

(ORDER LIST: 544 U.S.)

MONDAY, APRIL 18, 2005

CERTIORARI -- SUMMARY DISPOSITIONS

03-9629 RIVERS, DERRICK V. UNITED STATES

03-10354 RODRIGUEZ, EDUARDO V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* and 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 Eleventh Circuit for further consideration in light of *Johnson v. United States*, 544 U.S. ____ (2005).

04-1164 SALADINO, JOSEPH W. V. UNITED STATES

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 Seventh Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-1188 WREN, JERRY W. V. UNITED STATES

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 *United States v. Booker*, 543 U.S. ____ (2005).

04-7335 GRIFFIN, WARRICK A. V. UNITED STATES

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 Eleventh Circuit for further consideration in light of *Johnson v. United States*, 544 U.S. ____ (2005).

04-8692 PRITCHETT, MALCOLM V. UNITED STATES

04-8720 BANKS, LARRY V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* and 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 Eleventh Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8898 ALCANTARA, MIGUEL A. V. UNITED STATES

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 Sixth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8903 RICHARDSON, JACQUELINE O. V. UNITED STATES

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 Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8916 STEVENS, JASON E. V. UNITED STATES

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 Eleventh Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8923 RAMOS-RUIZ, JOSE R. V. UNITED STATES

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 Ninth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8927 GOMEZ-TRUJILLO, OSCAR V. UNITED STATES

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 Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8937 PACHECO, PEDRO V. UNITED STATES

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 First Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8945 SANCHEZ-CRUZ, ANDRES V. UNITED STATES

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 Tenth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8960 CAULK, LANCE M. V. UNITED STATES

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 Ninth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8967 SAMORA-SANCHEZ, ISAURO V. UNITED STATES

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 Tenth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8972 GAUDELLI, EDMOND N. V. UNITED STATES

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 Third Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8976 WEST, DARIN H. V. UNITED STATES

04-8979 DECKARD, JERRY V. UNITED STATES

The motions of petitioners for leave to proceed *in forma pauperis* and 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 Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8986 BYRD, KEITH E. V. UNITED STATES

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 Fourth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8998 MORALES, HECTOR F. V. UNITED STATES

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 First Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-9011 WATSON, ARTERIA L. V. UNITED STATES

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 Eighth Circuit for further consideration in light of *United States v. Booker*, 543 U.S.

_____ (2005).

04-9013 VARELA-MEDINA, GEORGE A. V. UNITED STATES

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 Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S.

_____ (2005).

04-9029 PATTERSON, RANDY V. UNITED STATES

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 Sixth Circuit for further consideration in light of *United States v. Booker*, 543 U.S.

_____ (2005).

04-9035 NIEVES-BOGADO, NOEL O. V. UNITED STATES

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 Eleventh Circuit for further consideration in light of *United States v. Booker*, 543 U.S.

_____ (2005).

04-9037 CLARK, PATRICK E. V. UNITED STATES

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 Sixth Circuit for further consideration in light of *United States v. Booker*, 543 U.S.

_____ (2005).

04-9060 RISBY, WILLIAM M. V. UNITED STATES

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 Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. _____ (2005).

04-9063 HUERTA-VARGAS, MANUEL V. UNITED STATES

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 Ninth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. _____ (2005).

04-9082 CONSTANT, IVAN V. UNITED STATES

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 Third Circuit for further consideration in light of *United States v. Booker*, 543 U.S. _____ (2005).

04-9095 ROBINSON, OWEN, ET AL. V. UNITED STATES

The motion of petitioners 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 Fourth Circuit for further consideration in light of *United States v. Booker*, 543 U.S.

_____ (2005).

04-9113 HERRERA, HARLES P. V. UNITED STATES

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 Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S.

_____ (2005).

04-9114 FIELDS, DONALD L. V. UNITED STATES

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 Fourth Circuit for further consideration in light of *United States v. Booker*, 543 U.S.

_____ (2005).

04-9117 WEST, DARRELL V. UNITED STATES

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 Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S.

_____ (2005).

04-9122 CLOUTIER, NICOLE V. UNITED STATES

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 First Circuit for further consideration in light of *United States v. Booker*, 543 U.S.

_____ (2005).

04-9132 CRAIG, RICHARD L. V. UNITED STATES

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 Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S.

