DOC

01-9228 HALL, ROY L. V. UNITED STATES

01-9246 HERNANDEZ-PESINA, JAVIER V. UNITED STATES

01-9339 NEW, PAUL W. V. FLORIDA

01-9422 TAYLOR, MICHAEL V. VETERANS ADMIN. MEDICAL

01-9696 VALENTINE, JOSEPH L. V. FRANCIS, WARDEN

01-9709 ) DINSIO, AMIL V. NEW YORK  
 )

01-9710 ) DINSIO, JAMES V. NEW YORK

01-9715 ) IN RE BRANDON LEE B.  
 )

01-9724 ) CARRIE Q. B. vs. WV DEPT. OF HEALTH, ET AL.

01-9719 RICHARDSON, WILLIAM C. V. LOWE, SHERRI, ET AL.

01-9730 BARROW, DAVID J. V. ANGELONE, DIR., VA DOC

01-9735 HAYWOOD, KELVIN V. MAZZUCA, SUPT., FISHKILL

01-9737 PELTIER, BRIAN E. V. GREYHOUND LINES, INC.

01-9743 STEVENSON, WILLIE V. LUEBBERS, SUPT., POTOSI

01-9744 BALISOK, JERRY V. WASHINGTON  
01-9746 BOLTON, WILL D. V. MOORE, SEC., FL DOC  
01-9747 BUNNERY, WEST V. CALIFORNIA  
01-9753 CARTWRIGHT, THOMAS J. V. MOSLEY, WARDEN, ET AL.  
01-9756 JEMISON, ARTHUR L. V. WHITE, WARDEN  
01-9758 HUFFMAN, JOE E. V. COCKRELL, DIR., TX DCJ  
01-9759 HORTON, LEE V. DRAGOVICH, SUPT., CAMP HILL  
01-9760 HERNANDEZ, JUAN R. V. MOORE, SEC., FL DOC  
01-9763 NATURALITE, JAMI V. CIARLO, MICHELE, ET AL.  
01-9765 LANE, JAMES E. V. FIELDS, LARRY, ET AL.  
01-9769 POST, CRAIG H. V. COURT OF APPEAL OF CA  
01-9772 CAFFEY, FEDELL V. ILLINOIS  
01-9778 CLARK, ROBBIE V. MOORE, SEC., FL DOC  
01-9782 HALL, ANDREW V. NEVADA  
01-9785 CARLTON, LINDA A. V. CARLTON, GREG  
01-9786 HERBERT, ROY V. CAROBINE, MICHAEL, ET AL.  
01-9787 ALLEN, RICHARD V. CALIFORNIA  
01-9791 ECHOLS, HASAAN V. ILLINOIS  
01-9794 CURRY, MARLON V. ILLINOIS  
01-9796 ATKINSON, DARRELL V. CT COMM'R OF CORRECTION  
01-9798 KNOBLAUCH, GEORGE V. NEW YORK  
01-9800 THOMAS, CHESTER A. V. WICHITA, KS  
01-9801 HERDT, MICHAEL V. UPHOFF, DIR., WY DOC, ET AL.  
01-9803 HEINE, MICHAEL F. V. COCKRELL, DIR., TX DCJ  
01-9804 PURPURA, NICHOLAS E. V. PURPURA, BARBARA  
01-9805 GUY, WILFRED V. CAIN, WARDEN  
01-9806 HATCHER, ERIC V. SMITH, WARDEN

