

(ORDER LIST: 544 U.S.)

TUESDAY, MAY 31, 2005

CERTIORARI -- SUMMARY DISPOSITIONS

- 03-1043 ) MI PORK PRODUCERS, ET AL. V. CAMPAIGN FOR FAMILY FARMS  
          )  
03-1180 ) JOHANNNS, SEC. OF AGRIC., ET AL. V. CAMPAIGN FOR FAMILY FARMS

The petitions for writs of certiorari are granted. The judgment is vacated and the cases are remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Johanns v. Livestock Marketing Assn.*, 544 U.S. \_\_\_\_ (2005).

- 04-23 LANDRENEAU, WILLIAM D. V. PELTS & SKINS, LLC

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 *Johanns v. Livestock Marketing Assn.*, 544 U.S. \_\_\_\_ (2005).

- 04-166 ) LOVELL, FRED, ET AL. V. COCHRAN, JOSEPH S., ET AL.  
          )  
04-446 ) JOHANNNS, SEC. OF AGRIC., ET AL. V. COCHRAN, JOSEPH S., ET UX.

The petitions for writs of certiorari are granted. The judgment is vacated and the cases are remanded to the United States Court of Appeals for the Third Circuit for further consideration in light of *Johanns v. Livestock Marketing Assn.*, 544 U.S. \_\_\_\_ (2005).

- 04-1345 ARNOLD, WILLIAM A. 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).

04-9776 SPRINGS, EDWARD 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 Sixth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. \_\_\_\_ (2005).

04-9799 FLORENTINO, GERMAIN 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).

04-9800 HARRIS, DARIAN 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 Fourth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. \_\_\_\_ (2005).

04-9844 VELASCO-ORTEGA, FREDY 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 Ninth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. \_\_\_\_ (2005).

04-9850 MILES, DENNIS K. 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).

04-9932 BYRD, JIMMIE 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 Eleventh Circuit for further consideration in light of *United States v. Booker*, 543 U.S. \_\_\_\_ (2005).

#### ORDERS IN PENDING CASES

65, ORIG. STATE OF TEXAS V. STATE OF NEW MEXICO

The motion of River Master for fees and expenses is granted, and the River Master is awarded a total of \$2,712.00 for the period January 1, 2005, through March 31, 2005, to be paid equally by the parties.

03-9168 SHEPARD, REGINALD V. UNITED STATES

The motion of counsel for petitioner for excess compensation is denied.

03-10198 HALBERT, ANTONIO D. V. MICHIGAN

The motion of petitioner for leave to file a supplemental brief after argument is granted.

**CERTIORARI GRANTED**

04-1170 KANSAS V. MARSH, MICHAEL L.

The motion of respondent for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted. In addition to the Question presented by the petition, the parties are directed to brief and argue the following Questions: “Does this Court have jurisdiction to review the judgment of the Kansas Supreme Court under 28 U.S.C. Sec. 1257, as construed by *Cox Broadcasting Corp. v. Cohn*, 420 U.S. 469 (1975)?”; “Was the Kansas Supreme Court's judgment adequately supported by a ground independent of federal law?”

**CERTIORARI DENIED**

04-279 MESSINA, ANDREW, ET AL. V. ST. CHARLES, LA, ET AL.

04-854 HILL, WILLIAM E. V. TEXAS

04-894 CZICHRAY, MICHAEL S. V. UNITED STATES

04-1130 SHARPE, THOMAS V. CONOLE, CHARLES P., ET AL.

04-1135 KOTTARAM, VILASINI N. V. BANK LEUMI, USA, ET AL.

04-1146 BUBNA, JEFFREY V. ANCHORAGE EQUAL RIGHTS COMM'N.

04-1275 DUNAGAN, GREGORY B. V. DRETKE, DIR., TX DCJ

04-1277 MARTHA GRAHAM SCHOOL AND DANCE V. SPITZER, ATT'Y GEN. OF NY

04-1280 LAKESIDE EQUIPMENT CORP. V. CHESTER, VT

04-1281 GRABACH, JIMMY L., ET UX. V. LARSSON FAMILY TRUST, ET AL.

04-1284 GLOBAL NAPS, INC. V. VERIZON NEW ENGLAND, ET AL.

