

(ORDER LIST: 542 U.S.)

MONDAY, JUNE 14, 2004

**CERTIORARI -- SUMMARY DISPOSITIONS**

03-284 SOCIETE NATIONALE DES CHEMINS V. ABRAMS, RAYMOND, ET AL.  
03-500 )  
 )  
03-517 ) REPUBLIC OF AUSTRIA, ET AL. V. WHITEMAN, DORIT, ET AL.  
POLAND, ET AL. V. GARB, THEO, ET AL.

The petitions for writs of certiorari are granted. The judgments are vacated and the cases are remanded to the United States Court of Appeals for the Second Circuit for further consideration in light of *Republic of Austria v. Altmann*, 541 U. S. \_\_\_\_ (2004).

03-741 HWANG, GEUM JOO, ET AL. V. JAPAN

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 District of Columbia Circuit for further consideration in light of *Republic of Austria v. Altmann*, 541 U. S. \_\_\_\_ (2004).

03-1348 KO, EDMUND V. NEW YORK

The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the Appellate Division, Supreme Court of New York, First Judicial Department, for further consideration in light of *Crawford v. Washington*, 541 U. S. \_\_\_\_ (2004).

**ORDERS IN PENDING CASES**

02-10038 TENNARD, ROBERT J. V. DRETKE, DIR., TX DCJ

The motion of respondent for leave to file supplemental

brief after argument is granted.

03-409 KP PERMANENT MAKE-UP, INC. V. LASTING IMPRESSIONS, INC., ET AL.

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

03-878 CRAWFORD, INT. FIELD OFFICE DIR. V. MARTINEZ, SERGIO S.

03-7434 BENITEZ, DANIEL V. MATA, INT. FIELD OFFICE DIR.

The motion of respondent Martinez and petitioner Benitez for divided argument is granted. The request for additional time for oral argument is denied.

03-9345 OWEN, DUANE V. FLORIDA

The motion of petitioner to defer consideration of the petition for a writ of certiorari is granted.

#### **CERTIORARI GRANTED**

02-1672 JACKSON, RODERICK V. BIRMINGHAM BD. OF EDUCATION

The petition for a writ of certiorari is granted.

03-1423 MUEHLER, DARIN L., ET AL. V. MENA, IRIS

The motion of Police Officers Research Association of California Legal Defense Fund for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is granted.

03-8661 SMITH, MELVIN T. V. MASSACHUSETTS

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted.

#### **CERTIORARI DENIED**

03-201 CLAYTON HOSPITALITY GROUP, INC. V. ORANGE COUNTY, FL, ET AL.

03-1159 SKWIRA, STATIA A., ET AL. V. UNITED STATES  
03-1281 ISLIP, NY, ET AL. V. NORTON, HOWARD  
03-1288 HOLMES, ROBERT V. DIR., OFFICE OF WKERS.' COMP.  
03-1298 WILLIAMS, MARGARET V. YOUNG, DEVELL R., ET AL.  
03-1314 LURIE, RONALD U. V. BLACKWELL, ROBERT J.  
03-1343 JOHNSON, KEITH V. ORANGE COUNTY, FL  
03-1390 WASTE RECOVERY ENTERPRISES, LLC V. UNADILLA, NY, ET AL.  
03-1405 HOTEL & MOTEL ASSN., ET AL. V. OAKLAND, CA, ET AL.  
03-1411 DOE, GEORGE, ET AL. V. LEBBOS, BETSEY W., ET AL.  
03-1412 COASTAL PETROLEUM CO., ET AL. V. FL DEPT. OF ENVTL. PROTECTION  
03-1421 U. S., ex rel. GOLDSTEIN V. FABRICARE DRAPERIES, INC.  
03-1422 DeGIDIO, ANTHONY J. V. WEST GROUP CORP., ET AL.  
03-1468 LAKIN LAW FIRM, P.C. V. FTC  
03-1476 MCGREGOR, CHARLES E. V. MINETA, SEC. OF TRANSP.  
03-1486 NO. VOYAGER LTD. PARTNERSHIP V. UNITED STATES  
03-1489 CARROLL, CHERYL M. V. POTTER, POSTMASTER GEN., ET AL.  
03-1491 THAMES SHIPYARD AND REPAIR V. UNITED STATES  
03-1493 DOE, GEORGE V. UNITED STATES  
03-1494 JACKSON, WAGNER D. V. DEPT. OF JUSTICE, ET AL.  
03-1516 WYATT, SYLVIA K., ET AL. V. UNITED STATES  
03-1539 KING, ROBERT R. V. UNITED STATES  
03-8444 JENNINGS, REGINALD A. V. UNITED STATES  
03-8622 HARRINGTON, MICHAEL V. NORTHWEST AIRLINES, INC.  
03-8804 CONROD, EARNEST V. MOORE, TRICIA A., ET AL.  
03-8808 JONES, QUINTIN P. V. TEXAS  
03-9167 SIMPSON, DANIELLE V. TEXAS  
03-9274 RABY, CHARLES D. V. DRETKE, DIR., TX DCJ  
03-9323 DUNN, JOHN D. V. UNITED STATES

