

(ORDER LIST: 544 U.S.)

MONDAY, MAY 16, 2005

CERTIORARI -- SUMMARY DISPOSITIONS

04-914 FLORIDA V. RABB, JAMES

The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the District Court of Appeal of Florida, Fourth District, for further consideration in light of *Illinois v. Caballes*, 543 U.S. \_\_\_\_ (2005).

04-1094 NUNEZ, CECILIO 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).

04-1316 MONCRIEF, JOE B. 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 Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. \_\_\_\_ (2005).

04-1325 McELWEE, STEPHEN L. 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 Ninth Circuit for further consideration in light of *United States v. Booker*, 543 U.S.

\_\_\_\_\_ (2005).

04-1331 FLETCHER, WAYNE 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 Fourth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. \_\_\_\_\_ (2005).

04-1364 BROOKS, RAYLATE 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 Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. \_\_\_\_\_ (2005).

04-7979 QUINTANA-PEREZ, 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).

04-8308 SANDOVAL-QUINONES, EMETERIO 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).

04-8576 CARDONA, 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 Eleventh Circuit for further consideration in light of *United States v. Booker*, 543 U.S. \_\_\_\_ (2005).

04-9496 WASHINGTON, WILLIAM 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).

04-9502 CUNNINGHAM, BERNARD 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).

04-9509 GRAVENHORST, CHARLES 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 First Circuit for further consideration in light of *United States v. Booker*, 543 U.S. \_\_\_\_ (2005).

04-9515 ROGERS, RASHAAN C. V. UNITED STATES

04-9540 JACKSON, VERNON A. 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 Fourth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. \_\_\_\_ (2005).

04-9547 WASHINGTON, MARCUS 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).

04-9549 SANCHEZ-VILLAR, JOSE 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 Second Circuit for further consideration in light of *United States v. Booker*, 543 U.S. \_\_\_\_ (2005).

04-9550 LACHNEY, ELANDER 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).

04-9552 WATKINS, ROBERT 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 Eighth Circuit for further consideration in light of *United States v. Booker*, 543 U.S.

\_\_\_\_\_ (2005).

04-9555 COGGINS, SAYYID 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).

04-9563 HERNDON, JAMES 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).

04-9568 HANSEN, RICHARD 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).

04-9569 HOOF, CEDRICK W. V. UNITED STATES

04-9576 PENNYWELL, CALVIN W. V. UNITED STATES

04-9601 MYERS, DUDLEY E. 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).

04-9603 MESSANO, SEAN 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).

04-9620 BRANCH, TERRANCE 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).

04-9665 NAZARIO, GADIER 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).

04-9701 MCGHEE, SIEGFRIED D. 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).

04-9754 MCLERAN, NEVIN 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 Eleventh Circuit for further consideration in light of *United States v. Booker*, 543 U.S. \_\_\_\_ (2005).

#### ORDERS IN PENDING CASES

04M70 EVANS, BRIAN V. SCOTT, L. CHRISTINE

04M71 JOINTER, ALPHONSO V. POTTER, POSTMASTER GEN., ET AL.

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

03-1693 McCREARY COUNTY, KY, ET AL. V. ACLU OF KY, ET AL.

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

04-623 GONZALES, ATT'Y GEN., ET AL. V. OREGON, ET AL.

The motion of the Acting Solicitor General to dispense with printing the joint appendix is granted.

04-881 LOCKHART, JAMES V. UNITED STATES, ET AL.

The motion of petitioner to dispense with printing the joint appendix is granted.

**CERTIORARI GRANTED**

04-944 ARBAUGH, JENIFER V. Y & H CORP.

The petition for a writ of certiorari is granted.

04-1203 ) UNITED STATES V. GEORGIA, ET AL.

)  
04-1236 ) GOODMAN, TONY V. GEORGIA, ET AL.

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**

04-923 MOBIL OIL EXPLORATION V. UNITED STATES

04-951 ENGLISH, MATTHEW S. V. BURT, WARDEN

04-1038 SINGH, RAJINDER V. GONZALES, ATT'Y GEN.