_____ (2005).

04-9133 CRUZ-AYON, ROBERTO V. UNITED STATES

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 Ninth Circuit for further consideration in light of *United States v. Booker*, 543 U.S.

_____ (2005).

04-9142 JONES, TERRENCE T. V. UNITED STATES

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 Tenth Circuit for further consideration in light of *United States v. Booker*, 543 U.S.

_____ (2005).

ORDERS IN PENDING CASES

04A695 TORRES, JERRY A. V. MOON, DAVID B., ET AL.
(04-8680)

The application for stay addressed to Justice Breyer and referred to the Court is denied.

04M48 CLARK, CHERYL A. V. McLEOD, ELSEY M.

The renewed motion for leave to file a petition for a writ of certiorari under seal with redacted copies for the public record is granted.

04M62 DOWNS, WILLIAM E. V. SOUTH CAROLINA

The motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner is denied.

04M63 JANNEH, DOUDOU B. V. MANPOWER INC. OF NY, ET AL.

04M64 WATTS, GORDON W. V. FL DEPT. OF STATE

04M65 WANSLEY, JEFFERY W. V. WILSON, SUPT., MS, ET AL.

04M66 CALDERON, DAVID V. FISCHER, SUPT., SING SING

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

04-1049 CARPENTERS HEALTH AND WELFARE V. VONDERHARR, TIMOTHY, ET AL.

The Acting Solicitor General is invited to file a brief in this case expressing the views of the United States.

04-8614 STEPHANATOS, BASIL N. V. NEW JERSEY, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until May 9, 2005, 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

04-373 MARYLAND V. BLAKE, LEEANDER J.

04-1067 GEORGIA V. RANDOLPH, SCOTT F.

04-1084 GONZALES, ATT'Y GEN., ET AL. V. O CENTRO ESPIRITA ETC., ET AL.

The petitions for writs of certiorari are granted.

CERTIORARI DENIED

04-530 NAGY, PAUL V. FMC BUTNER

04-731) EASTERN SHOSHONE TRIBE, ET AL. V. UNITED STATES
)
04-929) UNITED STATES V. SHOSHONE TRIBE WIND RIVER

04-803 SHENANDOAH, MAISIE, ET AL. V. HALBRITTER, ARTHUR R., ET AL.

04-809 NORFOLK DREDGING CO., INC. V. UNITED STATES, ET AL.

04-869 NISSAN MOTOR CO., LTD., ET AL. V. NISSAN COMPUTER CORP., ET AL.

04-901 BENTON, OREN V. CAMECO CORP.

04-916 HARTFORD STEAM BOILER V. UNDERWRITERS AT LLOYD'S

04-939 MCGUIRE, MARY A., ET AL. V. REILLY, ATT'Y GEN. OF MA, ET AL.

04-948 PATEL, RASHMIKA V. GONZALES, ATT'Y GEN.

04-949 McMELLON, CARRIE A., ET AL. V. UNITED STATES

04-952 CHOLLA READY MIX, INC. V. MENDEZ, SEC., AZ DOT, ET AL.

04-985 BURNETT, RAYMOND, ET AL. V. POTTS, SONNIE E., ET AL.

04-1028 CALIFORNIA, ex rel. LOCKYER V. DYNEGY, INC., ET AL.

04-1042 KOLEV, NICK A. V. PRESCOTT, TONYA M., ET AL.

04-1048 ENLOW, DAVID V. SALEM-KEIZER YELLOW CAB, INC.

04-1050 DICKHAUS, CRAIG, ET AL. V. CHAMPION, CALVIN B.

04-1053 GOLDBLATT, KENNETH A. V. A&W INDUSTRIES, INC.

04-1059 MONROE, MICHAEL V. BOOKER, WARDEN

04-1060 MULTNOMAH COUNTY, OR, ET AL. V. ALPHA ENERGY SAVERS, ET AL.

04-1061 PHILLIPS, DAVID, ET AL. V. BOWLES, RICHARD, ET AL.

04-1062 RUSHING, STEVEN V. BOARD OF SUPERVISORS, ET AL.

04-1065 INTERCONTINENTAL ELECTRONICS V. AM. KEYBOARD PRODUCTS, ET AL.