03-9333 OVERBY, LAMONT V. PENNSYLVANIA  
03-9351 AGUILERA-DE FLORES, TOMASA V. UNITED STATES  
03-9715 TURNER, WILLIAM D. V. HORN, MICHAEL V., ET AL.  
03-9716 BROWN, BOBBY J. V. SCOTT, BRANDON, ET AL.  
03-9717 MACKEY, JAMES V. ILLINOIS  
03-9735 DALAL, DANI V. OZMINT, DIR., SC DOC, ET AL.  
03-9736 O'NEAL, ROSE M. V. HAMMER, HENRY, ETC., ET AL.  
03-9745 LEE, TRACEY D. V. CALIFORNIA  
03-9747 JON, ROY V. DRETKE, DIR., TX DCJ  
03-9749 JOHNSON, ANDRE V. MARSHALL, J., ET AL.  
03-9758 ROGERS, DARRICK A. V. ROSE, WARDEN  
03-9760 JOHNSON, JACK O. V. ALAMEIDA, DIR., CA DOC  
03-9763 CHAPIN, JEFFREY M. V. FERNALD, WARDEN, ET AL.  
03-9764 TRINIDAD, DANIEL V. DRETKE, DIR., TX DCJ  
03-9766 CATHRON, ANDRE V. JONES, WARDEN  
03-9771 LOLLAR, MICHAEL C. V. DRETKE, DIR., TX DCJ  
03-9781 BROWN, JAMES V. WILLIAMS, WARDEN  
03-9782 SCOTT, MICHAEL D. V. OHIO  
03-9785 KALINOWSKI, RICHARD A. V. BOND, MIKE, ET AL.  
03-9789 DUENAS, RICHARD F. V. GALAZA, WARDEN, ET AL.  
03-9795 JACKSON, DONALD C. V. JOHNSON, DIR., VA DOC  
03-9797 SCOTT, WILLIE V. LOUISIANA  
03-9798 SMITH, LEONARD V. BERRY, JANETTE E.  
03-9801 McQUEEN, CURTIS L. V. KEMNA, SUPT., CROSSROADS  
03-9806 BELTON, THERON V. TURNER, CLEVELAND, ET AL.  
03-9810 SUDDUTH, ROY V. STRASSBURGER, EUGENE B., ET AL.  
03-9813 MATHIS, VAUGHN P. V. PENNSYLVANIA  
03-9814 SHOYINKA, TIWALOLA O. V. LOS ANGELES, CA

03-9818 McLAURIN, RUFUS J. V. YARBOROUGH, WARDEN  
03-9820 STAMPONE, FREDERICK V. KEARFOTT GUIDANCE, ET AL.  
03-9829 HASSINK, LESTER P. V. GANSHEIMER, WARDEN  
03-9831 HODGE, CHANT'E N., ET VIR V. GIANT FOOD INC., ET AL.  
03-9833 BIROS, KENNETH V. BRADSHAW, WARDEN  
03-9834 EVANS, GABRIEL L. V. HAMRICK, DWIGHT, ET AL.  
03-9836 MCGEE, VAUGHN V. MOTE, WARDEN  
03-9841 PRESIDENT, RODERICK V. STALDER, SEC., LA DOC, ET AL.  
03-9842 LINDSEY, GREGORY E. V. COLORADO  
03-9843 JUSTICE, ROBERT V. V. SUPERIOR COURT OF CA  
03-9844 ANGEL, HARVEY D. V. TEXAS  
03-9848 GORDON, DONALD, ET AL. V. ALABAMA, ET AL.  
03-9849 MARTIN, DERRICK T. V. HERNANDEZ, WARDEN  
03-9850 KISSANE, WILLIAM B. V. JONES, WARDEN  
03-9864 HICKS, ROBERT K. V. HEAD, WARDEN  
03-9878 SIGALA, MICHAEL A. V. TEXAS  
03-9896 MAYS, ARTHUR V. STRAUB, WADEN  
03-9953 HOWARD, TWANDA J. V. HILLSBOROUGH COUNTY SHERIFF  
03-9963 AUSTIN, ROBERT V. GILLIS, SUPT., COAL TWP., ET AL.  
03-9972 POSEY, CHRISTOPHER F. V. CALIFORNIA  
03-10005 WILLIAMS, CORNELIUS V. ROWLEY, SUPT., MO EASTERN  
03-10013 QUEVEDO, MARIA L. V. RUMSFELD, SEC. OF DEFENSE, ET AL.  
03-10014 EVERETT, JAMES V. PENNSYLVANIA, ET AL.  
03-10022 LEWIS, DWIGHT D. V. JOHNSON, DIR., VA DOC  
03-10036 BUSHARD, ANNA M. V. YUKINS, WARDEN  
03-10073 GALE, EARL V. VAUGHN, SUPT., GRATERFORD  
03-10090 DAVIS, THOMAS V. WALDRON, CLERK, USCA 3, ET AL.  
03-10113 MOLINEAUX, KEITH M. V. WEST VIRGINIA

