

(ORDER LIST: 543 U.S.)

TUESDAY, OCTOBER 12, 2004

**ORDERS IN PENDING CASES**

04M12 SCOTT, SHAWN V. WA DEPT. OF LABOR AND INDUS.

The motion to direct the Clerk to file a petition for a writ of certiorari out-of-time is denied.

04M13 BOGGS, ROBERT W. V. UNITED STATES

The motion for leave to file a petition for a writ of certiorari under seal with redacted copies for the public record is granted.

03-1559 BANK OF CHINA, NY BRANCH V. NBM L.L.C., ET AL.

04-31 McFARLING, HOMAN V. MONSANTO COMPANY

04-165 COMSTOCK RESOURCES, INC., ET AL. V. KENNARD, DON C., ET AL.

The Acting Solicitor General is invited to file briefs in these cases expressing the views of the United States.

04-5703 PARIS, LaDONNA V. SOUTHWESTERN BELL TELEPHONE

04-5794 GOLDSTEIN, JENNIFER V. HARVARD UNIV.

The motions of petitioners for leave to proceed *in forma pauperis* are denied. Petitioners are allowed until November 2, 2004, within which to pay the docketing fees required by Rule 38(a) and to submit petitions in compliance with Rule 33.1 of the Rules of this Court.

**CERTIORARI GRANTED**

03-1500 VAN ORDEN, THOMAS V. PERRY, GOV. OF TX, ET AL.

03-1566 ORFF, FRANCIS A., ET AL. V. UNITED STATES, ET AL.

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

03-1696 EXXON MOBIL CORP., ET AL. V. SAUDI BASIC INDUSTRIES CORP.

The petitions for writs of certiorari are granted.

03-9877 CUTTER, JON B., ET AL. V. WILKINSON, DIR., OH DOC, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted.

04-70 ) EXXON CORPORATION V. ALLAPATTAH SERVICES, INC., ET AL.

)  
04-79 ) ORTEGA, MARIA DEL ROSARIO, ET AL. V. STAR-KIST FOODS, INC.

The petition for a writ of certiorari in No. 04-70 is granted limited to Question 1 presented by the petition. The petition for a writ of certiorari in No. 04-79 is granted. The cases are consolidated and a total of 90 minutes is allotted for oral argument.

04-163 LINGLE, GOV. OF HI, ET AL. V. CHEVRON U.S.A. INC.

The petition for a writ of certiorari is granted.

#### CERTIORARI DENIED

03-1520 LEE, JEFFREY V. ALABAMA

03-1579 ) RECORDING IND. ASSOC. V. VERIZON INTERNET SERVICES, INC.

)  
03-1722 ) VERIZON INTERNET SERVICES, INC. V. RECORDING IND. ASSOC.

03-1585 BOXER, FRANCINE M., ET AL. V. COX, CLAUDE, ET UX.

03-1610 WHITAKER, JULIAN M., ET AL. V. THOMPSON, SEC. OF H&HS, ET AL.

03-9549 COLVIN, JAMES G. V. UNITED STATES

03-9808 MALLETT, GREGORY C. V. BARNHART, COMM'R, SOCIAL SEC.

03-10625 STEELE, VICTOR V. FED. BUREAU OF PRISONS, ET AL.

03-10817 HAMBLIN, DAVID V. MITCHELL, WARDEN

03-10824 RIBLET, JOHN C. V. UNITED STATES

03-10945 DIAZ-VALENZUELA, JULIO V. UNITED STATES

04-12 ) NAT'L. ASS'N OF REG. UTILITY V. U. S. TELECOM ASSN., ET AL.  
) )  
04-15 ) AT&T CORP., ET AL. V. U. S. TELECOM ASSN., ET AL.  
) )  
04-18 ) CALIFORNIA, ET AL. V. U. S. TELECOM ASSN., RT AL.

04-24 JONES, ARTHUR V. DELGADO, OCTAVIO

04-32 MEDRAD, INC. V. LIEBEL-FLARSHEIM CO., ET AL.

04-33 FLYNT, LARRY, ET AL. V. RUMSFELD, SEC. OF DEFENSE

04-39 GOLLIE, MILDRED V. ELKAY MINING CO., ET AL.

