

(ORDER LIST: 535 U.S.)

MONDAY, JUNE 3, 2002

CERTIORARI -- SUMMARY DISPOSITION

00-1765 PIONEER MAGNETICS, INC. V. MICRO LINEAR CORP.

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 Federal Circuit for further consideration in light of *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 535 U.S. ___ (2002).

00-1946 INSITUFORM TECHNOLOGIES V. CAT CONTRACTING, ET AL.

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 Federal Circuit for further consideration in light of *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 535 U.S. ___ (2002).

01-35 SENIOR TECHNOLOGIES, INC. V. R. F. TECHNOLOGIES, INC.

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 Federal Circuit for further consideration in light of *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 535 U.S. ___ (2002).

01-269 CREO PRODUCTS INC. V. DAINIPPON SCREEN, ET AL.

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 Federal Circuit for further consideration in light of *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 535 U.S. ___ (2002).

01-423 SEMITOOL, INC. V. NOVELLUS SYSTEMS, INC.

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 Federal Circuit for further consideration in light of *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 535 U.S. ___ (2002).

01-506 LOCKHEED MARTIN CORP. V. SPACE SYSTEMS/LORAL, INC.

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 Federal Circuit for further consideration in light of *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 535 U.S. ___ (2002).

01-541 AccuSCAN, INC. V. XEROX CORP.

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 Federal Circuit for further consideration in light of *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 535 U.S. ___

(2002). Justice Breyer took no part in the consideration or decision of this case.

01-677 PTI TECHNOLOGIES, INC. V. PALL CORP. TECHN., INC.

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 Federal Circuit for further consideration in light of *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 535 U.S. ___ (2002).

01-711 BELL, WARDEN V. QUINTERO, DERRICK

The motion of respondent for leave to proceed in forma pauperis is granted. 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 Sixth Circuit for further consideration in light of *Bell v. Cone*, 535 U.S. ___ (2002).

01-740 MYCOGEN PLANT SCIENCE, ET AL V. MONSANTO COMPANY

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 Federal Circuit for further consideration in light of *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 535 U.S. ___ (2002).

01-1413 JONES, WARDEN V. FRENCH, OLIVER

The motion of respondent for leave to proceed in forma pauperis is granted. 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 Sixth Circuit for further consideration in light of *Bell v. Cone*, 535 U.S. __ (2002).

ORDERS IN PENDING CASES

01A768 OSTOPOSIDES, OLGA, ET AL. V. SUPERIOR COURT OF CALIFORNIA, ETC.

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

01A858 GONZALEZ, LOUIS, ET UX. V. USCA 9th CIRCUIT

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

01M61 O'GRADY, MARY V. BARNHART, COMM'R, SSA

01M62 MORRISON, BRETT C. v. GOODMAN, JAMES, ET AL.

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

01M63 BOWERS, GARY D. v. ILLINOIS

The motion to direct the Clerk to file an original action is denied.

01-1229 PIERCE COUNTY, WA V. GUILLEN, IGNACIO, ET AL.

The motion of the United States to intervene is granted. The motion of respondents Whitmer to determine party status is granted, and it is determined that the Whitmers are not parties under Rule 12.6, but they may file a brief as *amici curiae*.

01-8796 WESTINE, JOHN G. V. STEPP, WARDEN

The motion of petitioner for reconsideration of

order denying leave to proceed *in forma pauperis* is denied.

01-9423 TAYLOR, ALICE V. PEARL CRUISES, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* is denied. Petitioner is allowed until June 24, 2002, 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

01-1289 STATE FARM MUTUAL AUTO. V. CAMPBELL, CURTIS, ET UX.

01-1444 CHAVEZ, BEN V. MARTINEZ, OLIVERIO

The petitions for writs of certiorari are granted.

01-1375 UNITED STATES V. NAVAJO NATION

The petition for a writ of certiorari is granted. This case is set for oral argument in tandem with No. 01-1067, *United States v. White Mountain Apache Tribe*.

CERTIORARI DENIED

01-1104) HANSEN, RANDALL W. V. UNITED STATES

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01-1112) HANSEN, CHRISTIAN A., ET AL. V. UNITED STATES

01-1111 HOFFMANN, ROBERT H., ET AL. V. UNITED STATES, ET AL.