04-1288 TRINH, NGOC N. V. MEDTRONIC, INC., ET AL.  
04-1293 LUAllen, LOUISE E. V. GUILFORD HEALTH CARE, ET AL.  
04-1298 UNITEDHEALTH GROUP, INC., ET AL. V. KLAY, LEONARD J., ET AL.  
04-1305 BALDADO, KEVIN V. HI MANAGEMENT ALLIANCE ASSN.  
04-1309 SIBLEY, MONTGOMERY B. V. RAMIREZ, JUAN, ET AL.  
04-1310 CONWAY, LARRY P V. NUSBAUM, EDITH  
04-1326 JAFFE, ALLEN V. V. LANDESS, RONALD M.  
04-1348 ROYAL, JEFFREY V. REID, TOM  
04-1355 STANTON, JOHN V. DC COURT OF APPEALS  
04-1356 CYRUS, REGINALD L. V. DEPT. OF AIR FORCE  
04-1386 WOOLF, CLAUDINE V. MARY KAY INC.  
04-1393 PORTER, ADAM V. ASCENSION PARISH SCH., ET AL.  
04-1399 FRANK, YOLANDA V. HARRIS COUNTY, TX  
04-1417 BIRT, JAMELL V. UNITED STATES  
04-1418 WHITT, SAMUEL L. V. UNITED STATES  
04-1436 SHANK, ANDREW G. V. UNITED STATES  
04-1437 SCHNEIDER, JEFFREY V. UNITED STATES  
04-1450 ANDERSON, TERENCE V. UNITED STATES  
04-6120 PEARL, SYLVESTER V. CASON, WARDEN  
04-7033 SNYDER, WILLIAM A. V. ALABAMA  
04-7520 JAYNE, TRAVIS E. V. TEXAS  
04-7875 DUKE, JAMES R. V. WYOMING  
04-7893 SOLACHE, GABRIEL V. ILLINOIS  
04-7910 DOSS, ANTHONY V. MISSISSIPPI  
04-7940 SAMS, DERRICK S. V. ILLINOIS  
04-7990 HACKETT, RICHARD V. FOLINO, SUPT., GREENE, ET AL.  
04-8288 VALENCIA, ANGEL V. KIRKLAND, WARDEN  
04-8324 FRAZIER, RICHARD J. V. UNITED STATES

04-8536 LAMBERT, LISA M. V. BLACKWELL, ADM'R, EDNA MAHAN  
 04-8614 STEPHANATOS, BASIL N. V. NEW JERSEY, ET AL.  
 04-8849 ) COFFMAN, CYNTHIA L. V. CALIFORNIA  
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 04-8889 ) MARLOW, JAMES G. V. CALIFORNIA  
 04-9259 HASKELL, JOVAN L. V. VIRGINIA  
 04-9338 SANDOVAL, JESSE V. BENTLEY, OFFICER, ET AL.  
 04-9353 METZLER, PAUL V. LOUISIANA  
 04-9354 MEREDITH, SAMUEL A. V. FLORIDA  
 04-9357 CRAFT, ALBERT J. V. WALLER, WARDEN  
 04-9362 SMITH, JAMES A. V. FRANK, SEC., WI DOC, ET AL.  
 04-9363 AVERY, ALAN L. V. MICHIGAN  
 04-9368 GALANDREO, TOM V. PERLMAN, SUPT., MOHAWK  
 04-9370 ELLIS, RANDALL E. V. UDOVIC, MICHAEL J.  
 04-9371 CROSSLEY, LAMONT V. LOCKYER, ATT'Y GEN. OF CA, ET AL.  
 04-9373 ENGLISH, MARIO V. ILLINOIS  
 04-9375 THOMAS, THERON V. NEUMAN, BOB, ET AL.  
 04-9383 GEORGE, RONNIE V. SANDOVAL, ATT'Y GEN. OF NV  
 04-9386 FIGETAKIS, MARK V. CUYAHOGA FALLS, OH, ET AL.  
 04-9388 YANCEY, NATHAN J. V. JOHNSON, J. W., ET AL.  
 04-9392 NEWBERRY, WEISSINGER V. TEXAS  
 04-9399 BAILEY, JAMES V. MICHIGAN  
 04-9400 LOPEZ, RICARDO J. V. DRETKE, DIR., TX DCJ  
 04-9405 KARLS, JAMES F. V. CIRCUIT COURT OF WI, ET AL.  
 04-9406 DAVIS, DORIAN V. PLILER, WARDEN  
 04-9410 RAE, ROBERT J. V. DRETKE, DIR., TX DCJ  
 04-9415 McNAIR, JOE V. FLORIDA  
 04-9426 MATTHEWS, NEIL C. V. VIRGINIA  
 04-9427 LOPEZ, ANGEL V. POOLE, SUPT., FIVE POINTS

