

(ORDER LIST: 534 U.S.)

THURSDAY, OCTOBER 18, 2001

ORDER IN PENDING CASE

00-1214 ALABAMA V. SHELTON, LeREED

This case is removed from the November 2001 Argument Calendar. Charles Fried, Esquire, of Cambridge, Massachusetts, is invited to file a brief, and to argue, as *amicus curiae*, in opposition to the judgment below and in support of the following position: where counsel is not afforded to an indigent defendant, the Constitution of the United States does not bar the imposition of a suspended or probationary sentence upon conviction of a misdemeanor, even though the defendant might be incarcerated in the event probation is revoked. The brief as *amicus curiae* is to be filed with the Clerk and served upon the parties on or before 3 p.m., Monday, December 10, 2001. Any response by the parties may be filed with the Clerk and served upon opposing parties and *amicus curiae* on or before 3 p.m., Friday, January 11, 2002. Rule 29.2 is suspended in this case. Ten minutes of petitioner's time are allotted to Mr. Fried for oral argument.