

(ORDER LIST: 541 U.S.)

MONDAY, APRIL 5, 2004

**CERTIORARI -- SUMMARY DISPOSITIONS**

02-599 ANTHONY, SHELIA F., ET AL. V. FAVISH, ALLAN J., ET AL.

The Court reversed the judgment below in *National Archives and Records Admin. v. Favish*, 541 U. S. \_\_\_\_ (2004). Therefore, the petition for a writ of certiorari is granted and the case is remanded to the United States Court of Appeals for the Ninth Circuit to enter appropriate orders as may be necessary.

02-1270 PERLMAN, STEVEN E. V. DEPT. OF JUSTICE

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 Second Circuit for further consideration in light of *National Archives and Records Admin. v. Favish*, 541 U. S. \_\_\_\_ (2004).

02-5651 OGUAJU, CHRISTOPHER S. V. MARSHALS SERVICE

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are 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 *National Archives and Records Admin. v. Favish*, 541 U. S. \_\_\_\_ (2004).

**ORDERS IN PENDING CASES**

03M58 BAUTISTA, ESTEBAN V. LOCKYER, ATT'Y GEN. OF CA

03M59 SULLIVAN, LEO L. V. UNITED STATES

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

03M60 CREVELING, RICHARD V. MOHAVE COUNTY, AZ, ET AL.

The motion for leave to proceed *in forma pauperis* with the declaration of indigency under seal is denied.

03M61 JAMES, STEVEN V. ALLEN, SUPT., CEDAR JUNCTION

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

03-475 CHENEY, VICE PRESIDENT OF U.S. V. USDC DC, ET AL.

The motion of respondent Judicial Watch, Inc. for divided argument is granted.

03-724 F. HOFFMANN-LaROCHE, ET AL. V. EMPAGRAN S.A., ET AL.

The motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument is granted. Justice O'Connor took no part in the consideration or decision of this motion.

03-8748 RAAFLAUB, DAVID H. V. GRIEVANCE ADMINISTRATOR

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until April 26, 2004, 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 GRANTED**

03-725 PASQUANTINO, DAVID B., ET AL. V. UNITED STATES

03-923 ILLINOIS V. CABALLES, ROY I.

The petitions for writs of certiorari are granted.

**CERTIORARI DENIED**

02-409 FAVISH, ALLAN J. V. NATIONAL ARCHIVES & RECORDS  
03-637 NEWDUNN ASSOCIATES, LLP, ET AL. V. U. S. ARMY CORPS OF ENGINEERS  
03-701 DEATON, JAMES S., ET UX. V. UNITED STATES  
03-784 HOOTS, NOREAN, ET AL. V. K. B., ET AL.  
03-898 ORTIZ VELEZ, MAYOR, ET AL. V. RIVERA-TORRES, SANTOS, ET AL.  
03-929 RAPANOS, JOHN A. V. UNITED STATES  
03-934 MERLE, ROGER, ET AL. V. UNITED STATES  
03-938 CHRISTIAN, ROBERT F. V. UNITED STATES  
03-948 SMITH, MICHELLE V. JONES, NORMA A., ET AL.  
03-949 ANHEUSER-BUSCH, INC. V. NLRB  
03-1025 HALLIBURTON ENERGY SERVICES V. BJ SERVICES CO.  
03-1044 OWNER-OPERATOR DRIVERS, ET AL. V. NEW PRIME, INC., ET AL.  
03-1083 ST. VINCENT MEDICAL CENTER V. SERVICE EMPLOYEES INT'L., ET AL.  
03-1084 ROLE, ELOY A. V. ATCO PRODUCTS, INC.  
03-1086 SHR LIMITED PARTNERSHIP V. MERCURY EXPLORATION CO., ET AL.  
03-1094 GENERAL MILLS, INC., ET AL. V. COMM'R OF REVENUE OF MA  
03-1095 ANDREWS, DIANA V. ANDREWS, JEFFREY A.  
03-1100 JONES, JOE V. HAWKINS, ROSE L., ET AL.  
03-1101 CORY, BILL J. V. FAHLSTROM, DORIS, ET AL.  
03-1107 CTR. FOR FAIR PUBLIC POLICY V. MARICOPA COUNTY, AZ, ET AL.  
03-1112 EDLUND, DAWN V. USDC MN  
03-1113 COLWELL, DENNIS L. V. COLLINS, WARDEN  
03-1115 MALLOY, JOHN F. V. TELEPHONICS CORPORATION  
03-1121 TWIN LAKES DEV. CORP. V. MONROE, NY  
03-1122 MERCER, TIMOTHY M. V. TEXAS  
03-1123 ARMENDARIZ, JOSE F. V. TEXAS  
03-1124 TENNESSEE V. GARCIA, GONZALO M.