04-1068 BARTH, JOHN S. V. SANFORD, MAINE

04-1070 YE, WEI, ET AL. V. ZEMIN, JIANG, ET AL.

04-1071 WALKER INT'L HOLDINGS LTD. V. CONGO, ET AL.

04-1072 ABRAMS, RAYMOND, ET AL. V. SOCIETE NATIONALE DES CHEMINS

04-1074 GUAM, ET AL. V. PACIFICARE HEALTH INSURANCE
04-1077 RAVEN, KATHLEEN, ET VIR V. COUNTRYWIDE HOME LOANS, ET AL.
04-1080 NWOKE, AGWU V. PALMER, STUART E.
04-1081 CROSBY, FRANK J. V. BOWATER INCORPORATED RETIREMENT
04-1085 DRINKWATER, STANLEY N. V. PARKER, McCAY & CRISCUOLO
04-1088 SILVA, LUIS H., ET UX. V. GONZALES, ATT'Y GEN.
04-1089 ROSE, SYDNEY A. V. LeBOVIDGE, MA COMM'R OF REVENUE
04-1091 AMAECHI, CHRISTOPHER N. V. UNIV. OF KENTUCKY, ET AL.
04-1092 S.E.W. FRIEL, ET AL. V. MD STATE ROADS COMM., ET AL.
04-1096 SAUDI, SHERIFF V. ACOMARIT MARITIMES SERVICES
04-1098 JOU, EMERSON M. F. V. FIRST INSURANCE CO. OF HI, LTD.
04-1099 STAVROPOULOS, CAROL V. FIRESTONE, EVAN W., ET AL.
04-1100 CUVILLIER, LAURENE V. ROCKDALE COUNTY, GA, ET AL.
04-1101 ZURLA, DANIEL E. V. DAYTONA BEACH, FL, ET AL.
04-1102 LOPEZ, GUILLERMO B., ET AL. V. CLINTON, FORMER PRESIDENT
04-1104 DEMUS, CHARLENE V. SAN DIEGO COUNTY, CA
04-1118 KANZ, DAVID C. V. FRANK, SEC., WI DOC, ET AL.
04-1129 ROMANIUK, IRENE V. ILLINOIS
04-1132 LIMAGRAIN GENETICS CORP. V. MIDWEST OILSEEDS, INC.
04-1133 LONG, JULIAN C. V. LOUISIANA
04-1159 CAMARA, KADIATOU, ET AL. V. GONZALES, ATT'Y GEN.
04-1160 CHAPMAN CHILDREN'S TRUST II V. POTTER, POSTMASTER GEN.
04-1165 BEVAN, ANDREW V. FLORIDA BAR
04-1172 VENEZUELA V. ELDER OFFSHORE LEASING, INC.
04-1174 MALBRAIN, SHEILA J., ET AL. V. WA STATE DEPT. OF AGRICULTURE
04-1187 VIDEO MANAGEMENT, INC. V. CHARLESTON BD. OF ZONING APP.
04-1190 KOBOLD, MICHAEL V. UNITED STATES
04-1195 GAHR, LEE E. V. SEC