01-9807 FORD, ELWELL K. V. MARION CTY. SHERIFF'S DEPT.  
01-9811 TAYLOR, VICTOR D. V. KENTUCKY  
01-9814 DONOGHUE, CECILIA M. V. ILLINOIS CIVIL SERVICE COMM.  
01-9817 LEE, BENNY E. V. DODRILL, WARDEN  
01-9820 OBANDO, RENATO V. WHITE, WARDEN, ET AL.  
01-9822 WEATHERSPOON, SAMMY L. V. MOORE, SEC., FL DOC  
01-9823 RAULS, KENNETH R. V. JOHNSON, WARDEN  
01-9830 FOSTER, DANIEL V. KEMNA, SUPT., CROSSROADS  
01-9831 HARRISON, JUAN A. V. COURT OF APPEAL OF CA  
01-9833 BALLARD, JOSEPH R. V. KENTUCKY  
01-9835 WHITE, MARK E. V. KAPTURE, WARDEN  
01-9836 TYLER, BILLY J. V. ASHCROFT, ATT'Y GEN., ET AL.  
01-9837 WELLS, CARL D. V. GOORD, COMM'R, NY DOC  
01-9838 TOWNSEND, SHERMAN E. V. ADAIR, WARDEN  
01-9839 ENGEL, PERRY V. PENNSYLVANIA, ET AL.  
01-9844 DEY, EUGENE V. CALIFORNIA  
01-9845 DE LA ROSA, ELEAZAR V. COCKRELL, DIR., TX DCJ  
01-9846 EARLY, REGINALD R. V. MILLER, VERA, ET AL.  
01-9847 PARRA, VICTOR V. CALIFORNIA  
01-9848 TRUJILLO, JOHN V. WILLIAMS, WARDEN, ET AL.  
01-9850 DUHON, MICHAEL G. V. COCKRELL, DIR., TX DCJ  
01-9851 CHAVEZ, ROBERTO V. ALDERMAN, JOHN R., ET AL.  
01-9853 CURTIS, EDWARD D. V. KEMNA, SUPT., CROSSROADS  
01-9905 HUGHES, KOSHAUN V. ILLINOIS  
01-9914 WHITE, ALFRED V. LOUISIANA  
01-9921 PIERCE, WENDELL V. ILLINOIS  
01-9946 WILLIAMS, LEWIS V. COYLE, WARDEN

01-10031 JINADU, DELORIS V. ILLINOIS  
01-10084 PARDEE, WILLIAM W. V. CONROY, WARDEN  
01-10134 CLOPTON, CEDRIC V. ILLINOIS  
01-10175 SILVA, PHILLIP V. CALIFORNIA  
01-10220 IHEKE, CHIMA V. UNITED STATES  
01-10304 ROSAS-ZULOAGA, JESUS E. V. UNITED STATES  
01-10306 RAMOS, JUAN V. UNITED STATES  
01-10307 RODRIGUEZ-LAZCANO, CARLOS V. UNITED STATES  
01-10311 PHELPS, COY V. UNITED STATES  
01-10312 VALENZUELA-URIAS, SAUL V. UNITED STATES  
01-10313 SANTOS-DE LA ROSA, JESUS V. UNITED STATES  
01-10314 WATTS, TONY M. V. UNITED STATES  
01-10316 LaCEDRA, GLENN P. V. UNITED STATES  
01-10318 AMEZCUA, HUMBERTO V. UNITED STATES  
01-10319 BLAIR, CHARLES R. V. UNITED STATES  
01-10320 STOVER, RAY C. V. UNITED STATES  
01-10321 APARCO-CENTENO, JAVIER V. UNITED STATES  
01-10324 GRAHAM, RANDY B. V. UNITED STATES  
01-10325 PEREZ, ARNULFO R. V. UNITED STATES  
01-10327 AL-ZUBAIDY, EMAD V. UNITED STATES  
01-10328 ZAPATA-ROBLES, JOSE D. V. UNITED STATES  
01-10332 SCHWEITZER, BRIAN V. UNITED STATES  
01-10334 MARINO, VINCENT M. V. UNITED STATES  
01-10335 LUA-GARCIA, CHRISTIAN I. V. UNITED STATES  
01-10336 LOPEZ, RAMON V. ROMINE, WARDEN  
01-10339 AVILES-GARCIA, MIREYA V. UNITED STATES  
01-10342 BAIN, ALAN M. V. UNITED STATES