03-1127 VAN POYCK, WILLIAM V. CROSBY, SEC., FL DOC

03-1134 HIGHWAY J CITIZENS GROUP V. MINETA, SEC. OF TRANSP., ET AL.

03-1142 GONZALEZ, S. DENISE, ET VIR V. METRO. TRANSP. AUTH., ET AL.

03-1146 SKIPPY INC. V. LIPTON INVESTMENTS, INC., ET AL.

03-1148 McCOWN, JAMES A. V. ST. JOHN'S HEALTH SYSTEM, ET AL.

03-1156 CITIZENS FOR SAFER COMMUNITIES V. NORTON, SEC. OF INTERIOR

03-1168 BATTLE, SHERRY D. V. POSTON, JUDGE, ETC., ET AL.

03-1169 KENNEDY, JOHN P., ET AL. V. VENROCK ASSOCIATES, ET AL.

03-1225 J. H., ET AL. V. JOHNSON, GORDON, ET AL.

03-1227 WONG, PO K. V. PATENT AND TRADEMARK OFFICE

03-1236 DILLARD, BRUCE V. UNITED STATES

03-1239 FACONTI, FRANK P. V. POTTER, POSTMASTER GEN.

03-7719 ) FLOM, MICHAEL V. UNITED STATES  
) )

03-7748 ) ALLEN, SEAN, ET AL. V. UNITED STATES

03-7726 BOOTHE, DEMICO V. UNITED STATES

03-7884 YOUNG, JAMES E. V. UNITED STATES

03-7895 MORGAN, ALEX V. JONES, WARDEN

03-7949 HOGAN, BRIAN F. V. EPPS, COMM'R, MS DOC

03-7975 FENNIE, ALBERT L. V. FLORIDA, ET AL.

03-7995 JONES, MICHAEL L. V. CALIFORNIA

03-8055 BRYAN, ROBERT L. V. MULLIN, WARDEN

03-8601 SANFORD, JAMES M. V. ILLINOIS

03-8633 HARLOW, FREDERICK J. V. BLAINE, QUENTIN J., ET AL.

03-8645 HILL, KENNETH D. V. MICHIGAN, ET AL.

03-8655 FLORES, ANDREW V. DRETKE, DIR., TX DCJ

03-8657 HAMILTON, PAUL C. V. CALIFORNIA

03-8658 HEUSS, JAMES V. CROSBY, SEC., FL DOC

03-8669 COLBERT, CHARLES V. ALAMEIDA, DIR., CA DOC, ET AL.

