

(ORDER LIST: 540 U.S.)

TUESDAY, JANUARY 20, 2004

CERTIORARI -- SUMMARY DISPOSITIONS

02-1423 BELLSOUTH CORP., ET AL. V. COVAD COMMUNICATIONS CO.

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 Eleventh Circuit for further consideration in light of *Verizon Communications Inc. v. Law Offices of Curtis V. Trinko, LLP*, 540 U.S. ____ (2004).

03-241 QWEST CORP. V. METRONET SERVICES CORP.

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 *Verizon Communications Inc. v. Law Offices of Curtis V. Trinko, LLP*, 540 U.S. ____ (2004).

ORDERS IN PENDING CASES

03M37 VILLARREAL, RAUL O. V. DRETKE, DIR., TX DCJ

03M39 PINTO, GILBERTO V. CIR

03M40 PERRY, DONALD R. V. FLORIDA

03M41 JOHNSON, GREGORY D. V. DRETKE, DIR., TX DCJ

The motions to direct the Clerk to file petitions for writs of certiorari out-of-time are denied.

CERTIORARI GRANTED

03-407 KOWALSKI, JUDGE, ETC., ET AL. V. TESMER, JOHN C., ET AL.

The petition for a writ of certiorari is granted.

03-377 KOONS BUICK PONTIAC GMC V. NIGH, BRADLEY

The motion of American Bankers Association, et al. for leave to file a brief as *amici curiae* is granted. The motion of Virginia Automobile Dealers Association, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is granted.

CERTIORARI DENIED

03-271 CAVALIER TELEPHONE, LLC V. VERIZON VIRGINIA, INC.

03-412 POLLUX HOLDING, LTD. V. CHASE MANHATTAN BANK

03-552 APPLGATE, DON, ET AL. V. UNITED STATES

03-562 MACHARIA, MERANIA M., ET AL. V. UNITED STATES

03-575 PATTI, FRANK M. V. UNITED STATES

03-659 YAMAMOTO, MELVIN T., ET AL. V. BANK OF NY, ET AL.

03-677 HAWKINS, GLENN A., ET AL. V. AID ASSOC. FOR LUTHERANS

03-693 SCOTTSDALE UNIFIED SCH. DIST. V. HILLS, JOSEPH J.

03-695 GOODYEAR TIRE & RUBBER CO. V. MALEK, FREDERIC V.

03-704 KAWASAKI MOTORS CORP., U.S.A. V. BOB SCHULTZ MOTORS, INC.

03-712 LLOYD, CLAUDE H., ET UX. V. CONNOR, TX SEC. OF STATE, ET AL.

03-715 GAIN, SHARON L., ET AL. V. WASHINGTON, ET AL.

03-716 WHITSON, JONATHAN S. V. GULF SHORES, AL

03-718 TUCKER, CHARLES D. V. FRANK E. FEARN, ET AL.

03-735 ENGLISH, THOMAS L. V. VAZQUEZ, JUDGE, USDC NM

03-747 FINDLAY, KENNETH A. V. ASHCROFT, ATT'Y GEN., ET AL.

03-753 SKYWALKER COMMUNICATIONS OF IN V. SKYWALKER COMMUNICATIONS, INC.

03-791 KLEIN, GILDA A. V. POTTER, POSTMASTER GEN.
03-815 SPRINGWELL NAVIGATION CORP. V. CHASE MANHATTAN BANK
03-822 PAQUETTE, DONALD V. MASSACHUSETTS
03-823 PREOBRAZHENSKAYA, IRENE V. MERCY HALL INFIRMARY
03-830 BUSH, GERALD D. V. ZEELAND BD. OF ED., ET AL.
03-5383 FORD, KENNETH V. PENNSYLVANIA
03-6179 DIEMER, SVEN O. V. MASSACHUSETTS
03-6357 PRICE, CHARLES M. V. UNITED STATES
03-6784 JONES, LESTER V. UNITED STATES
03-6876 OVERSTREET, MICHAEL D. V. INDIANA
03-7370 OATNEY, BILLY L. V. OREGON
03-7371 OBERSON, JAMES V. BUR. OF FERRY AVIATION, ET AL.
03-7373 BAUGHN, MARK F. V. FL DOC, ET AL.
03-7374 MARTEL, DENNIS V. ALAMEIDA, DIR., CA DOC
03-7375 ARDOIN, RODNEY L. V. DRETKE, DIR., TX DCJ
03-7376 NAVARETTE, MARTIN A. V. CALIFORNIA
03-7388 SOLIS, JUAN M. V. DRETKE, DIR., TX DCJ
03-7391 ROBINSON, RICHARD E. V. KEMNA, SUPT., CROSSROADS
03-7401 WALLS, VICTOR V. PIERSON, WARDEN
03-7404 A. L. vs. E. H.
03-7407 PARKER, LAWRENCE V. MI DOC, ET AL.
03-7409 ROBERTS, CLARENCE D. V. CARTER, WARDEN
03-7411 ADUSUMILLI, INDIRA V. DISCOVER FINANCIAL SERVICES
03-7416 PITTMAN, JAMES E. V. JONES, WARDEN, ET AL.
03-7418 SIMMONS, QUINCYE A. V. BRAXTON, WARDEN
03-7422 WOJNICZ, KENNETH M. V. DAVIS, CLERK, ETC., ET AL.
03-7423 WILLIAMS, LARRY D. V. GEORGIA, ET AL.
03-7424 SANDERS, JETT B. V. TEXAS