01-10347 AGUILAR-PLATA, JOSE S. V. UNITED STATES  
01-10349 SWINT, NATHANIEL V. UNITED STATES  
01-10350 SUMMERSETT, DONNELL V. UNITED STATES  
01-10354 GOMEZ-ROMERO, FERNANDO V. UNITED STATES  
01-10356 NORRIS, GLEN V. UNITED STATES  
01-10357 CARDENAS-LOPEZ, JAIME V. UNITED STATES  
01-10362 WALLACE, WILLIE T. V. UNITED STATES  
01-10363 LEE, BOBBY E. V. UNITED STATES  
01-10364 LUALEMAGA, JEFFREY S. V. UNITED STATES  
01-10365 HILL, JAMES M. V. UNITED STATES  
01-10366 FRANCIS, RAYMOND J. V. UNITED STATES  
01-10371 CECENO, JESUS V. UNITED STATES  
01-10373 SANCHEZ, FRANCISCO V. UNITED STATES  
01-10376 JOHNSON, JOSEPH J. V. UNITED STATES  
01-10377 JOHNSON, RAMOUNE L. V. UNITED STATES  
01-10378 LOPEZ-LOPEZ, RUBEN V. UNITED STATES  
01-10379 THOMPSON, JERRY L. V. UNITED STATES  
01-10382 GENERAL, BENJAMIN V. UNITED STATES  
01-10384 FLORES, KEVIN A. V. UNITED STATES  
01-10386 ALIM, SAMIR M. V. UNITED STATES  
01-10387 BELL, ANTHONY W. V. UNITED STATES  
01-10389 DUVALL, DUANE A. V. UNITED STATES  
01-10390 ESTRADA, JUAN V. UNITED STATES  
01-10394 GARY, BOOKER T. V. HOLT, WARDEN  
01-10408 MOLINA-PORTILLO, MAXIMILIANO V. UNITED STATES  
01-10439 FOSTER, WALTER V. FULKERSON, JONATHAN, ET AL.

The petitions for writs of certiorari are denied.

01-1158 ) JAZZ PHOTO CORP., ET AL. V. INT'L TRADE COMM'N, ET AL.  
)  
01-1376 ) FUJI PHOTO FILM CO. V. JAZZ PHOTO CORP., ET AL.

The motion of petitioners, in No. 01-1158, for leave to file a petition for a writ of certiorari under seal with redacted copies for the public is granted. The motion of American Free Trade Association for leave to file a brief as *amicus curiae* is granted. The motion of respondent Fuji Photo Film Co., Ltd., in No. 01-1158, for leave to file a brief in opposition under seal with redacted copies of the brief for the public is granted. The motion of Costco Wholesale Corporation for leave to file a brief as *amicus curiae* is granted. The motion of Grandway USA Corporation to be substituted in place of petitioner Dynatec International, Inc., is denied. The motion petitioner, in No. 01-1376, for leave to file a cross-petition for a writ of certiorari under seal with redacted copies for the public is granted. The motion of respondents Jazz Photo Corp., et al. for leave to file a supplemental brief in No. 01-1376 under seal with redacted copies for the public is granted. The petitions for writs of certiorari are denied.

01-1427 WALGREEN CO. V. HOOD, SEC., LA DEPT. HEALTH

01-9742 BURGESS, NATHAN V. SAN FRANCISCO DEPT. OF ELEC.

The petitions for writs of certiorari are denied. Justice Breyer took no part in the consideration or decision of these petitions.

01-1562 WOODFORD, WARDEN V. CARO, FERNANDO E.

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is denied.

01-9725 ARMSTRONG, DONALD E. V. STEPPES APTS., ET AL.

The motion of Kenneth A. Rushton, Chapter XI Trustee, for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

01-9821 BROWN, JOEL vs. CA DOC, 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. As the petitioner has repeatedly abused this Court's process, the Clerk is directed not to accept any further petitions in noncriminal matters from petitioner unless the docketing fee required by Rule 38(a) is paid and the petition is submitted in compliance with Rule 33.1. See *Martin v. District of Columbia Court of Appeals*, 506 U.S. 1 (1992) (*per curiam*). Justice Stevens dissents. See *id.*, at 4, and cases cited therein.

01-9828 GLADSTONE, IRVE V. MERRILL LYNCH, ETC.

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.

**HABEAS CORPUS DENIED**

01-10296 IN RE ROBERT REE SMITH  
01-10358 IN RE DONALD CALLEN  
01-10369 IN RE ROY BOWEN  
01-10405 IN RE DAVID DUANE BREWER  
01-10460 IN RE GARY THOMAS DETHLEFS  
01-10499 IN RE JAMES RIVA  
01-10531 IN RE MICHAEL ANTONELLI

The petitions for writs of habeas corpus are  
denied.

**MANDAMUS DENIED**

01-9238 IN RE DOUGLAS GENE MAYBERRY  
01-9783 IN RE DAVID MARCUS PETERSON  
01-10331 IN RE JACK WADE WARREN  
01-10409 IN RE CALVIN WOODARD

The petitions for writs of mandamus are denied.