04-1200 BD. OF CTY. COMM'RS OF EL PASO V. SHOOK, MARK, ET AL.
04-1201 CALDWELL, HENRY V. UNITED STATES
04-1204 U. S., ex rel. GRAVES, ET AL. V. ITT EDUCATIONAL SERVICES
04-1217 LEE, DELMON V. TOLSON, SEC., NC DEPT. OF REV.
04-1228 WALL, RICHARD E. V. UNITED STATES
04-1254 MOSES, GREGORY S. V. UNITED STATES
04-1261 RONALD MORAN CADILLAC, INC. V. UNITED STATES
04-1262 SHALASH, ZIYAD V. UNITED STATES
04-1265 AL HEDAITHY, HANY, ET AL. V. UNITED STATES
04-1272 PIONEER COMMERCIAL FUNDING CORP. V. CORESTATES BANK, N.A.
04-7415 WILLIAMS, DARIN L. V. COTTON, SUPT., PENDLETON
04-7489 QUEEN, TIMOTHY H. V. PURSER, W. B.
04-7698 GUZEK, RANDY L. V. OREGON
04-7802 MACK, LARRY V. ILLINOIS
04-7854 TSABBAR, ZION V. 17 EAST 89TH STREET TENANTS
04-7988 HERNANDEZ, ANTHONY V. KANSAS
04-8028 HARGRAVE-THOMAS, KYLLEEN V. YUKINS, WARDEN
04-8034 OSTER, FLOYD D. V. SUTTON, MARY K.
04-8064 CONNER, CHAD L. V. UNITED STATES
04-8078 BABINEAUX, DALTON V. UNITED STATES
04-8084 ALRUBIAY, MOHAMMED V. ILLINOIS
04-8105 ZAVREL, ROSEMARY V. UNITED STATES
04-8107 LENTZ, JAY E. V. UNITED STATES
04-8159 SALLEY, DANIEL E. V. UNITED STATES
04-8197 ANDREW, DIANE V. LINCOLN PARK HOUS. COMM'N
04-8503 HALL, LARRY E. V. OZMINT, DIR., SC DOC
04-8506 CAPERTON, MICHAEL J. V. WITHROW, WARDEN
04-8516 DAVIS, DONALD L. V. WALKER, WARDEN

04-8517 COX, STEVE MICHAEL V. BASA, BATES, ET AL.
04-8518 CONTRERAS, CARLOS L. V. CALDERON, WARDEN
04-8519 McCOY, TERRY V. CHRONES, WARDEN
04-8520 CARRILLO, MAX V. CHRONES, WARDEN
04-8521 LONG, WALLACE V. EARLY, WARDEN
04-8527 WALKER, ANTONIO L. V. CALIFORNIA
04-8528 JORDAN, CLAYTON N. V. ILLINOIS
04-8535 PARNELL, J. P. V. BROWN, WARDEN, ET AL.
04-8540 MUTHANA, ALI M. V. HOFBAUER, WARDEN, ET AL.
04-8545 WATFORD, MARLON L. V. KANKAKEE POLICE DEPT., ET AL.
04-8547 PAYTON, CHRIS V. FISCHER, SUPT., SING SING
04-8548 SANAI, VIVECA V. SANAI, SASSAN
04-8551 DePACE, PASQUALINO V. MASSACHUSETTS
04-8552 WALLS, JOSEPH M. V. DELAWARE
04-8553 BROWN, XAVIER V. MISSISSIPPI
04-8554 ALLEN, WILLIAM G. V. TENNESSEE
04-8558 TRUJILLO, INOCENCIO L. V. ARCE, DR., ET AL.
04-8561 SIRACUSA, SALVATORE V. POLK, WARDEN
04-8565 MARSH, AARON V. FLORIDA
04-8568 BLACKMAN, NAJEE S. V. LEWIS, GREGORY L.
04-8570 BRYANT, MARK D. V. MICHIGAN
04-8572 THORNTON, DONTA L. V. JOHNSON, DIR., VA DOC
04-8573 WATT, MIRIAM D. V. ILLINOIS
04-8577 ELMAN, JAMES K. V. FLORIDA
04-8578 CORBIN, DAVID R. V. BLADEN CTY. CHILD SUPPORT AGENCY
04-8579 MORGAN, GERALD V. LAMARQUE, WARDEN
04-8580 MILLER, MARCUS F. V. BULLARD, WARDEN, ET AL.
04-8581 FITZGERALD, GORDON E. V. McCORMICK RANCH, ET AL.