04-97 ) BERENS, WILLIAM J., ET AL. V. C. W. M., ET AL.  
) )  
04-152 ) A. M. P., ET AL. V. C. W. M., ET AL.

04-99 RENDEROS, VICTOR V. CALIFORNIA

04-144 NORFOLK & WESTERN RWY. CO. V. ANDERSON, SHIRLEY

04-148 PABST, TOM R. V. FLINT, MI, ET AL.

04-151 PUB. EMPLOYEES RETIREMENT, ETC. V. GILL, JAMES

04-155 TUCKER, ORRIE, ET UX. V. METROWEST MEDICAL CENTER, ET AL.

04-161 DJ MANUFACTURING CORPORATION V. TEX-SHIELD, INC., ET AL.

04-167 GIBSON, DAVID V. MERRILL, ORSON, ET UX.

04-170 HAHN, MARIE V. VILLAS OF ST. THERESE

04-172 U.S. BANK NAT. ASSN., ET AL. V. HSBC BANK USA, ET AL.

04-185 LAATSCH, GARY, ET AL. V. MIHAILOVICH, HELEN

04-188 WILLIAMS, HURSHL V. RHOADES, LARRY, ET AL.

04-194 HALL, BRYAN P. V. PA BD. OF PROBATION AND PAROLE

04-195 FRIERSON, VERNON V. GOETZ, TOMMY

04-196 GAUS, HARRY V. CONAIR CORP.

04-200 MARSHALL, WARDEN V. CALIENDO, GREGORY D.

04-204 WALLACE, JOHN, ET AL. V. OH DEPT. OF COMMERCE

04-210 ENYEART, RANDALL W. V. MINNESOTA

04-220 RHOADS, LORI D. V. FDIC, ET AL.

04-224 BEVINGTON, JOHN P. V. OHIO UNIV., ET AL.

04-225 PEREZ, VALENTINA V. NORWEGIAN-AMERICAN HOSP., ET AL.  
04-240 ROSE, LAWSON A. V. POTTER, POSTMASTER GENERAL  
04-243 COHEN, ADAM, ET AL. V. NEW YORK  
04-248 McCREARY, ISAAC V. HOKE, SUPT., EASTERN, ET AL.  
04-257 MOTTLE, ROBERT V. MO LAWYER TRUST ACCOUNT FNDN.  
04-270 LATEEF, MUZZAM M. V. ASHCROFT, ATT'Y GEN.  
04-272 PARK, YOUNG J. V. STATE BAR OF CA, ET AL.  
04-276 PEASLEY, KENNETH J. V. STATE BAR OF AZ  
04-290 MILLIGAN, JOHNNY L., ET UX. V. EQUITY RESIDENTIAL PROP.  
04-299 KOLKER, LIONEL D. V. CIR  
04-309 NASS, KEITH V. UNITED STATES  
04-344 COTSWOLD TRADING CO., LTD. V. UNITED STATES  
04-348 GERARD, MICHAEL K. V. UNITED STATES  
04-365 BOYKIN, TIMOTHY V. MINETA, SEC. OF TRANSP.  
04-5064 HALL, JACK D. V. MICHIGAN  
04-5088 TAYLOR, MICHAEL V. MISSOURI  
04-5132 HAAS, JEROME C. V. BARNHART, COMM'R, SOCIAL SEC.  
04-5220 DELGADO-MORENO, ISABEL V. UNITED STATES  
04-5543 THOMAS, CALVIN P. V. WASHINGTON  
04-5555 WOODS, IDRIS D. V. HALL, WARDEN  
04-5558 BASALO, JOSEPH S. O. V. DRETKE, DIR., TX DCJ  
04-5560 THOMAS, MICHAEL V. CAIN, WARDEN  
04-5562 DAY, SHACHIE A. V. MITCHELL, WARDEN  
04-5568 DEAN, REGINALD V. SMITH COUNTY, TX, ET AL.  
04-5570 AUGER, PAUL V. HENDRICKS, ADM'R, NJ, ET AL.  
04-5575 JOYNER, KENNETH B. V. JOHNSON, DIR., VA DOC  
04-5579 CALHOUN, FLEM V. FRISCO RAILROAD, ET AL.  
04-5587 BARNES, RICKEY V. CAIN, WARDEN

