

(ORDER LIST: 535 U.S.)

MONDAY, MARCH 4, 2002

**CERTIORARI -- SUMMARY DISPOSITION**

00-1619 GOORD, COMM'R, NY DOC V. LAWRENCE, ROBERT

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 *Porter v. Nussle*, 534 U.S. \_\_\_\_ (2002).

01-100 STERNER, WILLIAM, ET AL. V. ROYSTER, JOHN P.

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 *Porter v. Nussle*, 534 U.S. \_\_\_\_ (2002).

**ORDERS IN PENDING CASES**

01A434 MOORE, JOHN DAVID V. COCKRELL, DIR, TX DCJ

The application for certificate of appealability addressed to Justice Kennedy and referred to the Court is denied.

01-131 GISBRECHT, GARY E., ET AL. V. BARNHART, COMM'R, SSA

The motion of the Solicitor General to permit David B. Salmons, Esquire, to present oral argument, *pro hac vice*, is granted.

01-394 CHRISTOPHER, WARREN, ET AL. V. HARBURY, JENNIFER K.

01-400 BELL, WARDEN V. CONE, GARY B.

01-417 DEVLIN, ROBERT J. V. SCARDELLETTI, ROBERT, ET AL.

The motions of the Solicitor General for leave to participate in oral argument as *amicus curiae* and for divided argument are granted.

01-631 UNITED STATES V. DRAYTON, CHRISTOPHER, ET AL.

The motion for appointment of counsel is granted and it is ordered that Steven L. Seliger, Esquire, of Quincy, Florida, is appointed to serve as counsel for the respondent Clifton Brown, Jr., in this case. The motion for appointment of counsel is granted and it is ordered that Gwendolyn Spivey, Esq., of Tallahassee, Florida, is appointed to serve as counsel for the respondent Christopher Drayton in this case. The motion of counsel Spivey to strike and objection to attempted substitution of counsel is granted. The motion of counsel Seliger to strike and objection to attempted substitution of counsel is granted.

01-714 UTAH, ET AL. V. EVANS, SEC. OF COMMERCE

The motion of the Solicitor General and the North Carolina appellees for additional time for oral argument and for divided argument is granted and ten additional minutes are allotted for that purpose to be divided as follows: 35 minutes for appellants, 20 minutes for the Solicitor General, and 15 minutes for the North Carolina appellees.

01-5404 HEMMERLE, KENNETH V. V. LAUDERDALE REPORTING SERVICE

01-6785 McDONALD, BUFFORD V. COCKRELL, DIR., TX DCJ

The motions of petitioners for reconsideration of orders denying leave to proceed *in forma pauperis* are denied.

01-7662 MILLER-EL, THOMAS JOE V. COCKRELL, DIR., TX DCJ

The order granting the petition for a writ of certiorari is amended to read as follows: The motion for leave to proceed *in forma pauperis* is granted. The petition for a writ of certiorari is granted limited to the following question: Did the Court of Appeals err in denying a certificate of appealability and in evaluating petitioner's claim under *Batson v. Kentucky*?

**CERTIORARI GRANTED**

01-653 ) FCC V. NextWAVE COMMUNICATIONS, ET AL.

)  
01-657 ) ARCTIC SLOPE CORP., ET AL. V. NextWAVE COM., INC., ET AL.

The motion of Urban Comm-North Carolina, Inc., for leave to file a brief as *amicus curiae* in No. 01-653, is granted. The petitions for writs of certiorari are granted. The cases are consolidated and a total of one hour is allotted for oral argument.

**CERTIORARI DENIED**

00-9686 BAEZ, ROBERTO V. HALL, HILTON, ET AL.

01-734 WA STATE MEDICAL QUALITY V. NGUYEN, BANG D.

