

(ORDER LIST: 543 U.S.)

MONDAY, OCTOBER 18, 2004

APPEALS -- SUMMARY DISPOSITION

03-1391 ) JACKSON, EDDIE, ET AL. V. PERRY, GOV. OF TX, ET AL.  
          )  
03-1396 ) AM. GI FORUM OF TX, ET AL. V. PERRY, GOV. OF TX, ET AL.  
          )  
03-1399 ) LEE, SHEILA J., ET AL. V. PERRY, GOV. OF TX, ET AL.  
          )  
03-1400 ) TRAVIS COUNTY, TX, ET AL. V. PERRY, GOV. OF TX, ET AL.  
          )  
03-9644 ) HENDERSON, FRENCHIE V. PERRY, GOV. OF TX, ET AL.

The motion of petitioner for leave to proceed *in forma pauperis* in No. 03-9644 is granted. The judgment is vacated and the cases are remanded to the United States District Court for the Eastern District of Texas for further consideration in light of *Vieth v. Jubelirer*, 541 U.S. \_\_\_\_ (2004).

ORDERS IN PENDING CASES

04M14 DYSON, MONROE T. V. CALIFORNIA, ET AL.

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

03-9629 RIVERS, DERRICK V. UNITED STATES

The motion of petitioner to consolidate this case with No. 03-9685, *Johnson v. United States*, is denied.

04-5897 FITZGERALD, WILLIAM A. V. FITZGERALD, LEON T., ET AL.

04-5908 SCOTT, MARY J. V. PA DEPT. OF PUBLIC WELFARE

The motions of petitioners for leave to proceed *in forma pauperis* are denied. Petitioners are allowed until November 8, 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**

04-5293 DECK, CARMAN V. MISSOURI

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

**CERTIORARI DENIED**

03-1635 SHAFFER, CURTIS V. UNITED STATES

03-10414 COCKRELL, TIMOTHY V. DRETKE, DIR., TX DCJ

03-10539 TROCHES, MIGUEL V. WOODFORD, DIR., CA DOC

03-10546 DOBYNES, DARRICK J. V. HUBBARD, WARDEN, ET AL.

03-10695 SMALLS, EUGENE C. V. UNITED STATES, ET AL.

04-51 HOWARD, JOHN, ET AL. V. SOUTHERN IL RIVERBOAT/CASINO

04-69 BERNARDO, AGNES, ET AL. V. PLANNED PARENTHOOD, ET AL.

04-74 SOUTH DAKOTA V. CUMMINGS, NICHOLAS

04-83 TUCKER, JIM G. V. UNITED STATES

04-202 KHASHAN, MIKAIL V. WFS FINANCIAL SERVICES, INC.

04-205 AKAN-ETUK, ANIEFIOK E. V. SANTA CLARA COUNTY, CA

04-207 LEWIS, BETH V. OHIO

04-211 JOHNSON, RONALD R. V. U.S. BANK N.A., ET AL.

04-214 GREENBLATT, MARTIN V. ORENBERG, DANIEL, ET AL.

04-216 McDONALD, HOWARD C. V. McDONALD, ROSEMARY S.

04-217 OSBURN, E. RANDEL T., ET AL. V. GEORGIA, ET AL.

04-234 MAYS, RICHARD, ET AL. V. ST. PAT PROPERTIES, LLC, ET AL.

04-238 WALKER, RANDOLPH V. WAINWRIGHT, LUCY P.

04-241 RANGEL-QUINONEZ, SERGIO, ET AL. V. ASHCROFT, ATT'Y GEN.