04-5590 LASTER, VENTRICE V. SMALL, WARDEN  
04-5596 RUDDICK, GERMAINE R. V. CROSBY, SEC., FL DOC, ET AL.  
04-5608 BOWIE, CHARLES B. V. JOHNSON, DIR., VA DOC  
04-5610 PARKER, RORY C. V. MORENO, J.  
04-5612 JENKINS, JOSEPH I. V. FLORIDA  
04-5618 UMOREN, JOHN W. V. HINES, WARDEN  
04-5621 DAVIS, MINYARD C. V. POWELL, MICHAEL, ET AL.  
04-5624 CRENSHAW, ALLEN K. V. PLILER, WARDEN  
04-5635 JOHNSON, JODY L. V. FLORIDA  
04-5636 BAKER, TOMMY C. V. DRETKE, DIR., TX DCJ  
04-5637 BROWN, THURMAN J. V. WOLSTEIN, RICHARD, ET AL.  
04-5642 RIVERS, MARC X. V. BITZEL, SHARON R., ET AL.  
04-5645 DALY, TRENT V. UNITED STATES  
04-5652 CARDONA, MELECIO M. V. WOODFORD, DIR., CA DOC  
04-5653 COLLINS, SHAUNTE V. CROSBY, SEC., FL DOC  
04-5655 DELGADO, ESEQUIEL M. V. WORKMAN, WARDEN, ET AL.  
04-5657 COOK, ERNEST V. FLORIDA  
04-5660 HUTCHINSON, MATTHEW A. V. FARWELL, WARDEN, ET AL.  
04-5661 HADLEY, WILLIE B. V. WALKER, DIR., IL DOC, ET AL.  
04-5664 GRANDOIT, GERARD D. V. TECHNICAL AID CORP.  
04-5666 GREEN, JAMES T. V. DRETKE, DIR., TX DCJ  
04-5673 ROSS, CHARLES V. GARCIA, WARDEN  
04-5674 STAUFFER, RUSSELL J. V. WOLFE, SUPT., ALBION  
04-5675 TORRES, JESSE L. V. DRETKE, DIR., TX DCJ  
04-5676 BRANUM, ALFRED L. V. DRETKE, DIR., TX DCJ  
04-5677 APPLIN, TOMMY E. V. DRETKE, DIR., TX DCJ  
04-5684 ROLLINS, LARRY V. UNITED STATES  
04-5687 GRANT, JOHN M. V. TRUE, WARDEN

04-5700 MOORE, BOBBY J. V. TEXAS  
04-5710 HILSKA, JOUKO M. V. ASHCROFT, ATT'Y GEN.  
04-5712 MARTINEZ, ARCHIE A. V. KNOWLES, WARDEN  
04-5713 LONG, ELBERT P. V. KENTUCKY, ET AL.  
04-5714 PERRY, CARL A. V. ALABAMA  
04-5715 PRUITT, JERRY N. V. OZMINT, DIR., SC DOC, ET AL.  
04-5717 JOHNSTON, TIMOTHY V. ROPER, SUPT., POTOSI  
04-5719 FLEMING, RONALD L. V. GOOD, ACTING SUPT., PITTSBURGH  
04-5728 BURDAN, CLARENCE V. CALIFORNIA  
04-5729 BEDARD, DONALD J. V. IOWA  
04-5735 BARRON, OSWALDO R. V. UNITED STATES  
04-5736 HARSHMAN, RONALD W. V. PENNSYLVANIA  
04-5741 CONATZER, CRYSTAL C. V. MEDICAL PROFESSIONAL BLDG. SERV.  
04-5742 CALHOUN-EL, JAMES V. KAVANAGH, JACK, ET AL.  
04-5743 ROTH, STEPHEN C. V. COLORADO  
04-5744 RUCKER, HAROLD J. V. SANTA CLARA COUNTY, CA, ET AL.  
04-5747 JOHNSON, STACEY E. V. ARKANSAS  
04-5748 JACOBS, JEFFREY A. V. NORTH CAROLINA  
04-5749 LEWIS, EDWARD L. V. EARLY, WARDEN  
04-5750 HOWELL, RICKY D. V. DRETKE, DIR., TX DCJ  
04-5753 COCHRAN, JAMES A. V. JOHNSON, DIR., VA DOC  
04-5755 COLEMAN, RONALD V. NASSAU COUNTY, NY  
04-5756 DUNCAN, TOLAN C. V. JONES, WARDEN  
04-5757 PEACOCK, TRYPHON V. SMITH, JAMES A., ET AL.  
04-5758 BRADLEY, ANDY C. V. NEW YORK  
04-5760 PREE, JOHN D. V. KAPTURE, WARDEN  
04-5764 FLEEKES, RAWLAND B. V. POPPELL, WARDEN  
04-5768 CARPINO, JOSEPH M. V. NOVA CARE PROSTHETICS, INC.