04-8587 HOWELL, ROBERT E. V. BROWN, FRED
04-8588 HUNT, BRYAN E. V. PAUL, MAURICE M., ET AL.
04-8596 SHAW, DESIREE A. V. HARRIS, WARDEN, ET AL.
04-8608 GENTRY, KEVIN W. V. BUTLER, WARDEN
04-8610 FAME, AL V. CALIFORNIA
04-8612 HINNANT, GEORGE E. V. NORTH CAROLINA
04-8613 SLAGLE, BILLY V. BAGLEY, WARDEN
04-8615 RATCLIFF, ELIJAH W. V. POLK COUNTY TITLE, INC., ET AL.
04-8618 RUTHERFORD, ARTHUR D. V. CROSBY, SEC., FL DOC
04-8620 WILLIAMS, WILLIE L. V. FLORIDA
04-8621 WILCOX, NORBERT S. V. KENTUCKY
04-8626 ROSE, DANA L. V. THOMAS, SARA B., ET AL.
04-8628 BROWN, SARAH W. V. FINZEL, ROGER A., ET AL.
04-8630 ALDRIDGE, SAMUEL V. KENTUCKY
04-8635 MARTIN, GENEAL V. JACKSON, WARDEN
04-8637 ELLIOTT, DUKE S. V. MORGAN, WARDEN, ET AL.
04-8642 BAIRD, ARTHUR P. V. DAVIS, SUPT., IN
04-8643 COLIDA, TONY V. QUALCOMM INCORPORATED
04-8646 CHARLES, SHIRLEY A. V. TEXAS
04-8648 OGUAJU, CHRISTOPHER S. V. UNITED STATES
04-8649 POWELL, CORDELL S. V. MICHIGAN
04-8651 PRICE, RAYMOND A. V. REID, SUPT., CENTENNIAL, ET AL.
04-8655 JAFFER, SHAHSULTAN V. NATIONAL BLACK CAUCUS, ETC.
04-8656 LODGE, LAMONT A. V. CANDELARIA, WARDEN
04-8661 MITCHELL, TEON V. LAFLER, WARDEN
04-8662 NASH, NORRIS V. WILKINSON, WARDEN
04-8666 ALVARADO, JUAN E. V. SMALL, WARDEN
04-8669 BURSON, DANIEL V. GREER, WARDEN

04-8671 BARTON, ROSS V. HATCHER, WARDEN
04-8673 BURRELL, JOHN H. V. ANDERSON CTY. CRIM. CT., ET AL.
04-8674 BILLUPS, WAYMARE V. BENNETT, BOYD, ET AL.
04-8675 BROWN, ROGER V. TRINITY INDUSTRIAL
04-8677 SMITH, MICHAEL V. FISCHER, SUPT., SING SING
04-8679 WRIGHT, JEFFREY V. MISSISSIPPI
04-8680 TORRES, JERRY A. V. MOON, DAVID B., ET AL.
04-8681 VALDIVIA, DAVID A. V. SCRIBNER, WARDEN
04-8682 TAPIA-ORTIZ, JUAN A. V. UNITED STATES
04-8684 YEATS, GARY L. V. SANDOVAL, ATT'Y GEN. OF NV
04-8685 WADE, RANDALL C. V. TEXAS
04-8687 COOPER, BRUCE X. V. JOHNSON, WARDEN, ET AL.
04-8688 CADOGAN, GODFREY V. RENICO, WARDEN
04-8689 CARTER, JESSE V. CAIN, WARDEN
04-8690 EBERHART, AMBER R. V. MITCHELL, WARDEN
04-8694 RODRIGUEZ, JOSEPH D. V. CASTRO, WARDEN
04-8695 WILLIAMS, DONALD L. V. BB&T CO., ET AL.
04-8696 ZHANG, JEFF B. V. APEX HOME & BUSINESS RENTALS
04-8697 SHORTER, JAMES E. V. OHIO
04-8701 HOWELL, MICHAEL W. V. TENNESSEE
04-8703 CORNELIUS, FRANK V. CORNELIUS, LINDA
04-8707 BELL, EDWARD N. V. TRUE, WARDEN
04-8708 MURPHY, KIRK D. V. VALADEZ, ACTING WARDEN
04-8710 BALAJ, SIMON M., ET UX. V. GONZALES, ATT'Y GEN.
04-8711 NALLS, LARRY V. OHIO
04-8716 HENDERSON, JOHNDOLL V. CASTRO, WARDEN, ET AL.
04-8717 HOLMES, GREIGORY V. ILLINOIS
04-8721 CHRISTENSEN, DENNIS V. STAMMEN, RANDY