04-269 STOKOVICH, NICK V. LAKE VILLA, IL

04-302 PANG, FRED S. V. UNITED STATES

04-303 PHILLIPS, LORRAINE V. OAK PARK, IL

04-321 TAMAI, SHIGERU V. STEVENS, CHRISTOPHER J.  
04-362 ANKERMAN, WILLIAM L. V. CONNECTICUT  
04-5474 HANKINS, TERRY L. V. TEXAS  
04-5722 REESE, LAMONT V. DRETKE, DIR., TX DCJ  
04-5796 PRIMEAUX, EDWARD B. V. OKLAHOMA  
04-5813 GIBSON, VIRTIS V. DRETKE, DIR., TX DCJ  
04-5814 HANSON, LIONEL V. CALIFORNIA  
04-5815 BRONSON, PURCELL V. BEARD, SEC., PA DOC  
04-5819 GAUTHIER, JOHN C. V. OKLAHOMA  
04-5820 HART, LEWIS V. MCKEE, WARDEN  
04-5829 MORROW, ROBERT B. V. DRETKE, DIR., TX DCJ  
04-5835 HOLLOWAY, PETE V. YARBOROUGH, WARDEN  
04-5836 MAYJACK, STEVEN A. V. WOODFORD, DIR., CA DOC, ET AL.  
04-5838 VAUGHAN, NORMA V. VAUGHAN, WILLIAM D., ET AL.  
04-5839 PEARSON, DEMETRIC G. V. SAAR, SEC., MD DOC  
04-5842 PENDLEY, FREDDIE L. V. DRETKE, DIR., TX DCJ  
04-5846 HARRIS, MAX V. CROSBY, SEC., FL DOC  
04-5854 LYONS, GEORGE V. FLOYD, WARDEN, ET AL.  
04-5856 ANDREOZZI, LEROY A. V. CALIFORNIA  
04-5859 PARKER, RORY C. V. MEYERS, S.  
04-5860 ACKLES, MONEEK M. V. BULLARD, WARDEN, ET AL.  
04-5866 SPUCK, DANIEL L. V. DESUTA, SUPT., MERCER, ET AL.  
04-5868 BUTTI, THOMAS A. V. GIAMBRUNO, SUPT., WY  
04-5872 THOMPSON, ANDREW V. BOOKER, WARDEN  
04-5885 STEWART, TONY B. V. YATES, WARDEN  
04-5889 JACKSON, GARY V. MICHIGAN  
04-5893 VAUGHAN, LOIS V. PUTNAM COUNTY, FL, ET AL.  
04-5898 FELL, DONALD V. UNITED STATES

04-5901 MILLER, EMZY L. V. DRETKE, DIR., TX DCJ  
04-5905 COTTON, THOMAS E. V. AGNES SLACK LP OF GA  
04-5907 DAVIS, DANIEL R. V. JOHNSON, DIR., VA DOC  
04-5910 SMITH, RICHARD V. NEW MEXICO, ET AL.  
04-5912 JONES, DAVID L. V. ST. LOUIS, MO  
04-5916 PAVLICHKO, JAMES S. V. DiGUGLIELMO, SUPT., GRATERFORD  
04-5921 CIEMPA, DAVID A. V. WORKMAN, WARDEN  
04-5922 MONROE, CARL J. V. MOSLEY, WARDEN, ET AL.  
04-5924 VIZCAINO, JESSE V. ESCALON PREMIER BRANDS, ET AL.  
04-5934 CASTILLO, VINCENT M. V. JAMBON, GLEN, ET AL.  
04-5937 CRAWFORD, PERRY L. V. TURPIN, JAMES, ET AL.  
04-5938 FAGAN, CALBERT V. WALSH, SUPT., SULLIVAN  
04-5939 CRAMER, MORRIS V. ENGLERT, DENNIS M., ET AL.  
04-5948 KELLY, DANNY M. V. NORTEL NETWORK CORP.  
04-5951 NEWMAN, GEORGE W. V. ROWLEY, SUPT., MISSOURI EASTERN  
04-5999 LITTLEJOHN, EMMANUEL A. V. OKLAHOMA  
04-6019 GADDIE, ROBERT A. V. COTTON, SUPT., PENDLETON  
04-6020 HARRIS, ERWIN V. MICHIGAN  
04-6021 GRAY, JACK F. V. WOODFORD, DIR., CA DOC  
04-6061 COLLINS, PETER L. V. CALIFORNIA  
04-6067 NEWTON, SEWN V. UNITED STATES  
04-6068 CARTER, SHERMAN V. ILLINOIS  
04-6069 JONES, VICTOR V. ILLINOIS  
04-6081 POTTER, MICHAEL J. V. CASTRO, WARDEN, ET AL.  
04-6085 BROWN, ALTON D. V. PA DOC, ET AL.  
04-6122 CLEM, JOSEPH, ET AL. V. NEVADA  
04-6131 JONES, KIRK V. YARBOROUGH, WARDEN  
04-6132 VETA, JEFFREY N. V. DUPNIK, CLARENCE