04-1127 PREMIERE GLOBAL SERVICES, ET AL. V. APA EXCELSIOR III L.P.

04-1134 METRISH, WARDEN V. HATCHETT, DARRIN T.

04-1169 WHEATLEY, SANDRA, ET AL. V. WICOMICO COUNTY, MD

04-1171 ST. JUDE MEDICAL, INC., ET AL. V. CARDIAC PACEMAKERS, INC.

04-1178 HOUSTON, PETER V. ARAMARK CORP., ET AL.

04-1180 DUGAS, LEO R. V. CLARON CORP.

04-1181 COASTAL SALVADORAN POWER LTD. V. CRYSTAL POWER COMPANY

04-1189 WOOD, MICHAEL R. V. SUPERIOR COURT OF CA

04-1193 GOLDS, MARLENE M. V. GOLDS, WILLIAM F.

04-1197 PRESCOTT, LEONARD F., ET AL. V. LITTLE SIX, INC., ET AL.

04-1199 U. S., ex rel. TOTTEN V. BOMBARDIER CORP. & ENVIROVAC INC.

04-1202 U. S., ex rel. GAY, ET AL. V. LINCOLN TECHNICAL INSTITUTE

04-1205 CLANCY, JAMES J. V. AT&T CORP.



04-1206 CAROLAN, MICHAEL J. V. CARDIFF UNIVERSITY, ET AL.

04-1209 POLITZER, MARTIN A. V. SALOMON SMITH BARNEY, INC.

04-1211 FLOYD, HILDA L. V. MARYLAND

04-1220 OSBURN, BOBBIE V. ATLANTA CENTER FOR DERMATOLOGIC

04-1229 SVERDLIN, ANATOLY V. SWANK, MARK, ET AL.

04-1232 QUINN, THOMAS J. V. PHILIPS MEDICAL SYSTEMS, INC.

04-1241 SILVER SPUR RESERVE V. PALM DESERT, ET AL.

04-1242 SC DOC V. SLEZAK, GARY R.

04-1243 SMITH, O. BRUTON, ET AL. V. UNITED STATES, ET AL.

04-1248 BELLECOURT, VERNON, ET AL. V. CLEVELAND, OH, ET AL.

04-1258 CONNOR, JOHN R. V. LEAVITT, SEC. OF H&HS

04-1274 DIAZ FLORES, JUAN D. V. GONZALES, ATT'Y GEN.

04-1290 EDWARDS, BRUCE V. DEPT. OF EDUCATION

04-1294 KERN, RUDOLF, ET AL. V. SIEMENS CORP., ET AL.

04-1296 CORRIGAN, JOHN L. V. WASHINGTON

04-1306 MOLLINGER-WILSON, E., ET VIR V. QUIZNO'S FRANCHISE CO.

04-1307 MANOKEY, KENNETH C. V. WATERS, WARDEN, ET AL.

04-1319 MELTON, ROGER, ET AL. V. DALLAS AREA RAPID TRANSIT

04-1323 CONNERS, HARRY A. V. NY COMM'R OF LABOR

04-1337 PEARSON, DOUGLAS N. V. UNITED STATES

04-1373 COUTO, IVANIA M. V. UNITED STATES

04-1378 O'KEEFE, MICHAEL, ET AL. V. UNITED STATES

04-1388 VALENCIA, MICHELLE M. V. UNITED STATES

04-6794 GUTIERREZ, PEDRO E. V. TEXAS

04-7514 DAVIS, BRIAN A., ET AL. V. UNITED STATES CONGRESS

04-7808 ) DAVIS, LEN V. UNITED STATES

)

04-8171 ) HARDY, PAUL V. UNITED STATES

04-7944 ADEFEMI, ALBERT V. GONZALES, ATT'Y GEN., ET AL.

