

(ORDER LIST: 537 U.S.)

MONDAY, OCTOBER 21, 2002

**CERTIORARI -- SUMMARY DISPOSITION**

01-10374 RUCKER, HAROLD J. V. POTTER, POSTMASTER GEN.

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 *Swierkiewicz v. Sorema N.A.*, 534 U.S. \_\_\_\_ (2002).

**ORDERS IN PENDING CASES**

02M23 MILLER, ISAAC W. V. WOLVERINE TUBE INC.

02M24 TAYLOR, WILLIAM L. V. DICKEL, GREGORY, ET AL.

02M25 GRUBER, JEFFREY P. V. UNITED STATES

02M26 HILL, RICHARD N., JR. V. USDC MD FL

02M27 SELLAN, ANGEL V. WALSH, SUPT., SULLIVAN CORR. FACILITY

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

01-1120 MEYER, DAVID, ETC. V. HOLLEY, EMMA MARY, ET AL.

01-1231 CT DEPT. OF PUBLIC SAFETY V. DOE, JOHN, ET AL.

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

01-9094 ABDUR'RAHMAN, ABU-ALI V. BELL, WARDEN

The motion of respondent and Alabama, as *amicus curiae*, for divided argument and for leave to participate in oral argument as *amicus curiae* is granted.

01-10864 HITT, TRAVIS T. V. KANSAS

The Solicitor General is invited to file a brief in this case expressing the views of the United States.

**CERTIORARI GRANTED**

02-258 JINKS, SUSAN V. RICHLAND COUNTY, SC

The petition for a writ of certiorari is granted.

**CERTIORARI DENIED**

01-1649 CHAMBER OF COMMERCE OF US V. LANDRUM, BILLY J.

01-1773 COLE, JOSEPH L. V. SANTA BARBARA COUNTY, CA

01-9812 ) ARTURO D. V. CALIFORNIA

)  
01-10107) HINGER, RANDALL R. V. CALIFORNIA

01-10070 FORD, EUGENE V. MONTANA

01-10192 GRAYSON, BLAYDE V. MISSISSIPPI

02-107 DANIEL, ANN, ET AL. V. SANTA BARBARA COUNTY, CA

02-108 DENBURY MANAGEMENT, INC. V. GOULAS, ARLENE, ET VIR

02-220 ODOM, SEC., NC DEPT. H&HS V. ANTRICAN, SAMUEL, ET AL.

02-227 WILLIAMS, JAMES L. V. VIRGINIA

02-234 CHEYOVICH, MILAN, ET UX. V. SAN MARINO SCHOOL DISTRICT

02-235 ALLEN, PHILLIP V. TEXACO INC.

02-236 BURKE, YVONNE, ET AL. V. ROCHA, JAVIER

02-242 DE LLANO, MANUEL V. BERGLUND, DUANE, ET AL.

02-243 CAFFREY, PATRICK R. V. CAFFREY, DEBRA A.

02-246 WALLACK MANAGEMENT, ET AL. V. GOYA FOODS, INC.

02-247 UBS PaineWEBBER INC., ET AL. V. COHEN, ALFRED, ETC.

02-251 CARTER, MICHAEL R. V. ANGELONE, DIR., VA DOC

02-254 SCHROEDER, TOMMY R. V. HAMILTON SCHOOL DIST., ET AL.

02-255 \$165,524.78 V. TEXAS

02-257 LLOYD, ANNA V. AMERICAN AIRLINES, INC.

02-259 MONAGHAN, ANDREW V. TREBEK, ALEX, ET AL.

02-260 MILLCRAFT-SMS SERVICES V. UNDERWOOD, COMM'R, AL REV.

02-261 NUNLEY, JOHN, ET AL. V. BANJO MOUNTAIN, INC., ET AL.

02-263 BTA OIL PRODUCERS, ET AL. vs. MDU RESOURCES GROUP, ET AL.

02-264 SEELYE, JOHN R. vs. SUPREME COURT OF OK

02-268 OCHOA, SAMUEL V. ARIZONA

02-278 WALSER, R. J., ET AL. vs. HOUSING & REDEV. AUTHORITY

02-280 ROSALES, WALTER, ET AL. V. KEAN ARGOVITZ RESORTS, ET AL.

02-285 HERSHFIELD, CHARLES V. KING GEORGE, VA

02-290 SEGURA, CARLOS, ET AL. vs. TX DHS, ET AL.