04-8725 ACOSTA, JESUS V. CROSBY, SEC., FL DOC, ET AL.
04-8729 HARTWELL, ALFONSO V. BAZZLE, WARDEN, ET AL.
04-8737 HALL, EDDIE D. V. TENNESSEE
04-8739 GARY, PAKASTAN A. V. HINKLE, WARDEN
04-8740 GLASS, GREG A. V. KENNEY, WARDEN
04-8750 MACK, ASIM V. SHANNON, SUPT., FRACKVILLE
04-8758 BRINK, JOSHUA K. V. MISSISSIPPI
04-8759 BLACKWELL, LARRY S. V. SOUTH CAROLINA, ET AL.
04-8763 OLDEN, GORONWY V. CROSBY, SEC., FL DOC
04-8769 WILLIAMS, JERMAINE E. V. KENTUCKY
04-8781 PURSLEY, LONNIE W. V. DRETKE, DIR., TX DCJ
04-8791 McNORIELL, JOSEPH M. V. MICHIGAN
04-8800 JOSEY, JOHN T. V. BELL COUNTY, TX, ET AL.
04-8805 CURRY, TERRANCE S. V. MORGAN, SUPT., WA
04-8808 WALTON, MARCUS M. V. STICKMAN, SUPT., PITTSBURGH
04-8818 DIXON, TIMOTHY V. PHILLIPS, SUPT., GREEN HAVEN
04-8820 COVINGTON, MICHAEL V. RENICO, WARDEN
04-8840 MILLER, JAMEL V. ILLINOIS
04-8842 RATCLIFF, ELIJAH W. V. STATE BAR OF TX, ET AL.
04-8845 SCOTT, ERIC V. CONNECTICUT
04-8864 WIDNER, JAMES V. CROSBY, SEC., FL DOC
04-8865 TURNER, DAVID V. MECHLING, SUPT., FAYETTE, ET AL.
04-8876 HICKS, JoJULIEN Z. V. ILLINOIS
04-8896 CHEARS, LEALTON V. ILLINOIS
04-8899 MLASKA, RALPH V. ILLINOIS
04-8904 RAMIREZ, JOSE V. PENNSYLVANIA
04-8906 MAZON, WILLIE R. V. UNITED STATES
04-8915 MONK, TOMMY L. V. NORRIS, DIR., AR DOC, ET AL.

04-8920 PAYTON, GREGORY P. V. MISSISSIPPI
04-8924 WINSLOW, CHARLES V. UNITED STATES
04-8925 EVERETT, PAUL G. V. FLORIDA
04-8930 DAVIS, JOHNNIE V. McMAHON, JACK, ET AL.
04-8933 CLARK, DANIEL E. V. WOLFE, SUPT., ALBION, ET AL.
04-8946 EARL X V. HOWTON, SUPT., OR
04-8965 McDONALD, GARY W. V. NORTH CAROLINA
04-9001 MARTIN, LAWRENCE M. V. WADDINGTON, SUPT., STAFFORD
04-9033 ULLMANN, GERHARD F. J. V. UNITED STATES
04-9039 CEBALLOS, ALFREDO V. UNITED STATES
04-9042 MASON, BRUCE H. V. UNITED STATES
04-9044 WYNTER, ORVILLE V. NEW YORK
04-9051 HORN, ROBERT G. V. UNITED STATES
04-9059 SIMMS, RODNEY V. UNITED STATES
04-9061 COLLINS, JEFFREY V. UNITED STATES
04-9064 GIBSON, BERNARD V. UNITED STATES
04-9066 BAILEY, KIMBERLY K. V. UNITED STATES
04-9069 OLU, YAMI F. V. UNITED STATES
04-9073 GAMEZ-REYES, JOSE W. V. UNITED STATES
04-9074 FISHER, RICHARD V. UNITED STATES
04-9076 HERNANDEZ, RAFAEL S. V. UNITED STATES
04-9083 CALLOWAY, AUBURN V. USDC WD TN
04-9088 HOFF, GORDON O. V. UNITED STATES
04-9099 OLIVER, RANDY V. UNITED STATES
04-9108 HARRIS, WILLIE V. UNITED STATES
04-9109 FLINT, LORENZO E. V. UNITED STATES
04-9111 GRIGGS, STEVEN V. UNITED STATES
04-9115 GONZALEZ, FRANKIE V. UNITED STATES