01-1267 SHISINDAY, SHOZDIJIJI V. TEXAS

01-1283 McMASTERS, DEBRA V. UNITED STATES, ET AL.

01-1307 FOSTER, DIANNE, ET AL. V. GARCY, LORRAINE, ET AL.

01-1312 DAVIS, GOV. OF CA V. DUKE ENERGY TRADING & MARKET

01-1433 FOLEY, EDWARD J. V. INT'L BHD. OF ELEC. WKRS.
 01-1439 SABO, LARRY V. OWENSBORO, KY, ET AL.
 01-1441 MICHAEL, ERIC V. ST. JOSEPH COUNTY, ET AL.
 01-1445 HOFFEND, DONALD A. v. VILLA, JAMES A.
 01-1447 HOFFMAN, JOHN, ET AL. V. JEFFORDS, JAMES
 01-1448 HAGENBUCH, RICKY, ET AL. V. COMPAQ COMPUTER, ET AL.
 01-1457 CLANTON, HERBERT W. G. V. GREENWOOD TRUST CO.
 01-1460 CIRCUIT CITY STORES, INC. V. ADAMS, SAINT CLAIR
 01-1461 SIERRA, REY C. V. CALIFORNIA
 01-1467 MO REPUBLICAN PARTY, ET AL. V. CONNOR, ROBERT F., ET AL.
 01-1476 VASEK, ANTHONY G. V. MT. SAN JACINTO COLLEGE
 01-1480 HIGHLANDS INS. CO. V. CLERK, SUPER CT. OF NJ
 01-1512 GONCE-WARNER, CHERYL V. BAYLOR UNIVERSITY
 01-1513 KRUEGER, WILSON M. V. PRINCIPI, SEC. OF VA
 01-1552 PRATER, CHARLES B. V. UNITED STATES
 01-1563 AYERS, EDNA V. UNITED STATES
 01-1565 HAWORTH, RODNEY G. V. OPM
 01-1580 JAMES, BEACHATTE V. SUPREME COURT OF U.S.
 01-1630 MOODY, THOMAS L. V. UNITED STATES
 01-7623 PABELLON, TOMMY V. UNITED STATES
 01-7988 RIZO, EVELIO V. UNITED STATES
 01-8092 LOZANO-ORTIZ, MIGUEL A. V. UNITED STATES
 01-8133 ESPINOZA, JUAN V. UNITED STATES
 01-8263 SCHWARTZ, LENNY V. KING COUNTY JAIL, ET AL.
 01-8446) OSBORNE, MITCHELL D. V. UNITED STATES
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 01-9940) THOMAS, ELTON F. V. UNITED STATES
 01-8603 THOMPSON, MICHAEL V. UNITED STATES

01-8640 ROBINSON, TERRENCE V. UNITED STATES
01-8781 PARKER, CARLETTE E. V. NORTH CAROLINA
01-8859 FAIR, NATHANIEL V. NORTH CAROLINA
01-9013 FRANKLIN, ELLIS V. MAYNARD, DIR., SC DOC
01-9326 MOORE, WILLIAM D. V. GEORGIA
01-9327 CHAMBERS, DARLENE V. TURLEY, CYNTHIA, ET AL.
01-9328 McKAY, JOHN V. MOORE, SEC., FL DOC
01-9330 EVANS, SYLVESTER V. SIKES, WARDEN
01-9331 BENSON, DENNIS J. V. FRANK, WARDEN
01-9332 MARTEL, KATHLEEN V. NEW HAMPSHIRE
01-9334 DILLS, CALVIN M. V. MOORE, SEC., FL DOC, ET AL.
01-9336 RED PAINT, DARRELL W. V. NORTH DAKOTA
01-9340 PRICE, WILLIE J. V. McCORMACK, RONALD C., ET AL.
01-9341 ADAMS, FREDDIE V. CAIN, WARDEN, ET AL.
01-9350 BROWN, RICHARD W. V. SENKOWSKI, SUPT., CLINTON
01-9352 ANDERSON, LAWRENCE V. HOLMES, WARDEN
01-9354 JACKSON, FREDERICK G. V. SINAI SAMARITAN HOSPITAL
01-9356 RIEGO, MANUEL V. SUWANNEE RIVER SPRINGS
01-9361 QUATREVINGT, STEVEN V. CAIN, WARDEN
01-9362 SNOW, JERMAINE V. ALABAMA
01-9363 SWAIN, BENNIE C. V. HOOKS, WARDEN, ET AL.
01-9364 STEEL, FLETCHER V. COURT OF CRIM. APP. OF TX
01-9368 SMITH, FRANK V. HORNUNG, WARDEN
01-9369 STANLEY, JERRY F. V. CALIFORNIA
01-9376 WILLIAMS, SHIRLEY V. HARDAWAY, RICHARD, ET AL.
01-9382 McCLENDON, ROBERT E. V. MOORE, SEC., FL DOC, ET AL.