03-7426 HENDROCK, CAROLYN V. GILBERT, RICKY
03-7428 PHILLIPS, DONALD E. V. MITCHEM, WARDEN, ET AL.
03-7439 SUTTLE, IVORY L. V. BERTRAND, WARDEN
03-7440 SCHMIDT, GREGORY J. V. DRETKE, DIR., TX DCJ
03-7445 FORTENBERRY, JOYCE V. TEXAS, ET AL.
03-7449 HALL, NATHAN V. CALIFORNIA
03-7450 HENRY, FREDERICK D. V. USDC CD CA
03-7460 JOHNSON, RAYMOND L. V. CALDERON, WARDEN
03-7461 WILCOX, CHRISTOPHER V. TEXAS
03-7465 HUNTER, BURN'ARD V. JOHNSON, DIR., VA DOC, ET AL.
03-7466 HERRERA, GEORGE L. V. SUBLETT, SAM, ET AL.
03-7468 HAWKINS, DWARNE V. CORNELL, WARDEN, ET AL.
03-7470 GAINES, J. B. STELL V. TEXAS
03-7474 GRAY, JOHN V. DRETKE, DIR., TX DCJ
03-7478 FENLON, ROBERT M. V. MOSKOWITZ, ADAM, ET AL.
03-7480 HOAGLIN, JEFFREY A. V. MICHIGAN
03-7481 FALONI, GERARD J. V. BLUM, YUMKAS, MAILMAN, ET AL.
03-7482 HINOJOSA, JOSE C. V. GIURBINO, WARDEN
03-7488 THOMPSON, ROBERT V. TEXAS
03-7489 VILLAMAR, ALTON C. V. HICKMAN, WARDEN
03-7497 PACE, BRUCE D. V. FLORIDA
03-7501 BELL, WILLIAM H. V. OZMINT, DIR., SC DOC
03-7505 BROWN, DEMETRIUS V. BURT, WARDEN
03-7508 SULLIVAN, CHARLES V. SOUTH CAROLINA DOC
03-7511 SCHAETZLE, DAVID V. DRETKE, DIR., TX DCJ
03-7512 AHMED, NAWAZ V. SARGUS, JUDGE, ETC., ET AL.
03-7513 MISKIN, GLENDA V. WAGNER, JOHN L.
03-7524 BLACKBURN, RODDRICK J. V. LAMARQUE, WARDEN

03-7525 NEAL, LAMONT V. CASTRO, WARDEN
03-7526 MORELAND, CHRISTOPHER V. LAZAROFF, WARDEN
03-7533 LUCZAK, THEODORE V. MOTE, WARDEN.
03-7537 ARANDA, ROQUE T. V. PRASIFKA, WARDEN
03-7538 BONHAM, JAMES W. V. PA DEPT. OF PUB. WELFARE, ET AL.
03-7559 ABUEL, DAL B. V. LOCAL 921, UNEMPLOY. OFFICE
03-7568 PARKER, JOHNNY S. V. NORTH CAROLINA
03-7574 REED, BILLY J. V. NEBRASKA
03-7619 ALLEN, ADELL P. V. ST. CABRINI NURSING HOME INC.
03-7637 ROGERS, LEONARD V. BOWERSOX, SUPT., SOUTH CENTRAL
03-7658 BROOKS, ALLAN P. V. HOLLAND, WARDEN
03-7712 COLLINS, TIMOTHY L. V. MEYERS, SUPT., ROCKVIEW
03-7759 DIXON, JOSEPH V. ILLINOIS
03-7800 PAJOOH, MASSOOD D. V. BOBCK, JEFFERY J., ET AL.
03-7841 PEREZ-LOPEZ, SERGIO V. UNITED STATES
03-7844 CLARK, HAROLD B. V. CROSBY, SEC., FL DOC, ET AL.
03-7845 WINTER, KELLY V. UNITED STATES
03-7851 VILLANUEVA, ORLANDO V. UNITED STATES
03-7852 EVANS, FREDERICK A. V. UNITED STATES
03-7857 GILLIAM, ANTHONY V. UNITED STATES
03-7861 FIELDS, LESTER B. V. UNITED STATES
03-7864 HENSON, GEORGE V. BARNHART, COMM'R, SOCIAL SEC.
03-7872 HOFF, JUDY V. NLRB, ET AL.
03-7876 NASIRUDDIN, MUJAHID V. UNITED STATES
03-7877 JACKSON, NATHANIEL V. UNITED STATES
03-7885 WALSH, JOSEPH N. V. UNITED STATES
03-7887 MORENO-MORILLO, CARLOS V. UNITED STATES
03-7888 MENDOZA-MEDINA, JUAN A. V. UNITED STATES