04-9126 HAIRSTON, ARTHUR L. V. USCA 4
04-9127 GADSEN, ROBERT J. V. UNITED STATES
04-9137 RAMSBURG, GRAYSON V. UNITED STATES
04-9140 MARTINEZ-MATA, ISMAEL V. UNITED STATES
04-9150 FOXX, CONRAD V. MENDEZ, WARDEN, ET AL.
04-9152 GOMEZ, SEBASTIAN V. UNITED STATES
04-9154 FORD, LONNIE M. V. UNITED STATES
04-9156 GASKIN, WAYNE V. UNITED STATES
04-9157 DAVIS, BRIAN V. UNITED STATES
04-9165 JONES, EDWIN L. V. UNITED STATES
04-9166 FUSE, KARAMOKE M. V. UNITED STATES
04-9171 BERNAY, ROBERT V. UNITED STATES
04-9173 ALLEN, LUKE V. BROOKS, WARDEN
04-9179 MORRIS, KATRELL B. V. UNITED STATES
04-9196 INDUSTRIOUS, JERRY V. UNITED STATES
04-9199 IRORERE, LUCKY V. UNITED STATES
04-9205 SLUSHER, RODNEY V. ILLINOIS
04-9211 CARTER, DARREN L. V. UNITED STATES
04-9217 STANFORD, STAN T. V. UNITED STATES
04-9225 HAYDEN, JOHN V. UNITED STATES
04-9233 TREJO-PASARAN, JOSE A. V. UNITED STATES
04-9234 TOLBERT, DONALD G. V. UNITED STATES
04-9240 LENIAR, DORIAN M. V. UNITED STATES
04-9244 ROMERO, EUGENE M. V. UNITED STATES
04-9245 AGUILAR-DELGADO, RAFAEL V. UNITED STATES
04-9247 BERNITT, ALAN V. UNITED STATES
04-9260 BROWN, THOMAS V. UNITED STATES
04-9265 REYES, ALFREDO C. V. UNITED STATES

04-9267 PUNGITORE, JOSEPH V. UNITED STATES
04-9275 CATHEY, TOMMY L. V. UNITED STATES
04-9279 DANDRIDGE, DON A. V. UNITED STATES
04-9297 ORTIZ-HERNANDEZ, CARLOS V. UNITED STATES
04-9298 O'DELL, WILLIAM B. V. UNITED STATES
04-9300 NAVARRO-MORALES, CARLOS E. V. UNITED STATES

The petitions for writs of certiorari are denied.

04-674 AM. HOME PROD., ET AL. V. COLLINS, BRYAN D., ET AL.

The motion of Washington Legal Foundation for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied. Justice Breyer took no part in the consideration or decision of this motion and this petition.

04-679 LOCKYER, ATT'Y GEN. OF CA V. KENNEDY, ROBERT E.

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

04-775 BLAINE COUNTY, MT, ET AL. V. UNITED STATES

The motion of petitioners to strike brief of private respondents, Joseph F. McConnell, et al. is granted. The petition for a writ of certiorari is denied.

04-808 OZMINT, DIR., SC DOC V. HALL, LARRY E.

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

04-831 IL CENTRAL RAILROAD CO., ET AL. V. SMALLWOOD, KELLI

The motion of Chamber of Commerce of the United States, et al. for leave to file a brief as *amici curiae* is granted. The motion of Association of American Railroads for leave to file a

brief as *amicus curiae* is granted. The motion of American Security Insurance Company for leave to file a brief as *amicus curiae* is granted. The motion of Bryan D. Collins, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

04-847 CALIFORNIA V. HANKS, MICHAEL A.

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

04-913 ILLINOIS V. GILBERT, STEVE A.

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

04-1058 MIKULSKI, JEROME R., ET AL. V. CENTERIOR ENERGY CORP., ET AL.

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

04-8525 REED, KENNETH W. V. ARIZONA

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.

04-8719 CHUNG, KATHLEEN V. BANK OF AMERICA

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

HABEAS CORPUS DENIED

04-9394 IN RE LUTHER B. DAVENPORT

The petition for a writ of habeas corpus is denied.