01-9383 LEWAL, AKRAM V. WILEY, RONALD, ET AL.
01-9385 ANDERSON, TIMOTHY A. V. MOORE, SEC., FL DOC
01-9387 BROWN, WARDELL F. V. MOORE, SEC., FL DOC, ET AL.
01-9389 PRIESTER, DAVID V. SABOURIN, SUPT., BARE HILL
01-9391 TRICE, RICHARD E. V. HALL, WARDEN
01-9393 McDOWELL, RODNEY L. V. CORNELL CORRECTIONS, ET AL.
01-9395 BROWN, LEVI V. SOUTH CAROLINA
01-9396 RAUSO, GENNARO V. VAUGHN, SUPT., GRATERFORD
01-9397 SUMMEROUR, AVERY V. SIKES, WARDEN
01-9400 GONZALEZ, LUIS, ET UX. V. USCA 9
01-9402 FERGUSON, JAMES V. MCGINNIS, SUPT., DOWNSTATE
01-9404 EVANS, CHARLES R. V. EVANS, CHRISTINA K.
01-9405 CRENSHAW, LEON V. KELLER GRADUATE SCHOOL
01-9407 MASON, MARCELLUS M. V. USDC SD FL
01-9410 MASON, MARCELLUS M. V. USDC SD FL
01-9412 KELLAM, ALVIN V. FLORIDA
01-9414 McCOLM, IN RE PATRICIA A.
01-9415 PIGOTT, HENRY L. V. BELL, MICHAEL
01-9425 WARD, MICHAEL C. V. MI DOC
01-9427 TURNER, MICHAEL V. VAUGHN, SUPT., GRATERFORD
01-9429 LOFTEN, JAMES E. V. COCKRELL, DIR., TX DCJ
01-9430 LEE, DONALD V. BERGE, WARDEN
01-9431 LOVE, KEITH L. V. McCAUGHTRY, WARDEN
01-9432 HARRIS, SAMUEL V. GILMORE, WARDEN, ET AL.
01-9433 HUNTER, DANIEL V. DELAWARE
01-9438 ROWSEY, RANDAL N. V. NASHVILLE POLICE DEPT.
01-9442 SANCHEZ, PEDRO A. V. COCKRELL, DIR., TX DCJ

01-9446 NORTHERN, MICHAEL T. V. STEWART, DIR., AZ DOC
01-9447 McQUILLIA, DARRIS C. V. ANGELONE, DIR., VA DOC
01-9497 NEWBERRY, RICHARD L. V. FLORIDA
01-9558 McCULLEY, LEONA V. SOUTHERN CT NEWSPAPER
01-9577 DAVIS, ROLAND V. GAMMON, WARDEN, ET AL.
01-9580 BROOKS, JAMES V. WETHERINGTON, JIM, ET AL.
01-9688 JONES, RUBEN C. V. SUTER, CLERK, SUP. CT. OF US
01-9749 CLAYTON, CECIL V. MISSOURI
01-9888 RODRIGUEZ, WILSON V. UNITED STATES
01-9902 GARCIA, MARCOS E. V. UNITED STATES
01-9907 SOUTHWELL, JAMES A. V. UNITED STATES
01-9915 CERVERA, ALVARO V. UNITED STATES
01-9917 CISNEROS-VASQUEZ, ALEJANDRO V. UNITED STATES
01-9918 COONEY, PATRICIA V. UNITED STATES
01-9920 DAVILA, RAUL V. UNITED STATES
01-9924 JOLLEY, MARSHALL V. V. UNITED STATES
01-9925 MARLOW, THOMAS L. V. UNITED STATES
01-9926 JACKSON, KISHA V. UNITED STATES
01-9928 SANCHEZ, CARLOS V. UNITED STATES
01-9929 RALEIGH, SAMUEL V. UNITED STATES
01-9930 ROBLEDO-TERAN, GENARO V. UNITED STATES
01-9941 TRAIL, RUSSELL V. UNITED STATES
01-9951 GUTIERREZ, RICARDO V. UNITED STATES
01-9952 ISAIS, ALVARO G. V. UNITED STATES
01-9953 GULLEY, RICHARD V. UNITED STATES
01-9962 KING, JAMES E. V. UNITED STATES