04-8018 CLAY, RICHARD D. V. ROPER, SUPT., POTOSI  
04-8198 ALLEMAN, JOHN R. V. CAIN, WARDEN  
04-8292 BAUM, UUNO M. V. SOUTH CAROLINA  
04-8310 RAMIREZ-ROBLES, JOSE J. V. UNITED STATES  
04-8569 MATHENEY, ALAN L. V. DAVIS, SUPT., IN  
04-8973 VAUGHN, AUTRY M. V. TEXAS  
04-8974 TOINES, TIMOTHY V. DRETKE, DIR., TX DCJ  
04-8975 VINNING-EL, MONDREA V. WALLS, WARDEN, ET AL.  
04-8984 LENOIR, LAMAR A. V. TIMMERMAN-COOPER, WARDEN  
04-8985 MILLER, STEVEN A. V. McDANIEL, WARDEN  
04-8989 VORA, CHANDAN S. V. STRASSBURGER, McKENNA, ETC.  
04-8995 RIVERA, LUCIO G. V. DRETKE, DIR., TX DCJ  
04-9000 LUCAS, JIMMIE L. V. ARIZONA  
04-9006 MAPP, JOHN E. V. TEXAS  
04-9008 MISIAK, MARK A. V. KIMBERLY, RICHARD C.  
04-9009 PEASE, JEFFREY M. V. COLORADO  
04-9010 TARVER, JOHNNY V. VALADEZ, ACTING WARDEN  
04-9017 THOMAS, JEREMY R. V. DRETKE, DIR., TX DCJ  
04-9018 WITHERSPOON, EDWIN H. V. DRETKE, DIR., TX DCJ  
04-9019 WILLIAMS, CARLOS J. V. USDC WD WA  
04-9023 BASCOM, EGLON V. FRIED, ETHAN, ET AL.  
04-9025 ALLEN, JON L. V. DRETKE, DIR., TX DCJ  
04-9030 MENDOZA, JOE V. LANE, JOHN G., ET AL.  
04-9036 SMITH, REGINALD V. HURLEY, WARDEN  
04-9038 DOYLE, SEAN P. V. WOODFORD, DIR., CA DOC, ET AL.  
04-9043 BELL, ARTHUR V. CURTIS, UNKNOWN, ET AL.  
04-9048 RAYMER, LARRY P. V. OHIO  
04-9049 ROSE, DANA L. V. BERNAD, ANTONIO J., ET AL.

04-9050 SOSA, THOMAS V. DRETKE, DIR., TX DCJ  
04-9053 HICKS, JOHN R. V. COLLINS, WARDEN  
04-9057 CRITTENDEN, JAMES E. V. GARZA, L., ET AL.  
04-9058 SCHLUETER, PAUL G. V. WYNDER, SUPT., DALLAS, ET AL.  
04-9062 CASTILLO, VINCENT M. V. HUBERT, CORNEL M., ET AL.  
04-9065 MACARTHUR, THEODORE V. CROSBY, SEC., FL DOC  
04-9067 WOLFE, BRYAN E. V. DRETKE, DIR., TX DCJ  
04-9071 PELLETIER, RUSSELL A. V. COLEMAN, WHITNEY, ET AL.  
04-9077 COVINGTON, JOHN V. ARTUS, SUPT., CLINTON  
04-9080 DONAHOU, EUEL V. DONAHOU, JOAN M.  
04-9081 CRAWFORD, ISAIAH, ET UX. V. LUSTIG, JACQUELINE, ET AL.  
04-9086 HOLLIS, ADRIAN V. ROBINSON, WARDEN  
04-9089 HEBERT, KYLE V. CAIN, WARDEN  
04-9090 GEORGESON, DENNIS V. CALIFORNIA  
04-9091 HORNE, CURTIS L. V. SMITH, WARDEN  
04-9092 FALKIEWICZ, SCOTT A. V. GRAYSON, WARDEN  
04-9093 RICHARDSON, LENIR V. RICHARDSON, ANDREW L., ET AL.  
04-9101 OCEAN, THOMAS V. CUNNINGHAM, SUPT., WOODBURN  
04-9103 NATURALITE, JAMI V. PEPPLER, BRIAN A., ET AL.  
04-9104 P. G. B. V. FL DEPT. OF CHILDREN, ET AL.  
04-9110 HICKS, KEON V. HINSLEY, WARDEN  
04-9118 DAVIS, JOSEPHUS V. TEXAS  
04-9123 FALU, FRANKLIN V. CROSBY, SEC., FL DOC, ET AL.  
04-9124 HERNANDEZ, OSCAR S. V. TEXAS  
04-9125 GREEN, SHAWN V. NEW YORK, ET AL.  
04-9129 TEMPLE, DANIEL V. OCONEE CTY. MEMORIAL HOSP.  
04-9130 SANDERS, MAMIE V. CHICAGO & NORTHWESTERN, ET AL.  
04-9141 JACKSON, ANARIAN C. V. ARKANSAS