03-10133 TOMLIN, JOHN H. V. SCHRIRO, DIR., AZ DOC, ET AL.  
03-10145 LOCKLEAR, MARK V. NORTH CAROLINA  
03-10167 ATTIA, JAMES E. V. SOCIAL SEC. ADMIN., ET AL.  
03-10194 GUY, GEORGE A. V. BARNHART, COMM'R, SSA  
03-10212 GRANT, REGINALD C. V. UNITED STATES  
03-10219 WARD, DAVID C. V. UNITED STATES  
03-10226 CASEY, HOWARD V. LAVAN, SUPT., DALLAS, ET AL.  
03-10231 AREVALO, JOSE L. V. UNITED STATES  
03-10236 WATKINS, DEJUAN A. V. UNITED STATES  
03-10239 BURR, WILLIAM J. V. UNITED STATES  
03-10244 CRAYTON, LAWRENCE E. V. UNITED STATES  
03-10247 CONCEPCION, ALBERTO V. UNITED STATES  
03-10248 WILLIS, NYKAEL R. V. UNITED STATES  
03-10250 BONILLA, VICTOR V. UNITED STATES  
03-10251 SMITH, DERRICK V. UNITED STATES  
03-10252 SANDERS, BERT V. UNITED STATES  
03-10254 DeCATO, RICHARD V. EXEC. OFFICE FOR U.S. ATTORNEYS  
03-10256 CARTER, DAVID L. V. UNITED STATES, ET AL.  
03-10258 BURNETT, DANYEL R. V. UNITED STATES  
03-10262 JIMENEZ-VELASCO, JUAN V. UNITED STATES  
03-10264 PEVELER, TERRY L. V. UNITED STATES  
03-10265 MEDINA-ANICACIO, SANTIAGO V. UNITED STATES  
03-10266 MONSIBAIS-TOVIAS, RICARDO V. UNITED STATES  
03-10267 AFANADOR, MANUEL R. V. UNITED STATES  
03-10269 WILLIAMS, BARANDLE L. V. UNITED STATES  
03-10271 WELCH, DONALD V. UNITED STATES  
03-10272 NEWSOME, LESLIE R. V. UNITED STATES  
03-10273 MIRANDA, NESTOR C. V. UNITED STATES

03-10274 COLEMAN, RAYMOND V. UNITED STATES  
03-10275 EPPS, KENNETH V. UNITED STATES  
03-10276 CARDENAS-GUTIERREZ, ARTURO V. UNITED STATES  
03-10277 RUDDOCK, HORACE V. UNITED STATES  
03-10278 SALCEDA-GUERRERO, SERGIO V. UNITED STATES  
03-10282 JONES, FARON W. V. UNITED STATES  
03-10287 STEPHENS, ALBERT E. V. UNITED STATES  
03-10291 WRIGHT, DANIEL L. V. UNITED STATES  
03-10292 TERRELL, DONALD S. V. UNITED STATES  
03-10293 BURKE, DOUGLAS M. V. UNITED STATES  
03-10294 ALEXANDER, MICHAEL V. UNITED STATES  
03-10295 MERICHKO, JENNY L. V. BARNHART, COMM'R, SOCIAL SEC.  
03-10297 REID, MICHAEL S. V. UNITED STATES  
03-10299 LAMPKIN, TYREE L. V. UNITED STATES  
03-10303 RICE, NATHANIEL V. UNITED STATES  
03-10306 ELDRIDGE, FRED P. V. UNITED STATES  
03-10312 NIX, KIRKSEY M. V. UNITED STATES  
03-10313 MONTGOMERY, JOHN T. V. UNITED STATES  
03-10314 LAWRENCE, FRANCIS V. UNITED STATES  
03-10318 PRICE, JULIO R. V. UNITED STATES  
03-10319 SMYTHE, DEREK V. UNITED STATES  
03-10320 ADAMS, RONALD C. V. UNITED STATES  
03-10322 NEAL, BYRON L. V. UNITED STATES  
03-10324 BERRY, ELVERT V. UNITED STATES  
03-10326 AMADO-NUNEZ, JOSE V. UNITED STATES  
03-10329 HERNANDEZ, SAUL V. UNITED STATES  
03-10330 HERNANDEZ-PUGA, JOSE V. UNITED STATES  
03-10338 CARTER, DAVID L. V. UNITED STATES, ET AL.