02-331 ELLIS, RONALD Q. V. HUTCHINSON, WARDEN, ET AL.

02-335 IRONS, MARY L. V. ASOCIACION DE PROPIETARIOS

02-341 MAYO, JOHN V. COCKRELL, DIR., TX DCJ

02-356 CHU, DALE H. V. WISCONSIN

02-360 FARROW, FRANK L. V. POTTER, POSTMASTER GEN.

02-365 WEBER, JOSEPH R. V. POTTER, POSTMASTER GEN.

02-386 BIEN, CHING-TSEN V. CHAO, SEC. OF LABOR

02-393 DUKE, DALE L. V. COCKRELL, DIR., TX DCJ

02-395 ECONOMOU, CONSTANTINE V. WHITE, SEC. OF ARMY

02-398 CORTEZ-OCHOA, ARTEMIO V. PLILER, WARDEN, ET AL.  
02-408 FARROW, FRANK L. V. POTTER, POSTMASTER GEN.  
02-413 TAG INVESTMENTS, ET AL. V. MATRIX PROPERTIES CORP.  
02-415 VIRGEN, GAVINO M. V. UNITED STATES  
02-432 MARKOWSKI, MICHAEL J. vs. SEC  
02-439 KLINE, KAREN M. vs. IRS  
02-440 SHALOM, ITZHAK V. UNITED STATES  
02-444 HARRIS, LESTER R. V. UNITED STATES  
02-467 CURTIS, JEFFREY P., ET AL. V. UNITED STATES  
02-483 UDOGWU, PROSPER E., ET UX. V. UNITED STATES  
02-5113 RAMSEY, DANIEL B. V. ILLINOIS  
02-5119 BROOKS, CHRISTOPHER G. V. MI DOC  
02-5342 BISHOP, DALE L. V. MISSISSIPPI  
02-5374 BURGESS, WILLIE V. ALABAMA  
02-5586 PHILLIPS, RICHARD L. A. vs. WOODFORD, WARDEN  
02-5746 SPEARS, ANTHONY M. V. STEWART, DIR., AZ DOC  
02-5897 COSBY, SHERI I. V. CLARKE, DR., ET AL.  
02-5900 PURCELL, REBECCA L. V. MICHIGAN  
02-5902 McDAVIS, JEROME V. PA STATE GOVERNOR, ET AL.  
02-5905 WATKINS, ROBERT M. V. OKLAHOMA  
02-5909 WILLIAMS, GLORIA D. V. JONES, WARDEN  
02-5912 HURST, TIMOTHY L. V. FLORIDA  
02-5913 HALL, MARK V. MICHIGAN  
02-5914 GARDNER, MARVIN R. V. GIURBINO, WARDEN  
02-5919 GOLDSMITH, GARY A. V. CALIFORNIA  
02-5921 KHAN, NASRULLA V. LUCAS, DAVID, ET AL.  
02-5927 MULDOON, EMMETT S. vs. C. J. MULDOON & SONS, ET AL.

02-5930 JONES, NATHANIEL H. V. SOUTH CAROLINA  
02-5931 BANE, GEORGE A. V. JOHNSON, WARDEN, ET AL.  
02-5932 LAWSON, CHARLES V. PENNSYLVANIA  
02-5933 KING, JAMES G. V. WASHINGTON  
02-5936 HUSSEIN, MAMDOUH M. V. PIERRE HOTEL, ET AL.  
02-5941 KNUTSON, GERALDINE V. COUNTY OF BARNES, ET AL.  
02-5943 VanDerBERG, JACK V. MOORE, SEC., FL DOC, ET AL.  
02-5944 THOMPSON, TERRY D. V. GIBSON, WARDEN, ET AL.  
02-5945 SALAMANCA, MIGUEL V. MILLER-STOUT, SUPT., AIRWAY  
02-5947 SUGHRUE, FRANCIS W. V. FLORIDA  
02-5952 KING, JAMES A. vs. FL DOC  
02-5953 ARROYO, SERGIO V. SENKOWSKI, SUPT., CLINTON  
02-5954 JOHNSON, CHARLES V. CAIN, WARDEN  
02-5955 CARR, ROBERT V. MISSISSIPPI  
02-5958 DLUHY, MATTHEW V. NEW YORK  
02-5967 BROWN, JAMES W. V. HEAD, WARDEN  
02-5970 WATKINS, JOHNEIL V. BRADFORD, SHERIFF, ET AL.  
02-5972 WOODRUFF, EARNEST T. vs. ROE, WARDEN  
02-5977 POLLOCK, RAY A. vs. MOORE, SEC., FL DOC  
02-5980 DAHLER, DAVID V. MICHIGAN  
02-5982 ZHAO, CHUANSHAN V. CITY UNIV. OF NY, ET AL.  
02-5989 GRAJEDA, ARTHUR R. V. CALIFORNIA  
02-5992 BROWNER, JAMES M. V. McGRATH, WARDEN  
02-5993 BIRCH, JOHN L. V. CARTER, ANNA, ET AL.  
02-5995 RE, ROGER V. SNYDER, WARDEN, ET AL.  
02-5996 WINKER, ELIZABETH V. McDONNELL DOUGLAS CORP.  
02-5997 HILL, DAVID C. V. MAYNARD, DIR., SC DOC