MANDAMUS DENIED

04-1079 IN RE GARY R. WALL

04-8531 IN RE HUGO P. ABSALON

04-8640 IN RE DAVID VELEZ

04-8736 IN RE MARTIN E. GRANT

04-8950 IN RE GUY E. SPARKMAN

04-9046 IN RE JAMES MORRIS

04-9079 IN RE TIMOTHY GRIMSLEY

04-9174 IN RE ALLAH BURMAN

04-9230 IN RE MAURICE RILEY, JR.

The petitions for writs of mandamus are denied.

04-8623 IN RE EARNEST A. DARDEN

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

REHEARINGS DENIED

04-517 CHRISTOPHER VILLAGE, L.P. V. UNITED STATES

04-570 MARTIN, MARY V. BOYD GAMING CORP., ET AL.

04-697 HUDSON, JOHN V. AMER. ARBITRATION ASSOC.

04-796 MORALES, ROQUE R. V. KEYSTONE DEVELOPMENT CO., ET AL.

04-824 SOUTHEASTERN RUBBER RECYCLING V. AL DEPT. OF PUBLIC HEALTH

04-826 NSEK, LLOYD U. V. CIRCLE K STORES, ET AL.
04-862 BROWN, JEANNE V. PREMIERE DESIGNS, INC.
04-959 HARBUCK, BONNIE V. UNITED STATES
04-1023 IN RE RICHARD L. ADAM
04-5378 WELLS, KEVIN V. JOHNSON, JUDGE, ETC.
04-6550 RICHARDSON, CURTIS V. EAGLETON, WARDEN, ET AL.
04-6936 HUMPHREY, JOHN J. V. NEW YORK
04-7050 HART, CURTIS W. V. MULTNOMAH COUNTY, OR, ET AL.
04-7051 HART, CURTIS W. V. UNITED STATES, ET AL.
04-7056 MURESAN, DAVID V. WA DEPT. OF SOCIAL & HEALTH
04-7194 RICHARDSON, CHERYL R. V. SAFEWAY, INC.
04-7239 WILMS, CHESTER L. V. HANKS, SUPT., WABASH VALLEY
04-7377 MILLER, JESHA D. V. VANNATTA, SUPT., MIAMI
04-7480 POTTS, JEFF M. V. BAGLEY, WARDEN
04-7503 YOUNG, CHARLES M. V. VASBINDER, WARDEN
04-7516 DE MELO, JOSEPH F. V. DEPT. OF VA
04-7531 MURDOCK, MARK A. V. AM. AXLE & MFG., INC.
04-7563 MILLER, GERALD H. V. GEORGIA
04-7605 VON BRESSENSDORF, ELENA, ET VIR V. UNITED STATES
04-7657 BAYOUD, PHILIP S. V. BAYOUD, ELLEN
04-7665 RAMOS, ALEX D. V. UNITED STATES
04-7690 ESQUIVEL-CABRERA, ROBERTO V. UNITED STATES
04-7695 OWEN, WILLIAM V. V. MITCHEM, WARDEN, ET AL.
04-7711 REEVES, DAVID V. MORTON, WARDEN
04-7726 PIZIO, DORINA V. NEW JERSEY
04-7727 FADAEL, TAMMY T. V. S & S STRAND
04-7748 ROBERSON, LAVERT V. DRETKE, DIR., TX DCJ
04-7752 RATCLIFF, ELIHAH W. V. INDyMAC BANK, F.S.B.

04-7986 GORE, JOHNNY L. V. UNITED STATES
04-8044 CRUZ, ALEX V. UNITED STATES
04-8061 COLEMAN-BEY, MONROE L. V. UNITED STATES
04-8070 MOORE, LUANNE V. EXXON MOBIL CORP.
04-8077 BROWN, EUGENE W. V. IL LABOR RELATIONS BD.
04-8110 HASSON, JOHN R. V. UNITED STATES
04-8350 VIGIL, GERARDO V. UNITED STATES
04-8375 VENTRICE, CHRISTOPHER V. UNITED STATES
04-8387 CLAY, CLARENCE V. UNITED STATES

The petitions for rehearing are denied.

96-6839 ALMENDAREZ-TORRES, HUGO R. V. UNITED STATES
04-6911 BURNS, LARRY D. V. UNITED STATES

The motions for leave to file petitions for rehearing are denied.

RECESS ORDER

The Court will take a recess from Monday, May 2, 2005, until Monday, May 16, 2005.