04-6143 GRETHEN, MARK A. V. CIRCUIT COURT OF VA  
04-6164 CASTILLO, MARCOS A. V. JOHNSON, DIR., VA DOC  
04-6229 WISE, HASTINGS A. V. SOUTH CAROLINA  
04-6243 GARDNER, SANDRA J. V. PRINCIPI, SEC. OF VA  
04-6245 PARRIMON, WILLIAM J. V. CROSBY, SEC., FL DOC, ET AL.  
04-6252 JARVIS, KITSON B. V. UNITED STATES  
04-6256 DOOLIN, KYLE A. V. UNITED STATES  
04-6258 PRINCE, JOHN D. V. UNITED STATES  
04-6263 GIVEN, EDWARD V. MASSACHUSETTS  
04-6265 HARDIN, RICHARD L. V. UNITED STATES  
04-6282 McCOY, DARREN V. UNITED STATES  
04-6284 TOURON, JOSE M. V. INS  
04-6285 LINN, ROBERT D. V. UNITED STATES  
04-6298 RHODES, ENRICO V. UNITED STATES  
04-6310 DODD, CLIFFORD E. V. UNITED STATES  
04-6315 BRYANT, JAMES E. V. UNITED STATES  
04-6317 WRIGHT, RICHARD A. V. UNITED STATES  
04-6319 WILLIAMS, CHARLES V. UNITED STATES  
04-6320 WELDON, RAYMOND V. UNITED STATES  
04-6327 BOCANEGRA-GUTIERREZ, JOSE G. V. UNITED STATES  
04-6328 BARAJAS-ARCILIA, FRANCISCO J. V. UNITED STATES  
04-6329 BENNETT, FLOYD M. V. WEST VIRGINIA  
04-6330 ANSALDI, SCOTT V. UNITED STATES  
04-6331 LEE, SCOTTY D. V. UNITED STATES  
04-6335 ROANE, HOLLIS B. V. UNITED STATES  
04-6339 MOORE, FRANK V. OLSON, WARDEN  
04-6342 DUNN, RUSSELL D. V. UNITED STATES  
04-6343 CORREA, EDDY V. UNITED STATES

04-6344 DURAN-ROMERO, RAFAEL V. UNITED STATES  
04-6350 BATTLE, SHAWN V. UNITED STATES  
04-6351 ORTIZ-BAEZ, NELSON M. V. UNITED STATES  
04-6354 CHAVEZ-ARRIAGA, JOSE V. UNITED STATES  
04-6356 RAYMOND, JOHN V. UNITED STATES  
04-6361 ALVAREZ, ERIC E. V. UNITED STATES  
04-6364 ASHTON, ANDRE J. V. UNITED STATES  
04-6370 CAZARES-ALVARADO, JOSE V. UNITED STATES  
04-6372 BERMEA, JEFFREY L. V. UNITED STATES  
04-6373 BENNETT, VINCENT F. V. UNITED STATES  
04-6377 DAVIS, ARNELL D. V. UNITED STATES  
04-6381 DRABOVSKIY, YAKOV G. V. UNITED STATES  
04-6386 KEITH, CHAD E. V. UNITED STATES  
04-6393 LaFLAM, DARRELL P. V. UNITED STATES  
04-6408 ARMAS, JUAN E. V. UNITED STATES

The petitions for writs of certiorari are denied.

03-10623 AYERS, LILLIE B. V. THOMPSON, CONGRESSMAN, ET AL.

The motion of petitioner for leave to file an amended petition for a writ of certiorari is granted. The motion of Ivory Phillips, Chairman of Mississippi Coalition for Higher Education, et al. for leave to file a brief as *amici curiae* is granted. The motion of Alcorn State University National Alumni, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

#### **HABEAS CORPUS DENIED**

04-6428 IN RE MARY K. EDELMANN  
04-6456 IN RE RAYMOND PAYNE

04-6462 IN RE VALENTIN VIVERO

04-6491 IN RE SHANE CAIN AND JOHN HAZELWOOD

The petitions for writs of habeas corpus are denied.

**MANDAMUS DENIED**

04-5903 IN RE GWENDOLYN D. EDMOND

The petition for a writ of mandamus is denied.

04-6116 IN RE DANIEL A. BELLON

The petition for a writ of mandamus and/or prohibition is denied.