02-6007 WALKER, TERRENCE A. V. JONES, WARDEN  
02-6009 COOPER, STEVEN P. V. ZELGOWSKI, ROMAN, ET AL.  
02-6012 JOHNSON, STANLEY V. vs. PA BD. OF PROBATION & PAROLE  
02-6014 PEPPER, ROBERT L. V. DARNELL, TN SEC. OF STATE  
02-6063 DAVIS, TERRANCE V. ILLINOIS  
02-6065 ODOMS, DON V. THOMPSON, SUPT., OR  
02-6068 ROBINSON, PAUL V. MASSACHUSETTS  
02-6070 BASDEN, ERNEST W. vs. LEE, WARDEN  
02-6120 HUNTER, CALVIN V. ALABAMA  
02-6121 HAMPTON, TIMOTHY T. V. WYANT, WARDEN  
02-6136 ELDRIDGE, CLINTON T. V. HEDRICK, WARDEN, ET AL.  
02-6137 CRAWFORD, CURTIS E. vs. USDC DC  
02-6149 JONES, CHARLES V. KANSAS  
02-6151 SCOTT, MONDREA R. vs. NORRIS, DIR., AR DOC  
02-6152 YOUNG, SYLVESTER V. STUBBLEFIELD, SUPT., MO  
02-6162 GREENE, CHARLES A. V. BARNHART, COMM'R, SSA  
02-6180 SANFORD, ANNETTE V. YUKINS, WARDEN  
02-6187 WALKER, GERALD V. ILLINOIS  
02-6192 DANIELS, SHELBY L. V. UNITED STATES  
02-6195 TODD, DAMION L. V. STEGALL, WARDEN  
02-6201 STANTON, FREEMAN S. V. MONTANA  
02-6202 QUINONEZ, MANUEL V. GARCIA, WARDEN  
02-6208 POLLARD, JIMMIE L. V. GALAZA, WARDEN  
02-6209 MORID, IKECHUKWU N. V. UNITED STATES  
02-6215 HAYES, LARRY C. V. NEAL, WARDEN  
02-6218 BECKWITH, LULA T. V. BellsOUTH, ET AL.  
02-6221 FIGMAN, DAWN V. SPRINT

02-6236 MORENO, LEONARD R. V. CALIFORNIA  
02-6243 GENTRY, CARRIE V. KENTUCKY  
02-6249 WILLIAMS, FELIX A. vs. ANGELONE, DIR., VA DOC  
02-6262 EVANS, FRED V. ILLINOIS  
02-6269 MEESE, JOE R. vs. WALLER, WARDEN, ET AL.  
02-6277 WHITED, ROBERT D. vs. VIRGINIA  
02-6289 LIMEHOUSE, KEITH D. V. RED LOBSTER  
02-6294 SHARP, GARY C. V. UNITED STATES  
02-6298 SIMMONS, ANTHONY V. PORTUONDO, SUPT., SHAWANGUNK  
02-6301 ZULUAGA, LUIS V. MASSACHUSETTS  
02-6312 ROSS, WILLIAM V. UNITED STATES  
02-6318 OLANIYI-OKE, JACKSON A. V. UNITED STATES  
02-6321 HUDSON, JOYCE A. V. PICATINNY ARSENAL, ETC.  
02-6322 HARGROVE, DEMETRIUS V. KANSAS  
02-6325 GREEN, RONNY V. vs. UNITED STATES  
02-6327 BENTLEY, LARRY V. UNITED STATES  
02-6330 GOIST, PAUL B. V. UNITED STATES  
02-6338 LEFTWICH, COREY M. V. UNITED STATES  
02-6339 JOST, TIMOTHY J. V. UNITED STATES  
02-6343 ) BLOUNT, RONALD L. V. UNITED STATES  
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02-6344 ) BLOUNT, BENJAMIN V. UNITED STATES  
02-6345 BOONE, SHIRLEY V. UNITED STATES  
02-6351 JONES, ANTHONY F. V. UNITED STATES  
02-6355 MONTANO-CAMPA, JOSE V. UNITED STATES  
02-6356 JUDD, JOHN K. V. UNITED STATES  
02-6357 LOPEZ-JIMENEZ, RAMON V. UNITED STATES  
02-6359 STEPHENS, JACKIE P. V. UNITED STATES