01-9965 DELOACH, LACY V. UNITED STATES
01-9967 KRUG, GREGORY C. V. UNITED STATES
01-9970 TOKASH, JOSEPH L. V. UNITED STATES
01-9971 WILKERSON, DARYL W. V. UNITED STATES
01-9973 WOOD, MICHAEL A. V. UNITED STATES
01-9975 JACKSON-BEY, TRACY V. UNITED STATES
01-9976 ABREU, JESUS V. HUFFMAN, WARDEN
01-9977 NOVATON, FRANCISCO V. UNITED STATES
01-9978 MATTHEWS, JAMES V. UNITED STATES
01-9980 NEWMAN, KEM M. V. UNITED STATES
01-9983 MIDDLETON, DAVID V. UNITED STATES
01-9984 MIRANDA-GARCIA, MARIO V. UNITED STATES
01-9988 MELENDEZ, ENRIQUE V. UNITED STATES
01-9991 ALLEN, DION M. V. UNITED STATES
01-9992 WESTON, DONALD E. V. BERTRAND, WARDEN
01-9999 MONTERO-CASTANEDA, JESUS V. UNITED STATES
01-10001 PINELA-HERNANDEZ, ALBERTO V. UNITED STATES
01-10002 CRENSHAW, MARK K. V. UNITED STATES
01-10005 MILLS, MARTIN L. V. UNITED STATES
01-10026 POSTON, SHAUN A. V. UNITED STATES

The petitions for writs of certiorari are denied.

01-495 COCKRELL, DIR., TX DCJ V. BURDINE, CALVIN J.

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

01-1247 WISCONSIN V. EPA, ET AL.

The motion of Fidelity Exploration & Production

Company for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

01-9439 SAFOUANE, AZIZ, ET UX. V. FLECK, DEBORAH, 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.

01-9441 STRONG, JEFF V. ILLINOIS DEPT. OFFICE

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

01-9451 MULAIZIM, FA'DEE V. MI DOC, 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. 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

01-10019 IN RE ANTONIA BERRY

The petition for a writ of habeas corpus is denied.

MANDAMUS DENIED

01-9426 IN RE JEFFREY WELLS

The petition for a writ of mandamus is denied.

01-9372 IN RE CARL A. ROBERTSON

01-9499 IN RE LUTHER T. OTIS, SR.

The petitions for writs of mandamus and/or prohibition are denied.

REHEARINGS DENIED

00-10873 MILES, KELVIN J. V. BURGESS, FRANK, ET AL.

01-6112 POLANCO, ALFREDO V. UNITED STATES

01-7051 McCALISTER, OTIS V. MOORE, SEC., FL DOC

01-7749 YOUNG, DONALD L. V. DORMIRE, SUPT., JEFFERSON

01-7925 REEDER, RUSTY V. PARIS, TX, ET AL.

01-7982 JACKSON, WAYNE E. V. UNITED STATES

01-8262 MARKHAM, TIMOTHY V. SMITH, WARDEN

01-8400 BOWMAN, LORENZO V. BEASLEY, DAVID M., ET AL.

01-8590 PEREA, GUY R. V. BUSH, PRESIDENT OF U.S.

01-8940 PERRY, MORRIS J. V. LAMANNA, WARDEN

The petitions for rehearing are denied.

01-788 COOPER, EDWARD M. V. HVASS, COMM'R, MN DOC

The motion of petitioner for leave to proceed further herein *in forma pauperis* is granted. The petition for rehearing is denied.

ATTORNEY DISCIPLINE

D-2234 IN THE MATTER OF DISBARMENT OF FRANK EDWARD LITTLE

Frank Edward Little, of Mercer, Pennsylvania, having been suspended from the practice of law in this Court by order of January 22, 2001; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and the time to file a response having expired;

It is ordered that Frank Edward Little is disbarred from the practice of law in this Court.

RECESS ORDER

The Court will take a recess from today until Monday, June 10, 2002.