04-5772 PHILLIPS, DARRELL W. V. DRETKE, DIR., TX DCJ  
04-5774 COATES, EMANUEL S. V. ELO, WARDEN  
04-5775 CHRISTIAN, DARYL J. V. UNITED STATES  
04-5776 WELCH, DANIEL W. V. BEAUCLAIR, TOM, ET AL.  
04-5777 TIMMONS, LORENZO V. DRETKE, DIR., TX DCJ  
04-5778 SCOTT, WILLIE C. V. CROSBY, SEC., FL DOC, ET AL.  
04-5779 HUDSON, HILTON N. V. GEORGIA  
04-5781 FRAZIER, JOHN W. V. BRIGANO, WARDEN  
04-5784 HOAG, RANDOLPH V. WOODFORD, DIR., CA DOC, ET AL.  
04-5785 GUTIERREZ, SOTERO T. V. DRETKE, DIR., TX DCJ  
04-5788 HYMES, LARRY V. McILWAIN, WILLARD L., ET AL.  
04-5791 HOBBS, LOU V. UNITED STATES  
04-5793 GUOAN, EDWARD P. V. LaVIGNE, WARDEN  
04-5799 STARK, TODD A. V. SUPREME COURT OF KY  
04-5801 PUSKAC, MICHAEL A. V. CROSBY, SEC., FL DOC  
04-5804 IBRAHIM, JOHN V. IBRAHIM, MARIN  
04-5805 BROOKS, BRENDA T. V. SOCIAL SEC. ADMIN.  
04-5806 TAALIB-DIN, ABDUL M. V. DETROIT, MI, ET AL.  
04-5807 HAMPTON, DUSHON V. MARION, DIANE, ET AL.  
04-5809 ETORIA, ORVILLE V. SMITH, SUPT., SHAWANGUNK  
04-5810 DeBOSE, WILLIE G. V. LAIN, SIR C.  
04-5818 GRAZIANO, PETER V. CUNNINGHAM, SUPT., WOODBOURNE  
04-5823 GOTT, BOBBY J. V. LEE, WARDEN  
04-5847 JONES, DONALD V. SHANNON VILLAS CONDO. ASSN.  
04-5848 LYLE, MARK A. V. SHANNON, SUPT., FRACKVILLE  
04-5853 KING, WILLIAM V. HUNTER, WARDEN  
04-5855 GRATTON, STEPHEN R. V. CEPAK, WARDEN, ET AL.  
04-5870 SHEEHAN, TERRENCE P. V. TEXAS