01-758 UNITED PARCEL SERVICE, INC. vs. EEOC  
01-791 SAINT PAUL, MN V. UNITED STATES  
01-808 MURPHY, VA SEC. OF RESOURCES V. WASTE MANAGEMENT, ET AL.  
01-827 PHILLIPS, CRYSTAL, ET AL. V. HILLCREST MED. CTR., ET AL.  
01-916 MILLER, MARSHA V. HOUSTON INDEP. SCH. DIST.  
01-918 VENETIAN CASINO RESORT V. LOCAL JOINT EXECUTIVE BD.  
01-924 JOHNSON, ODELL V. SAN ANTONIO, TX  
01-925 ABGN SALES, INC. V. HURT, NORMA J.  
01-926 BURCHER, GREGORY V. QUINCY HILL TOWNHOUSE, ET AL  
01-934 CHEATWOOD, RICHARD L. V. VIRGINIA  
01-937 VAN SLYKE, KARIN S. V. NORTHROP GRUMMAN CORP.  
01-938 SCHMIDT, RICHARD V. LOUISIANA  
01-944 SPRADLEY, W. J., ET AL. vs. OLD HARMONY BAPTIST CHURCH  
01-951 FORNER, PHILLIP D., ET AL. V. ALLENDALE CHARTER TOWNSHIP  
01-956 U. S., EX REL. KING V. HILLCREST HEALTH CENTER  
01-957 WARE, MARVIN V. ILLINOIS  
01-959 CHILDS, LEANNE V. ILLINOIS  
01-988 PRYOR, ROBERT, ETC. V. READY & PONTISAKOS  
01-1007 GROSS, WILLARD D. V. IRTZ, FRED  
01-1008 KERSEY, GEORGE E. V. DEHART, JAMES L., ET AL.  
01-1012 ASHTON, KENT J. vs. FAA, ET AL.  
01-1052 RAVET, GARY, ET AL. V. ENTERTAINMENT PUBLICATIONS  
01-1095 SCOTT, MICHAEL A. V. MORGAN, HENRY C., JUDGE  
01-1140 SYMANTEC CORP. V. HILGRAEVE CORP.  
01-6586 SMITH, TERRENCE V. ZACHARY, ROBERT, ET AL.  
01-7062 FISHER, JONATHAN V. PENNSYLVANIA  
01-7109 ROCHA-GONZALEZ, RAUL V. UNITED STATES

01-7137 ACOSTA-MARTINEZ, HECTOR V. UNITED STATES  
01-7158 JONES, ELTON R. V. UNITED STATES  
01-7426 OLIVER, GEORGE B. V. FALLA, R., ET AL.  
01-7464 FERGUSON, THOMAS D. V. ALABAMA  
01-7484 WARD, JOHN M. V. ALABAMA  
01-7486 REYES, GEORGE V. GARCIA, WARDEN  
01-7491 BULLARD, VONNIE R. V. BARKER, SUPT., ET AL.  
01-7500 TIDIK, BRAD A. V. WAYNE COUNTY FRIEND, ET AL.  
01-7508 SHELBY, DESHAWN V. WITHROW, WARDEN  
01-7510 ROGERS, GEORGE R. V. COCKRELL, DIR., TX DCJ  
01-7511 HARRIS, ZACHARY T. V. CALIFORNIA  
01-7512 FOSTER, IRVIN J. V. STRAUB, WARDEN  
01-7514 FLYNN, JAMES E. V. THOMAS, WILLIAM, ET AL.  
01-7515 HARRIS, JEFFREY J. V. COLORADO  
01-7516 WILLIAMS, PLUMMER V. PRUNTY, WARDEN, ET AL.  
01-7518 AZIZ, ABDUL V. TRI-ST. UNIV.  
01-7523 TWEH, SHERMAN V. NEW JERSEY  
01-7528 DUMONT, DANIEL V. UBC, INC.  
01-7529 THOMAS, HOWARD E. V. MOORE, SEC., FL DOC, ET AL.  
01-7591 DUNSTER, DAVID L. V. NEBRASKA  
01-7651 RASTEN, ANINA V. HUD  
01-7695 LAMPLEY, ROMMELL V. WISCONSIN  
01-7724 FULTS, KENNETH E. V. GEORGIA  
01-7801 MASON, ARTHUR V. UNITED STATES  
01-7815 PATTON, DALE V. UNITED STATES  
01-7934 REDMOND, TYRONE V. UNITED STATES  
01-7955 MATHIS, KEITH V. UNITED STATES

01-7971 OWEN, HARRY C. V. UNITED STATES  
01-7974 LOPEZ, LUIS V. UNITED STATES  
01-7975 LETTS, PAUL M. V. UNITED STATES  
01-7976 ZUNIGA-HERNANDEZ, JOSE V. GILKEY, WARDEN  
01-7977 TOBAR, SIMON E. V. UNITED STATES  
01-7996 GOODALE, PATRICIA A. V. BARNHART, COMM'R, SSA  
01-7997 HERNANDEZ, ROBERTA V. UNITED STATES  
01-8002 COPELAND, LEONARD B. V. UNITED STATES  
01-8003 PAZ-ZAMORA, EVARISTO V. UNITED STATES  
01-8005 ZALAZAR-TORRES, ALEJANDRO V. UNITED STATES  
01-8007 MENDOZA-MEDINA, ANTONIO V. UNITED STATES  
01-8009 MOSLEY, MAURICE V. UNITED STATES  
01-8011 KANESS, PAUL A. V. UNITED STATES  
01-8015 McCLEAN, RANDY L. V. UNITED STATES  
01-8020 ENCARNACION-MENDEZ, F. V. UNITED STATES  
01-8022 HUNTER, RONALD V. UNITED STATES  
01-8029 EVANS, JOSEPH H. V. UNITED STATES  
01-8032 COLVIN, IVAN V. UNITED STATES  
01-8038 RAMSEY, HUBERT V. UNITED STATES  
01-8041 LIRA-ESPINOZA, ELIAS V. UNITED STATES  
01-8045 RANGEL-MORALES, JOSE J. V. UNITED STATES  
01-8046 SERRANO, ANTONIO A. V. UNITED STATES  
01-8047 PEREZ, GINO V. UNITED STATES  
01-8048 ROJAS-FRANCO, MARIA T. V. UNITED STATES  
01-8050 BELL, JAMES D. V. UNITED STATES  
01-8051 CLINE, APRIL M. V. UNITED STATES  
01-8053 VILLARREAL, ARTURO V. UNITED STATES