**REHEARINGS DENIED**

00-9952 BENNINGS, ANTONIO V. KEARNEY, BRYAN, ET AL.  
01-1150 LEON C. BAKER P.C., ET AL. V. MERRILL LYNCH, PIERCE, ETC.  
01-1222 SMITH, DENISE V. TALLAHASSEE DEMOCRAT, ET AL.  
01-1251 COOK, WILLIAM V. CLEVELAND STATE UNIVERSITY  
01-1257 Z. G. vs. DC SUPERIOR COURT, ET AL.  
01-1361 CLARK, KENNETH H. V. UNITED STATES  
01-1432 LOPEZ, RAMON V. UNITED STATES  
01-6897 GARDNER, RAYFORD L. V. SEABOLD, WARDEN  
01-7933 BELL, LARRY L. V. LARKINS, SUPT., DALLAS

01-7941 THOMPSON, BRUCE V. FLORIDA  
01-8160 TIDIK, BRAD A. V. APPEALS JUDGES OF MICHIGAN  
01-8258 TILLI, DANIEL V. HUD, ET AL.  
01-8293 YOUNG-BEY, JEFFREY M. V. MARYLAND  
01-8372 IN RE NORRIS WAUQUA  
01-8421 LEWIS, FREDDIE R. V. SMITH, CHRIS, ET AL.  
01-8955 WINKE, JAMES B. V. BRADSHAW, FOWLER, ETC.  
01-8968 MARCELLO, JAMES, ET UX. vs. ME DEPT. OF HUMAN SERVICES  
01-9392 WILLIAMS, DERRICK V. UNITED STATES

The petitions for rehearing are denied.

01-7292 RHOADS, LORI D. V. FDIC

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

#### **ATTORNEY DISCIPLINE**

D-2286 IN THE MATTER OF DISBARMENT OF MARTIN ERIC MARKS

Martin Eric Marks, of Great Neck, New York, having been suspended from the practice of law in this Court by order of March 4, 2002; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Martin Eric Marks is disbarred from the practice of law in this Court.

D-2287 IN THE MATTER OF DISBARMENT OF THEODORE WILLIAM BUSHLOW

Theodore William Bushlow, of Brooklyn, New York, having been suspended from the practice of law in this

Court by order of March 4, 2002; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Theodore William Bushlow is disbarred from the practice of law in this Court.

D-2290 IN THE MATTER OF DISBARMENT OF MURREY L. GRIDER

Murrey L. Grider, of Pocahontas, Arkansas, having been suspended from the practice of law in this Court by order of March 4, 2002; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Murrey L. Grider is disbarred from the practice of law in this Court.

D-2291 IN THE MATTER OF DISBARMENT OF F. LEE BAILEY

F. Lee Bailey, of West Palm Beach, Florida, having been suspended from the practice of law in this Court by order of March 18, 2002; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that F. Lee Bailey is disbarred from the practice of law in this Court.

D-2324 IN THE MATTER OF DISCIPLINE OF RAGNHILD ANNE WESTBY

Ragnhild Anne Westby, of Saint Paul, Minnesota, is suspended from the practice of law in this Court and a

rule will issue, returnable within 40 days, requiring her to show cause why she should not be disbarred from the practice of law in this Court.

D-2325 IN THE MATTER OF DISCIPLINE OF WILLIAM P. HOVELL

William P. Hovell, of Spring Valley, California, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2326 IN THE MATTER OF DISCIPLINE OF PETER L. BENJAMIN

Peter L. Benjamin, of Merrillville, Indiana, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2327 IN THE MATTER OF DISCIPLINE OF DAVID GLENN REYNOLDS

David Glenn Reynolds, of Placitas, New Mexico, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2328 IN THE MATTER OF DISCIPLINE OF JOEL R. BRANDES

Joel R. Brandes, of Garden City, New York, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2329 IN THE MATTER OF DISCIPLINE OF ANTHONY F. LEONARDO, JR.

Anthony F. Leonardo, Jr., of Rochester, New York, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2330 IN THE MATTER OF DISCIPLINE OF PETER S. ZOGBY

Peter S. Zogby, of New Hartford, New York, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

**RECESS ORDER**

The Court will take a recess from today until Thursday, June 27, 2002.