03-7896 SEMSAK, WILLIAM T. V. UNITED STATES
03-7904 GOODSON, NAPOLEON V. SMITH, WARDEN, ET AL.
03-7905 HATHEWAY, MICHAEL G. V. UNITED STATES
03-7910 HUNT, JAMES P. V. UNITED STATES
03-7915 HERNANDEZ-ARREDONDO, CARLOS V. UNITED STATES
03-7916 GIBSON, JAMES E. V. UNITED STATES
03-7921 HENRY, LEONARD V. UNITED STATES
03-7922 HARRIS, RANDY V. UNITED STATES
03-7923 GARCIA, NUVIA L. V. UNITED STATES
03-7924 FENNEL, TROY D. V. UNITED STATES
03-7928 PEALOCK, KENNETH D. V. UNITED STATES
03-7929 MULLIS, JOHNNY E. V. UNITED STATES
03-7933 MAZYCK, ANTHONY V. UNITED STATES
03-7934 JESSEN, DAVID A. V. OPM
03-7939 OGUAJU, CHRISTOPHER S. V. UNITED STATES
03-7942 CRAWFORD, KENNETH P. V. UNITED STATES
03-7943 CURTIS, ANDRE V. UNITED STATES
03-7944 DIAZ-BURGOS, LUIS G. V. UNITED STATES
03-7948 HENDERSON, THOMAS E. V. UNITED STATES
03-7953 GUERRA, ONOFRE V. UNITED STATES
03-7955 HALL, ZELMA V. UNITED STATES
03-7956 HATCHES, ANTHONY V. UNITED STATES
03-7962 WILLIAMS, RUBIN V. UNITED STATES
03-7963 TENNILLE, LAWRENCE K. V. DAVIS, WARDEN
03-7967 BROWN, KATHRYN A. V. UNITED STATES
03-7970 MASKO, RONALD T. V. USDC ND WV
03-7977 GONZALEZ-VALENTIN, EDGAR V. UNITED STATES
03-7980 KING, GREG B. V. UNITED STATES

03-7983 SEMPRIT-NATER, ABRAHAM V. UNITED STATES

The petitions for writs of certiorari are denied.

03-447 SMITH, WARDEN V. MCKENZIE, GERALD

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

03-771 CAGNA, ELLINORA V. V. WEIRTON STEEL CORP. RETIREMENT

The motion of Women's Institute for a Secure Retirement for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

03-7483 GOLDWATER, EDWARD V. BALLINGER, JUDGE, 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.

03-7556 ESPARZA, ABEL V. LOCKYER, ATT'Y GEN. OF CA

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

03-7564 WHITE, MICHAEL T. V. MACK, WINTERS, 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.

MANDAMUS DENIED

03-7484 IN RE RICHARD HENRY GEFFKEN

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

REHEARINGS DENIED

03-572 KOZIS, MICHAEL A. V. VIRGINIA
03-5759 THOMPSON, GREGORY V. BELL, WARDEN
03-6359 NARY, STEVEN R. V. LEWIS, WARDEN
03-6616 IN RE LARRY CHARBERT HAYES

The petitions for rehearing are denied.

03-285 RANEY, ARLIN E. V. GATEWAY COMPUTER CO.

The motion of petitioner for leave to proceed further herein *in forma pauperis* is granted. The petition for rehearing is denied.

ATTORNEY DISCIPLINE

D-2356 IN THE MATTER OF WILLIAM WALTER FREIHOFER, JR.

William Walter Freihofer, Jr., of Longport, New Jersey, having been suspended from the practice of law in this Court by order of November 3, 2003; and a rule having been issued requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that William Walter Freihofer, Jr. is disbarred from the practice of law in this Court.

RECESS ORDER

The Court will take a recess from Monday, January 26, 2004, until Monday, February 23, 2004.