01-8054 PATRICK, SAMUEL V. UNITED STATES  
01-8056 CHAVEZ-MAGANA, MARIO V. UNITED STATES  
01-8059 COVINGTON, PAUL M. V. UNITED STATES  
01-8065 KEMP, KENNETH V. UNITED STATES  
01-8066 MATEO-MENDEZ, FRANCISCO V. UNITED STATES  
01-8068 BENNETT, GARY L. V. UNITED STATES  
01-8071 DUQUE DIAZ, JUANA V. UNITED STATES  
01-8075 PEREZ-ESPINOZA, RODRIGO V. UNITED STATES  
01-8076 PAUL, JOHN H. V. UNITED STATES  
01-8082 HAYS, MARK L. V. UNITED STATES  
01-8083 HINDS, GERALD A. V. UNITED STATES

01-8125 CLEMENTS, ULYSSES B. V. UNITED STATES  
01-8132 RIGDON, JOHN V. V. UNITED STATES

The petitions for writs of certiorari are denied.

01-931 FLORIDA V. SCARLET, SHELTON

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

01-7124 TROBAUGH, CHARLES A. V. SAWYER, DIR., BOP, 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.

01-7526 SINDRAM, MICHAEL V. RUBIN, JACK B.

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.

#### HABEAS CORPUS DENIED

01-8167 IN RE CALVIN JOHNSON  
01-8174 IN RE DAMON LYNN COX  
01-8175 IN RE JOHN ROBERT CLIFTON  
01-8181 IN RE ALVARO BECERRA  
01-8229 IN RE CHARLES A. TROBAUGH

The petitions for writs of habeas corpus are denied.

#### MANDAMUS DENIED

01-7525 IN RE ALBERTO RAPOSO

The petition for a writ of mandamus is denied.

#### REHEARINGS DENIED

00-9741 BAYOUD, PHILIP S. V. MIMS, JEFFREY H., ET AL.  
00-10890 GUSS, JAMES H. V. NORRIS, DIR., AR DOC  
01-310 HILL, CHARLES E. V. CLINTON, FORMER PRESIDENT



01-850 MILLS, VERNON V. WISER OIL CO.  
01-6630 CHRISTEN, JOHN R. V. R. J. REYNOLDS TOBACCO CO.  
01-6710 BUTTS, ROBERT E. V. GEORGIA  
01-6840 JACOBS, CEDRIC V. LOUISIANA  
01-6859 WILLIAMS, CHARLES R. V. FLORIDA, ET AL.  
01-6934 BAYOUD, PHILIP S. V. MIMS, JEFFREY H., ET AL.  
01-7019 SCHMITT, JOHN Y. V. VIRGINIA  
01-7187 CUEVAS-AQUINO, FERNANDO V. UNITED STATES

The petitions for rehearing are denied.

#### ATTORNEY DISCIPLINE

D-2286 IN THE MATTER OF DISCIPLINE OF MARTIN ERIC MARKS

Martin Eric Marks, of Great Neck, New York, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2287 IN THE MATTER OF DISCIPLINE OF THEODORE WILLIAM BUSHLOW

Theodore William Bushlow, of Brooklyn, New York, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2288 IN THE MATTER OF DISCIPLINE OF MICHAEL J. FRIESEN

Michael J. Friesen, of Garden City, Kansas, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring

him to show cause why he should not be disbarred from the practice of law in this Court.

D-2289 IN THE MATTER OF DISCIPLINE OF JAMES GUY TUCKER, JR.

James Guy Tucker, Jr., of Little Rock, Arkansas, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

D-2290 IN THE MATTER OF DISCIPLINE OF MURREY L. GRIDER

Murrey L. Grider, of Pocahontas, Arkansas, is suspended from the practice of law in this Court and a rule will issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.