04-9143 LANIOHAN, FERNANDO V. KNOWLES, WARDEN  
04-9145 MUNAWWAR, ROBERT V. WOODWEST REALTY  
04-9148 FREDRICK, RALPH F. V. USDC WD NC  
04-9149 GARNETT, ROBERT C. V. GOLDER, WARDEN  
04-9153 GALLEGOS, RICARDO A. V. DRETKE, DIR., TX DCJ  
04-9155 GONZALES, RAMON L. V. LIEBERMAN, JUDGE, ETC.  
04-9158 COX, STEVE M. V. BENEDETTI, JIM, ET AL.  
04-9159 CEARC, JEAN V. FLORIDA  
04-9168 BEASLEY, LOYD V. CLARKE, WARDEN  
04-9176 ALLISON, RICHARD V. FICCO, SUPT., SOUZA-BARANOWSKI  
04-9180 WOODS, TYRONE K. V. RENICO, WARDEN  
04-9183 WILSON, TYRONE D. V. CAREY, WARDEN  
04-9184 DARDEN, EARNEST A. V. PERALTA COMM. COLLEGE DIST.  
04-9195 FRIGO, FRED R. V. STEINER, DUANE  
04-9197 HOWARD, NORRIS V. NORRIS, DIR., AR DOC  
04-9200 HOLDEN, DIANA, ET AL. V. SC DEPT. OF SOCIAL SERVICES  
04-9213 McSWAIN, MARLON V. OHIO  
04-9220 WOODARD, ROBERT L. V. TEXAS  
04-9305 VARGAS, REY D. V. HALL, WARDEN  
04-9360 ALLEN, SARAH B. V. CROSBY, SEC., FL DOC, ET AL.  
04-9378 WARFIELD, KELLY D. V. SOUTH DAKOTA  
04-9396 ADAMS, STANLEY T. V. OHIO  
04-9420 JACKSON, JOHN V. MARYLAND  
04-9430 JONES, ANTHONY D. V. HASKE, AMY  
04-9438 McKINNEY, GREGORY V. KING, ANTHONY, ET AL.  
04-9452 BALLENTINE, JEWEL L. V. IL STATE POLICE  
04-9462 ELLIBEE, NATHANIEL W. V. HAZLETT, STANTON A., ET AL.  
04-9467 PARLE, TIMOTHY C. V. RUNNELS, WARDEN