04-5871 WILSON, FRED D. V. BRILEY, WARDEN  
04-5886 CVIJETINOVIC, ALEXSANDAR V. OHIO  
04-5892 ROACHE, KERRICK V. NEW YORK  
04-5894 VAUGHAN, LOIS V. SOUTHERN AIR, ET AL.  
04-5895 PEOPLES, STEVEN L. V. SMITH, SUPT., EASTERN  
04-5929 PERKINS, MARCUS V. LOCKYER, ATT'Y GEN. OF CA, ET AL.  
04-5953 BLACKWELL, ROBERT E. V. ARKANSAS  
04-5955 ROTH, TODD A. V. HOFFER, LYNETTE  
04-5956 RODRIGUEZ, HUMBERTO J. V. KANSAS  
04-5963 ASH, HIRAM V. ASH, TRUDE L., ETC.  
04-5965 DENNIS, ROSALIE M. V. OHIO  
04-5969 MCGOWAN, CLEVERLAND V. GREER, WARDEN  
04-5970 LOVELACE, FARON E. V. IDAHO  
04-5986 STALLONE, JEROME V. GIRDICH, SUPT., UPSTATE  
04-6016 DAVIS, ANTHONY L. V. MCKUNE, WARDEN, ET AL.  
04-6017 MORENO, FRANCISCO V. UNITED STATES  
04-6022 GODWIN, REGINALD V. V. PEGUESE, WARDEN  
04-6026 WRIGHT, DEAN V. WEST, SUPT., ELMIRA  
04-6032 JACKSON, JANET V. ILLINOIS  
04-6036 BARRETT, PETER V. FLORIDA  
04-6044 RISDAL, EDDIE C. V. VILSACK, GOV. OF IA, ET AL.  
04-6059 SPURLOCK, GILBERT L. V. ARMY CORPS OF ENGINEERS  
04-6060 EVANS, BRAD V. CROSBY, SEC., FL DOC  
04-6071 LA COCK, PHILLIP V. UNITED STATES  
04-6072 MCKINNEY, ANTHONY L. V. UNITED STATES  
04-6077 FREE, PAUL V. UNITED STATES  
04-6079 UNDERWOOD, BART E. V. UNITED STATES  
04-6097 WARD, MALIK V. BARRON, WARDEN

04-6100 CANTILLO, LAZARO V. UNITED STATES  
04-6101 BLACK, ANDERSON V. UNITED STATES  
04-6103 DICKERSON, JAMES T. V. UNITED STATES  
04-6105 CROSS, JOEY D. V. KANSAS  
04-6107 McLEAN, GILBERT G. V. UNITED STATES  
04-6109 MYERS, TIMOTHY E. V. WILSON, SUPT., MS  
04-6111 PEREZ-OLIVO, JIMMY V. UNITED STATES  
04-6112 RANDOLPH, WILLIAM H. V. UNITED STATES  
04-6115 LERMA-ANGULO, CESAR L. V. UNITED STATES  
04-6123 BRISBANE, GEORGE V. UNITED STATES  
04-6124 CHAVEZ-REYES, ERNESTO V. UNITED STATES  
04-6126 KOKOSKI, MICHAEL A. V. UNITED STATES  
04-6128 GARCIA-SANCHEZ, SANTOS V. UNITED STATES  
04-6142 HAMMONDS, RICHARD J. V. UNITED STATES  
04-6144 HARWOOD, WILLIAM H. V. FLEMING, WARDEN  
04-6147 McDOWELL, DERRYLE S. V. WISCONSIN  
04-6156 ELDRIDGE, STACY V. UNITED STATES  
04-6159 DANIEL, RICKY R. V. UNITED STATES  
04-6165 ROBINSON, RODNEY W. V. UNITED STATES  
04-6167 MEANS, JAMES E. V. UNITED STATES  
04-6171 WHITE, JUDSON V. HAINES, WARDEN  
04-6173 WILLIAMS, SAMUEL J. V. UNITED STATES  
04-6179 WAGNER, THEODORE T. V. UNITED STATES  
04-6180 EBRON, JOSEPH R. V. UNITED STATES  
04-6192 RICHARDS, DANIEL D. V. UNITED STATES  
04-6202 AVILLA, PEDRO V. UNITED STATES  
04-6217 ADKINS, LANDO V. UNITED STATES  
04-6223 NAGHANI, JAVID V. UNITED STATES

04-6230 TOWERS, FABIAN V. UNITED STATES, ET AL.  
04-6235 RETTA-HERNANDEZ, ALEJANDRO V. UNITED STATES  
04-6238 MOLINA, JOSE F. V. UNITED STATES  
04-6247 BURNS, COLLIN L. V. UNITED STATES  
04-6278 WILLIAMS, CRAIG V. UNITED STATES

The petitions for writs of certiorari are denied.

03-779 ANDRX PHARMACEUTICALS, INC. V. KROGER CO., ET AL.