04-9432 SANDERS, JEFFREY V. WAYNE COUNTY, MI, ET AL.  
04-9435 STANDBERRY, DARRELL V. FLORIDA  
04-9440 SOSA, THOMAS V. DRETKE, DIR., TX DCJ  
04-9442 CAGLEY, BRETT C. V. DUNCAN, WARDEN  
04-9448 COHEN, JOSEPH V. BAKER, MAYOR, ET AL.  
04-9455 ARMSTRONG, DAMON J. V. GRIGAS, WARDEN, ET AL.  
04-9457 ALLEN, JOHN H. V. MAXWELL-HODGES, DEBORAH, ET AL.  
04-9464 COX, STEVE M. V. PAPEZ, DAN L., ET AL.  
04-9466 EZZARD, VERNON V. REWIS, WARDEN  
04-9469 COOKISH, DENNIS R. V. ROULEAU, ANGELA, ET AL.  
04-9471 BUNCH, JAMES V. STALDER, SEC., LA DOC  
04-9478 ESTRADA, MARK D. V. HAMLET, WARDEN  
04-9485 RYAN, MICHAEL W. V. CLARKE, DIR., NE DOC  
04-9506 MILLER, THEODORE T. V. BUSH, PRESIDENT OF U.S., ET AL.  
04-9530 RIDDLEY, AUNDRA L. V. EPPS, SUPT., COMM'R, MS DOC  
04-9531 TOR, BUDHA V. GREENE, SUPT., GREAT MEADOW  
04-9537 OSIRIS, SOLOMON O. V. BELLEQUE, SUPT., OR  
04-9554 COSSETTE, PAUL H. V. DEPT. OF AGRICULTURE  
04-9571 COLEMAN, RONALD V. KORMAN, CHIEF JUDGE, USDC ED NY  
04-9608 BRACKETT, JERRI V. KIRSHBAUM, HOWARD M., ET AL.  
04-9640 OKPOJU, AMALI T. V. CHERTOFF, SEC. OF HOMELAND SEC.  
04-9641 TAPIA, JUAN V. WOODFORD, DIR., CA DOC  
04-9649 RANKIN, HENRY V. LOUISIANA  
04-9661 CARTER, ANTHONY V. CONNECTICUT  
04-9662 EVANS, PATRICIA, ET AL. V. HUD, ET AL.  
04-9668 FOSTER, JASON H. V. NORTH CAROLINA  
04-9695 ALLEN, VINCENT B. V. SOLOMON, SUPT., ODOM  
04-9699 BAYLIFF, PATRICK T. V. NORTH CAROLINA, ET AL.

04-9705 RILEY, MICHAEL J. V. SUPREME COURT OF LA  
04-9741 LUEBBE, RAY V. BOOTH, LINN, ET UX.  
04-9818 TERRY, ERIC V. JOHNSON, DIR., VA DOC  
04-9855 MOSES, LEROY A. V. UNITED STATES  
04-9856 LOPEZ, ALEJANDRO G. V. UNITED STATES  
04-9861 BUCULEI, CATALIN L. V. UNITED STATES  
04-9866 CURRY, JAMES C. V. UNITED STATES  
04-9868 REYES-HERNANDEZ, JOSUE G. V. UNITED STATES  
04-9877 KLIMAWICZE, AUDREY V. ILLINOIS  
04-9882 CATER, JAMES O. V. UNITED STATES  
04-9884 CALLENDER, LEE A. V. UNITED STATES  
04-9886 STEVENSON, LEE R. V. UNITED STATES  
04-9888 RAMOS-CARTAGENA, JOSE V. UNITED STATES  
04-9904 WARREN, MAURICE V. UNITED STATES  
04-9911 CALDERON-BELTRAN, SOSTENEZ V. UNITED STATES  
04-9923 MANDEFRO, BANTIE K. V. UNITED STATES  
04-9934 McNAIR, TYRUS V. UNITED STATES  
04-9936 PAZ-AGUIRRE, PORFIRIO V. UNITED STATES  
04-9937 MIJARES-ANDRADE, JUAN A. V. UNITED STATES  
04-9956 JACKSON, JOHNNY V. UNITED STATES

The petitions for writs of certiorari are denied.

04-908 YARBOROUGH, WARDEN V. MAXWELL, CLIFTON

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

04-1299 STAJANO, JULIO, ET AL. V. UNITED TECHNOLOGIES CORP., ET AL.

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



petition.

04-7212 PLATA, DANIEL A. V. DRETKE, DIR., TX DCJ

The motion of petitioner to stay further proceedings is denied. The petition for a writ of certiorari is denied.

04-9351 McBROOM, GRACIE V. TECHNEGLAS, INC., 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.

#### **HABEAS CORPUS DENIED**

04-9939 IN RE SONIA L. LaSEUR

04-9961 IN RE FELIX A. PRICE

04-9981 IN RE JOSEPH J. SCHEPIS

04-10000 IN RE TIMMY E. ADAMS

The petitions for writs of habeas corpus are denied.

#### **MANDAMUS DENIED**

04-9441 IN RE PHILIP J. SHEA

The petition for a writ of mandamus is denied.

04-9379 IN RE SAMUEL T. WRIGHT

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

#### **REHEARINGS DENIED**

04-1037 WILSON, RICKIE A. V. COLORADO

04-1087 SANDERS, MARSHALL V. VINE, ROSALYN

04-1107 FOCUS MEDIA, INC. V. NBC, INC., ET AL.

04-7997 BROWN, JAMES G. V. CARROLL, WARDEN

04-8222 NORTON, RICHARD L. V. TENNESSEE

04-8349 WILSON, DEMETRIUS A. V. SUPERIOR COURT OF CA, ET AL.  
04-8462 MONTOYA, ALFRED V. FINN, WARDEN  
04-8643 COLIDA, TONY V. QUALCOMM INCORPORATED  
04-8644 COLIDA, TONY V. SANYO NORTH AMERICA CORPORATION  
04-8646 CHARLES, SHIRLEY A. V. TEXAS  
04-8696 ZHANG, JEFF B. V. APEX HOME & BUSINESS RENTALS

The petitions for rehearing are denied.

**RECESS ORDER**

The Court will take a recess from Tuesday, May 31, 2005,  
until Monday, June 6, 2005.