04-9505 MORGAN, OLIVER V. WALSH, SUPT., SULLIVAN  
04-9548 WALL, ANTHONY E. V. NORTH CAROLINA  
04-9562 GONZALES, DOMINICK S. V. UNITED STATES  
04-9564 FERRO, ERNESTO V. UNITED STATES  
04-9565 HUMMINGWAY, PRINCETON V. UNITED STATES  
04-9566 GRINARD-HENRY, MAURICIO V. UNITED STATES  
04-9579 KEMPER, GARY A. V. BARNHART, COMM'R, SOCIAL SEC.  
04-9580 KNICKMEIER, JEFFREY D. V. OFFICE OF LAWYER REGULATION  
04-9586 PATRICK, NEFTALI L. V. UNITED STATES  
04-9587 RODRIGUEZ-RODRIGUEZ, JORGE V. UNITED STATES  
04-9592 LEUSCHEN, DOUGLAS B. V. UNITED STATES  
04-9597 ZAMORA, JESSIE V. UNITED STATES  
04-9600 McCOULLUM, LARRY V. UNITED STATES  
04-9604 McCRAY, WILLIAM F. V. UNITED STATES  
04-9610 JOINER, DANNY V. UNITED STATES  
04-9611 JOHNSON, TRACY V. UNITED STATES  
04-9617 THROPAY, JOHN A. V. UNITED STATES  
04-9624 BROWN, JOSEPH H. V. UNITED STATES  
04-9626 BERRY, CONNELL L. V. UNITED STATES  
04-9628 EMERY, TONY E. V. UNITED STATES  
04-9635 STEVENSON, HERMAN H. V. PETTIFORD, WARDEN  
04-9636 STRATTON, ALLEN S. V. UNITED STATES  
04-9644 THOMPSON, SALA-THIEL V. CHOINSKI, WARDEN, ET AL.  
04-9650 DALEY, DAMEON G. B. V. UNITED STATES  
04-9656 MARTINEZ, CARLOS V. UNITED STATES  
04-9659 HAWKINS, JONATHAN C. V. UNITED STATES  
04-9660 CARPENTER, RANDOLPH V. UNITED STATES  
04-9663 HUGGINS, MARK D. V. UNITED STATES

04-9667 HARGROVE, LINTON M. V. UNITED STATES  
 04-9669 FOX, OWEN R. V. UNITED STATES  
 04-9670 BLOM, DONALD A. V. UNITED STATES  
 04-9672 HOWARD, BILLY G. V. UNITED STATES  
 04-9673 GOFORTH, DARLENE A. V. UNITED STATES  
 04-9674 FERNANDEZ, FRANK, ET AL. V. UNITED STATES  
 04-9676 SINGLETARY, GUDSELL V. UNITED STATES  
 04-9683 VOELKER, ALONZO A. V. UNITED STATES  
 04-9687 CHASE, DAVID T. V. UNITED STATES  
 04-9694 BERGER, ALAN W. V. UNITED STATES  
 04-9697 BERRIOS, ANTENOR V. UNITED STATES  
 04-9700 PARKER, DARYL L. V. UNITED STATES  
 04-9717 CROSS, JEROME V. UNITED STATES  
 04-9738 RIVERA, RAFAEL V. UNITED STATES  
 04-9752 FRANK, JEAN J. V. UNITED STATES  
 04-9753 HERRICK, JASON E. V. UNITED STATES

The petitions for writs of certiorari are denied.

04-900 ) BP WEST COAST PROD. LLC, ET AL. V. FERC, ET AL.  
 )  
 04-903 ) SFPP, L.P. V. FERC, ET AL.

The petitions for writs of certiorari are denied. Justice Breyer took no part in the consideration or decision of these petitions.

04-971 SERRA CANYON CO., LTD. V. CALIFORNIA COASTAL COMM'N

The motion of California Association of Realtors for leave to file a brief as *amicus curiae* out-of-time is denied. The petition for a writ of certiorari is denied.

04-995 MERCK & CO., INC., ET AL. V. EPPS-MALLOY, CELESLIE

The petition for a writ of certiorari is denied. Justice

O'Connor and Justice Breyer took no part in the consideration or decision of this petition.

04-1047 WARNER-LAMBERT CO., ET AL. V. WAKEFIELD, MARY R.

The motion of Chamber of Commerce of the United States of America, et al. for leave to file a brief as *amici curiae* is granted. The motion of Pharmaceutical Research and Manufacturers for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

04-1054 BALTIMORE DEPT. OF SOC. SERV. V. TERESA B.