The motion of New York Intellectual Property Law Association for leave to file a brief as *amicus curiae* is granted. The motion of Pharmaceutical Research and Manufacturers of America for leave to file a brief as *amicus curiae* is granted. The motion of Washington Legal Foundation for leave to file a brief as *amicus curiae* is granted. The motion of American Intellectual Property Law Association for leave to file a brief as *amicus curiae* is granted. The motion of Center for the Advancement of Capitalism for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

03-1175 ) VALLEY DRUG CO., ET AL. V. GENEVA PHARMACEUTICALS, ET AL.  
)  
03-1178 ) WALGREEN CO., ET AL. V. ABBOTT LABORATORIES, ET AL.

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

03-1457 METROPOLITAN STEVEDORE CO. V. CRESCENT WHARF & WAREHOUSE CO.

The motion of National Association of Waterfront Employers, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

04-6 DENNY'S, INC., ET AL. V. CAKE, ACTING DIR., ET AL.

The motion of National Council of Chain Restaurants for leave to file a brief as *amicus curiae* is granted. The motion of National Restaurant Association for leave to file a brief as *amicus curiae* is granted. The motion of Chamber of Commerce of the United States for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

04-47 UNION PAC. R. CO. V. BARBER, CHRIS, ET AL.

The motion of American Tort Reform Association, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

04-215 ROBART, SCOTT P. V. ALASKA

The motion of American Mint LLC for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

04-5656 COLE, LEMUEL L. V. FLORIDA

04-5695 COOPER, WILLIAM F. V. LOCK, SUPT., CENTRAL MO

04-5726 SMITH, THOMAS E. V. GRIMES, JUDGE, ETC., ET AL.

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

04-6249 PATTERSON, CECIL R. V. DRETKE, DIR., TX DCJ, 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.

04-6286 KING, JAAMAR J., ET AL. V. UNITED STATES

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

**HABEAS CORPUS DENIED**

04-6201 IN RE DALE BROWN

04-6205 IN RE CHARLES H. PARKER, JR.

04-6206 IN RE SIDNEY A. POTTS

04-6209 IN RE JOHN A. RIDDICK

04-6276 IN RE ANDRE J. TWITTY

The petitions for writs of habeas corpus are denied.

**MANDAMUS DENIED**

04-5616 IN RE JIMMY TWILLEY

04-5620 IN RE LAWRENCE WILLIAMS

The petitions for writs of mandamus are denied.

04-226 IN RE RICHARD ARIZPE

04-5577 IN RE ROY T. DeROCK

04-6087 IN RE OHENE BOAKYE-YIADOM

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

**PROHIBITION DENIED**

04-5786 IN RE JOHN L. GRISSOM, JR.

The petition for a writ of prohibition is denied.

**REHEARINGS DENIED**

03-1115 MALLOY, JOHN F. V. TELEPHONICS CORPORATION

03-1476 MCGREGOR, CHARLES E. V. MINETA, SEC. OF TRANSP.

The petitions for rehearing are denied.

03-6446 LINDEY, ROY G. V. BENJAMIN, STEPHEN, ET AL.

03-9309 BREEN, CHRISTOPHER T. V. UNITED STATES

03-9756 FLOYD, MILENA V. UNITED STATES

The motions of petitioners for leave to file petitions for rehearing are denied.

**ATTORNEY DISCIPLINE**

D-2378 IN THE MATTER OF DISCIPLINE OF MEL LEVINE

Mel Levine, of Phoenix, Arizona, 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-2379 IN THE MATTER OF DISCIPLINE OF MARK JOEL NERENBERG

Mark Joel Nerenberg, of Little 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-2380 IN THE MATTER OF DISCIPLINE OF DAVID ROBERT JAMPOL

David Robert Jampol, of Hauppauge, 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-2381 IN THE MATTER OF DISCIPLINE OF JERARD STEVEN HANKIN

Jerard Steven Hankin, of Poughkeepsie, 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-2382 IN THE MATTER OF DISCIPLINE OF RODNEY E. BATTS

Rodney E. Batts, of New York, 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-2383 IN THE MATTER OF DISCIPLINE OF ELMINA M. HILAIRE

Elmina M. Hilaire, of Westbury, 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-2384 IN THE MATTER OF DISCIPLINE OF JESSICA ALLEN

Jessica Allen, of Selden, 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.

#### **RECESS ORDER**

The Court will take a recess from Monday, October 18, 2004, until Monday, November 1, 2004.