02-6360 SAMMUT, MICHAEL P. V. UNITED STATES  
02-6363 CORTEZ-CASTRO, VICTOR V. UNITED STATES  
02-6364 SANGER, MARTIN A. V. UNITED STATES  
02-6367 DIAZ, SUSAN V. UNITED STATES  
02-6369 RAMOS, JOSE L. V. UNITED STATES  
02-6371 SUDAKOV, OLEKSANDER V. UNITED STATES  
02-6374 MARROQUIN, DAGOBERTO V. UNITED STATES  
02-6375 JACKSON, RICKY D. V. UNITED STATES  
02-6376 MALDONADO-HERNANDEZ, ALFREDO V. UNITED STATES  
02-6379 MERCADO-ROSALES, RAUL V. UNITED STATES  
02-6380 PRECIADO-FLORES, BERNARDO V. UNITED STATES  
02-6381 LIVINGSTON, DAVID V. UNITED STATES  
02-6382 LONJOSE, ROSS V. UNITED STATES  
02-6383 PORRAS-CARDOZA, ERNEST V. UNITED STATES  
02-6388 RODRIGUEZ-LEON, MARGARITO V. UNITED STATES  
02-6389 STALLONE, SALVATORE V. UNITED STATES  
02-6390 ROBINSON, GEORGE V. UNITED STATES  
02-6391 ROSARIO-MOYA, VICTOR V. UNITED STATES  
02-6393 ADDERLEY, JERMAINE V. UNITED STATES  
02-6394 BLOOMGREN, DAVID V. UNITED STATES  
02-6399 PUGH, RAY A. V. UNITED STATES  
02-6400 MATHIS, PETER V. UNITED STATES  
02-6401 MURANAKA, JOEL Y. vs. UNITED STATES  
02-6404 ROBLES-VILLARREAL, ULISES V. UNITED STATES  
02-6406 WHITE, KEVIN V. UNITED STATES  
02-6407 REYES-VEJERANO, FRANCISCO V. UNITED STATES  
02-6408 BRIGGS, LaMILTON V. UNITED STATES



02-6409 TURNER, KIRK B. V. UNITED STATES  
02-6410 WHITEHURST, TOM L. V. UNITED STATES  
02-6414 AMADIOHA, VINCENT V. UNITED STATES  
02-6424 JOHNSON, JEFFREY V. UNITED STATES  
02-6425 SETTE, AMADOU V. UNITED STATES  
02-6426 NODD, STEPHANIE V. UNITED STATES  
02-6428 WOODS, EDDIE J. V. UNITED STATES  
02-6429 BRICE, DAMON J. V. UNITED STATES  
02-6430 WILLIAMS, ANTON V. UNITED STATES  
02-6434 GRULLON, FRANKLIN V. UNITED STATES  
02-6436 FLORES, JOANNA V. UNITED STATES  
02-6437 GARDUNO-MONTOYA, JESUS V. UNITED STATES  
02-6439 HILLGARTNER, BILLY F. V. UNITED STATES  
02-6440 HUGHES, T. ROBERT V. UNITED STATES  
02-6442 GRIFFITH, ANTHONY V. UNITED STATES  
02-6443 GASTELUM-ALMEIDA, RICARDO V. UNITED STATES  
02-6444 HAUSER, TYRICE S. V. UNITED STATES  
02-6445 GRIFFITH, CHRISTOPHER V. UNITED STATES  
02-6446 GRAY, WILLIAM J. V. UNITED STATES  
02-6447 GARCIA-DELGADO, MIGUEL V. UNITED STATES  
02-6449 FEURTADO, ANTHONY V. UNITED STATES  
02-6451 HENDRIX, BILLY J. V. UNITED STATES  
02-6452 FLORES, RICHARD V. UNITED STATES  
02-6456 MAYNE, MARK A. V. UNITED STATES  
02-6460 CASAREZ-DOMINGUEZ, JUAN R. V. UNITED STATES  
02-6463 JOHNSON, STACY T. V. UNITED STATES  
02-6464 WHITE, ROBERT H. V. UNITED STATES