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

04-1198 ALEXANDER, JOHN M., ET AL. V. OKLAHOMA, ET AL.

The motion of Professional Historians for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

04-1246 BESSINGER, MAURICE, ET AL. V. FOOD LION, LLC, ET AL.

04-1255 UZAN, KEMAL, ET AL. V. MOTOROLA CREDIT CORP., ET AL.

04-1339 LEONARDO'S PIZZA BY THE SLICE V. WAL-MART STORES, INC., ET AL.

The petitions for writs of certiorari are denied. Justice Breyer took no part in the consideration or decision of these petitions.

04-9055 SOSA, THOMAS V. DRETKE, DIR., TX DCJ

04-9056 SOSA, THOMAS V. DRETKE, DIR., TX DCJ

The motions of petitioner for leave to proceed *in forma pauperis* are denied, and the petitions for writs of certiorari are dismissed. See Rule 39.8.

04-9068 WOODARD, BOOKER T. V. SUNDSTRAND CORP.

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

04-9623 BAILEY, JAMES C. V. O'BRIEN, WARDEN

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

#### **HABEAS CORPUS DENIED**

04-9646 IN RE MICKEY MILES

04-9685 IN RE GREGORY A. TAYLOR

04-9704 IN RE WILLIAM BENNETT, JR.

04-9715 IN RE ALFONSO PEDRAZA

04-9763 IN RE WILLIAM R. UNDERWOOD

04-9786 IN RE ROBERT BELLAVIA

The petitions for writs of habeas corpus are denied.

#### **MANDAMUS DENIED**

04-1182 IN RE COOPER INDUSTRIES, INC.

04-1320 IN RE LEONARD PELTIER AND YORIE VON KAHL

04-9162 IN RE THEODORE LUCZAK

04-9681 IN RE KEVIN P. WOODRUFF

04-9719 IN RE FRANCIS T. DEUTSCH

The petitions for writs of mandamus are denied.

#### **REHEARINGS DENIED**

03-1039 BROWN, WARDEN V. PAYTON, WILLIAM C.

04-932 MENDONCA, CRISANTO V. SUPREME COURT OF MA, ET AL.

04-953 WABEKE, PAUL E. V. MULDER, ANDREW J.



04-1111 GABALDON, FRANK V. UNITED STATES  
04-7523 RICHARDSON, MACK H. V. FBI  
04-7764 FEIST, HERBERT V. BERG, SUN A., ET AL.  
04-7891 ADI, JOHN V. PRUDENTIAL, ET AL.  
04-7961 WOOTEN, JAMES D. V. CALIFORNIA  
04-8111 KEYS, DARREN L. V. UNITED STATES  
04-8120 GRIFFIN, DERRICK V. UNITED STATES, ET AL.  
04-8132 WATTS, GORDON W. V. FL COMM'N ON HUMAN RELATIONS  
04-8144 FISHER, LLOYD E. V. COPELAND, JUDGE, ETC.  
04-8186 SHAFER, ANTHONY W. V. OHIO  
04-8188 SEDGWICK, PHILLIP W. V. UNITED STATES  
04-8219 SCALES, NOLAN W. V. DRETKE, DIR., TX DCJ  
04-8260 IN RE CARLOS F. BELL-OUTLAW  
04-8287 WOLFE, MARION C. V. MAHLE, C. E.  
04-8351 RUTHERFORD, ANTHONY V. UNITED STATES  
04-8400 WILLIAMS, SHON C. V. UNITED STATES  
04-8416 FISHER, LLOYD E. V. GAMMON, SUPT., MOBERLY  
04-8450 STEVENSON, CRAIG A. V. LEWIS, WARDEN  
04-8638 CHUN, IN SOO V. BUSH, FORMER PRESIDENT OF U.S.  
04-8786 BROWN, WAYNE M. V. UNITED STATES

The petitions for rehearing are denied.

**RECESS ORDER**

The Court will take a recess from Monday, May 16, 2005,  
until Monday, May 23, 2005.