03-10344 McFARLANE, DANIEL L. V. UNITED STATES  
03-10346 WALKER, SHARMAN V. UNITED STATES  
03-10347 BROWN, ORUSTU B. V. UNITED STATES  
03-10350 PERSAUD, IAN A. V. UNITED STATES  
03-10362 SPRINGER, JACKIE R., ET AL. V. UNITED STATES  
03-10365 SPYKES, EDDIE V. UNITED STATES  
03-10366 HAYS, MARK L. V. UNITED STATES  
03-10367 GOMEZ-VALDEZ, NICHOLAS V. UNITED STATES  
03-10368 GAINES, GARY L. V. UNITED STATES  
03-10370 BEARD, JOHN V. UNITED STATES  
03-10374 DELGADO-ROMERO, SALVADOR V. UNITED STATES  
03-10377 FLORENCE, GEORGE E. V. GALLEGOS, WARDEN  
03-10380 HUPP, MARION E. V. UNITED STATES  
03-10386 GIBSON, BERNARD V. UNITED STATES  
03-10388 HICKMAN, ROBERT V. UNITED STATES  
03-10392 GREENE, DANNY V. UNITED STATES  
03-10417 McDONNELL, NORMAN A. V. UNITED STATES  
03-10421 LONGORIA-CONTRERAS, RAFAEL V. UNITED STATES

The petitions for writs of certiorari are denied.

03-1147 ROEDER, DAVID M., ET AL. V. IRAN, ET AL.

The motion of George Allen, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

03-1282 HEALTHPLAN SERVICES, ET AL. V. GUNNELLS, MARY B., ET AL.

The motion of National Home Equity Mortgage Association for leave to file a brief as *amicus curiae* is granted. The motion of Chamber of Commerce of the United States for leave to file a brief as *amicus curiae* is granted. The petition for a writ of



certiorari is denied.

03-9788 MARTIN, JACQUAS L. V. NE BOARD OF PAROLE

03-10241 ORTLOFF, ROBERT S. V. FLEMING, WARDEN

The motions of petitioners for leave to proceed *in forma pauperis* are denied, and the petitions for writs of certiorari are dismissed. See Rule 39.8.

#### HABEAS CORPUS DENIED

03-10442 IN RE DAVID CARROLL

03-10508 IN RE KEVIN P. MILLER

03-10510 IN RE ERIC J. RHETT

The petitions for writs of habeas corpus are denied.

03-10478 IN RE DARRELL L. BAILEY

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of habeas corpus 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.

#### MANDAMUS DENIED

03-9751 IN RE DANIEL A. BELLON

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

03-10175 IN RE ARTHUR MORRISON

The motion of petitioner for leave to proceed *in forma pauperis* is denied, and the petition for a writ of mandamus 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.

**REHEARINGS DENIED**

01-8625 STROUD, STEPHAN V. POLLUNSKY, ALLEN, ET AL.  
03-1035 KELSO, ALICIA V. U.S. DEFENSE INTELLIGENCE AGENCY  
03-1249 FILOSO, PHYLLIS V. PRINCE WILLIAM SCHOOL BD.  
03-1278 PERSIK, RAYMOND C. V. COLORADO STATE UNIVERSITY  
03-8446 MOTT, FORREST B. V. SISTRUNK, SUPT., CROSS CITY  
03-8583 BOWMAN, RONNIE V. UNITED STATES  
03-8691 HARVEY, DERRICK L. V. GARCIA, WARDEN  
03-8895 RUSSELL, DAVID P. V. VITTANDS, MARTIN  
03-8928 PERRY, LAWRENCE I. V. BIRMINGHAM, AL, ET AL.  
03-8984 THOMPSON, HOWARD L. V. COURT OF APPEAL OF FL  
03-9068 FLEMING, DEREK M. V. BROOKS, WARDEN  
03-9113 WEST, DOUGLAS M. V. WORKMAN, WARDEN  
03-9293 ALDER, MATTHEW L. V. BURT, WARDEN  
03-9302 MANLEY, JAMES E. V. DAVIS, SUPT., IN  
03-9499 IN RE DARRELL W. REYNOLDS  
03-9522 MUNOZ, FIDEL V. UNITED STATES

03-9759 IN RE DANIEL A. BELLON

The petitions for rehearing are denied.

03-8397 COOPER, DENNIS V. JOHNSON, REG. DIR., GA DOC

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

**RECESS ORDER**

The Court will take a recess from today until Monday, June 21, 2004.