03-8677 WALKER, JAMEY J. V. CASTRO, WARDEN  
03-8681 NEALY, JAMES E. V. DRETKE, DIR., TX DCJ  
03-8683 CERNIGLIA, STEVEN R. V. DeMORALES, EXEC. DIR., ET AL.  
03-8685 HISTON, LARRY V. CALIFORNIA  
03-8686 HOBLEY, EARNEST L. V. BODDIE-NOELL ENTERPRISES  
03-8688 WILLIAMS, WILLIE V. ROWLEY, SUPT., NORTHEAST  
03-8689 WALKER, SCOTT T. V. DRETKE, DIR., TX DCJ  
03-8690 LUCZAK, THEODORE V. ILLINOIS  
03-8691 HARVEY, DERRICK L. V. GARCIA, WARDEN  
03-8697 REMOI, OKOCCI V. NEW JERSEY, ET AL.  
03-8698 RILEY, THOMAS J. V. PAPPERT, ATT'Y GEN. OF PA  
03-8704 KALSKI, STEVEN V. CA ASSN. OF PROF. EMPLOYEES  
03-8706 BAHODA, SAAD V. MICHIGAN  
03-8714 MOSS, ROGER L. V. MCKUNE, WARDEN, ET AL.  
03-8718 CURRY, DOREEN J. V. ADAM'S MARK HOTEL  
03-8737 SANITATE, MICHAEL V. GILHOOLEY, THOMAS P., ET AL.  
03-8740 LLOYD, CLAUDE H., ET UX. V. BAKER, JOHN H., ET AL.  
03-8741 BAPTISTE, DARYL W. V. HICKS, WARDEN  
03-8744 BEY, LORD NOBLE R. K. A. V. TRABOSH, JUDGE, ETC., ET AL.  
03-8752 BLANDON, CURTIS D. V. RUNNELS, WARDEN  
03-8757 SIMON, ROBERT V. MISSISSIPPI  
03-8759 CONDE, RORY E. V. FLORIDA  
03-8763 MOORE, RONNIE G. V. CALIFORNIA  
03-8764 ARVISO, LARRY V. ARIZONA  
03-8770 DORSEY, KENNETH W. V. NEVADA  
03-8772 DOVE, JABBARIS V. DONNELLY, SUPT., WENDE  
03-8812 JACKSON, JOSEPH W. V. NJ DEPT. OF HUMAN SERVICES  
03-8813 WOODS, ANDRE V. ROMANOWSKI, WARDEN

03-8816 HARBISON, EDWARD J. V. BELL, WARDEN  
03-8840 CROWLEY, STEVEN T. V. ILLINOIS  
03-8862 JONES, BENJAMIN H. V. LOWE, DONNIE, ET AL.  
03-8866 THOMAS, WOODVENS V. HOLMES, DIST. DIR., INS, ET AL.  
03-8868 BOGGS, DAVID J. V. WEST VIRGINIA  
03-8881 RODRIGUES, ANTONIO A. V. ASHCROFT, ATT'Y GEN.  
03-8905 RONDEAU, KEVIN V. RONDEAU, RACHEL  
03-8921 WRIGHT, WALTER L. V. SACCHET, WARDEN, ET AL.  
03-8930 BANCROFT, ROBERT C. V. MAINE  
03-8944 ROYSTER, JEREMIAH V. HARKLEROAD, SUPT., MARION  
03-8949 CYR, STEPHEN M. V. CROSBY, SEC., FL DOC, ET AL.  
03-8951 CALDERON, JOSE M. V. CASTRO, WARDEN  
03-8971 BRADFORD, KENNETH W. V. RUNNELS, WARDEN, ET AL.  
03-9000 KUNCO, JOHN J. V. PAPPERT, ATT'Y GEN. OF PA  
03-9020 HAMILTON, TROY V. KENTUCKY  
03-9030 HAYES, HERBERT V. GEMMA POWER SYSTEM, ET AL.  
03-9031 HOLMES, JOE L. V. OZMINT, DIR., SC DOC, ET AL.  
03-9032 HOLMES, KEVIN V. CRAWFORD, DIR., NV DOC, ET AL.  
03-9051 SZWEDO, HENRYK V. UNITED STATES, ET AL.  
03-9053 MINCER, HELEN A. V. WHITMORE, ACTING ADM'R, SBA  
03-9078 THIEFAULT, KENNETH V. UNITED STATES  
03-9149 REDMOND, STEVEN J. V. CLARKE, DIR., NE DOC, ET AL.  
03-9150 GRANADOS, JUAN F. V. NEVADA  
03-9166 MILLER, JOHNNY R. V. McBRIDE, WARDEN  
03-9175 PINET, ANGEL M. V. UNITED STATES  
03-9186 SOLANO, GOVANNI E. V. UNITED STATES  
03-9188 RODRIGUEZ, RIGOBERTO V. UNITED STATES  
03-9194 LENDMAN, JERET D. V. UNITED STATES

03-9195 COLEMAN, JOSEPH V. UNITED STATES  
03-9199 SANDS, KEITH M. V. UNITED STATES  
03-9201 PERKINS, PAUL P. V. UNITED STATES  
03-9209 SANCHEZ, DAVID V. UNITED STATES  
03-9210 SIMPSON, IRVIN L. V. UNITED STATES  
03-9212 PRINCE, DANIEL D. V. UNITED STATES  
03-9213 BOLIVAR, CESAR A. V. UNITED STATES  
03-9214 BAUCUM, PATRICK L. V. UNITED STATES  
03-9216 VENTURA, RAFAEL V. UNITED STATES  
03-9219 McBARRON, THOMAS V. UNITED STATES  
03-9224 AGUILAR, JAVIER G. V. UNITED STATES  
03-9226 TORRES, ISRAEL A. V. UNITED STATES  
03-9231 ANDERSON, JAMES V. UNITED STATES  
03-9232 SERNA-VILLARREAL, SAUL V. UNITED STATES  
03-9237 LOPEZ, MACARIO V. UNITED STATES  
03-9238 KLECKER, RICHARD L. V. UNITED STATES  
03-9241 ADKINS, SHAY M. V. UNITED STATES  
03-9242 DeLosSANTOS, FRED V. UNITED STATES  
03-9250 STANFIEL, CHARLES A. V. UNITED STATES  
03-9252 TUCKER, MICHAEL V. UNITED STATES  
03-9253 MAGLALANG, JOSE S. V. UNITED STATES  
03-9263 MASSEY, DELBERT V. UNITED STATES  
03-9264 LEWIS, MICHAEL V. UNITED STATES  
03-9266 KNIGHT, WADE V. UNITED STATES  
03-9269 WHITFIELD, DAVID V. UNITED STATES  
03-9272 RODRIGUEZ, RODOLFO A. V. UNITED STATES  
03-9275 UNDER SEAL V. UNITED STATES  
03-9277 NELSON, MELVIN H. V. UNITED STATES

03-9281 WEST, DERRICK V. UNITED STATES  
03-9288 OJEDA, REFUGIO C. V. UNITED STATES  
03-9289 MEZA-URTADO, SECONDINO V. UNITED STATES  
03-9290 PENA-REYES, NICHOLAS V. UNITED STATES  
03-9297 ERVIN, DERRICK D. V. UNITED STATES  
03-9298 EDMONDSON, TERESA J. V. UNITED STATES  
03-9299 KIRBY, TERRY W. V. UNITED STATES  
03-9300 MARTINEZ-HERNANDEZ, HORACIO V. UNITED STATES  
03-9319 ALTAMIRANO-VARGAS, JOSE L. V. UNITED STATES

The petitions for writs of certiorari are denied.

03-918 CHEVY CHASE BANK, F.S.B., ET AL. V. WELLS, DALE, ET AL.

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

03-8716 SIEGEL, GEORGE R. V. ARLINGTON CTY. DEPT., 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.

03-8771 COHEA, DANNY J. V. CALIFORNIA

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.

03-8848 AVILES, GENE E. V. COLORADO

The motion of petitioner to consolidate case with No. 03-407, *Kowalski v. Tesmer* is denied. The petition for a writ of certiorari is denied.

03-9057 HOOD, ROBERT L. V. DOTSON, WARDEN

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**

03-9332 IN RE SHAIKH SHI'ITE T. AL-AMIN KHASHOGGI, ET AL.

03-9383 IN RE RODNEY E. SMITH

03-9415 IN RE RICHARD BELSER

The petitions for writs of habeas corpus are denied.

#### **MANDAMUS DENIED**

03-8959 IN RE GARY ROBERSON

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

#### **REHEARINGS DENIED**

03-839 IN RE JOSEPH A. GENTILUOMO

03-6458 MODENA, MICHAEL J. V. UNITED STATES

03-7130 BUTLER, RODNEY M. V. MADISON CTY. JAIL, ET AL.

03-7375 ARDOIN, RODNEY L. V. DRETKE, DIR., TX DCJ

03-7627 KENDRICK, KELCEY T. V. UNITED STATES

03-7693 NEVITT, SUSAN M. V. CHAPEL, MICK, ET UX.

03-7702 RIVAS, GENE G. V. UNITED STATES

03-7890 RIDDICK, JOHN A. V. JOHNSON, DIR., VA DOC  
03-8052 PUCKETT, ROBERT D. V. IDAHO  
03-8283 DUNLAP, DANNY R. V. MICHIGAN  
03-8409 IN RE STANLEY E. KORNAFEL

The petitions for rehearing are denied.