02-6466 MOLINA-FLORES, MANUEL R. V. UNITED STATES  
02-6471 ESPINOZA-VASQUEZ, MACRINO V. UNITED STATES  
02-6475 RILEY, JOHN T. V. UNITED STATES  
02-6477 CERRO, SUZANNE I. V. CERRO, FRANK D.  
02-6478 FLORENTINO, PEDRO V. UNITED STATES  
02-6481 FOSTER-TORRES, CORNELIO T. V. UNITED STATES  
02-6482 HURTADO-RAMIREZ, ANDRES V. UNITED STATES  
02-6485 NORIEGA-BUSTAMANTE, EDGAIN V. UNITED STATES  
02-6486 MORRIS, KATRELL B. V. UNITED STATES  
02-6487 PEDRAZA, ROY C. V. UNITED STATES  
02-6488 ALEJO-ELIZALDE, ELIAS D. V. UNITED STATES  
02-6490 MUNIZ, GERARDO V. UNITED STATES  
02-6491 PRESAS, VICTOR H. V. UNITED STATES  
02-6492 BROWN, CASEY L. V. UNITED STATES  
02-6493 KEY, STEVEN V. UNITED STATES  
02-6494 MACIAS-ZAVALA, GENARO V. UNITED STATES  
02-6495 LOPEZ-GARCIA, MARIO V. UNITED STATES  
02-6497 OCAMPO-CASTANEDA, ROBERTO V. UNITED STATES  
02-6500 O'DONALD, DAVID E. V. UNITED STATES  
02-6501 SHERFIELD, DUCKIE R. V. UNITED STATES  
02-6502 REYNA-CASTONON, DANIEL C. V. UNITED STATES  
02-6503 SCOTT, CEDRICK V. UNITED STATES  
02-6505 ELIAS, ALEX V. UNITED STATES  
02-6506 WILCOX, FORTUNATUS B. V. FLEMING, WARDEN, ET AL.  
02-6509 ARZAGA-MURUATO, EDUARDO V. UNITED STATES  
02-6510 DELGADO-CASTILLO, IRIS V. UNITED STATES  
02-6511 DEAN, WILL C. V. UNITED STATES

02-6512 CASTRO-GOMEZ, SERGIO D. V. UNITED STATES  
02-6515 MONROE, TRAN D V. UNITED STATES  
02-6516 TURNER, GRANT L. V. UNITED STATES  
02-6517 VELASQUEZ-MORGA, EDUARDO V. UNITED STATES  
02-6519 LEONARD-BEY, JOHN V. CONROY, WARDEN, ET AL.  
02-6520 JACK, PHILLIP G. V. UNITED STATES  
02-6524 DAVIS, THOMAS B. V. UNITED STATES  
02-6536 ERWIN, BONNIE B. V. UNITED STATES  
02-6538 NANCE, BARRY T. V. UNITED STATES  
02-6541 SMITH, LAFREDRICK D. V. UNITED STATES  
02-6548 CLARK, MYRON T. V. UNITED STATES  
02-6549 DIXON, CURTIS M. V. UNITED STATES

The petitions for writs of certiorari are denied.

01-1846 LEGAL ENV'L ASSISTANCE V. EPA, ET AL.

The motion of American Petroleum Institute, et al.  
for leave to file a brief as *amici curiae* is granted.

The petition for a writ of certiorari is denied.

01-10851 OKAFOR, NZELO C. V. UNITED STATES

02-88 AUDIO ODYSSEY, LTD., ET AL. V. BRENTON FIRST NATL. BANK

02-265 SHAW, SUSANNA V. REPLOGLE, DAVID

02-6008 DANIELS, JACK V. DUNCAN, WARDEN

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

02-30 STEWART, DIR., AZ DOC V. SPEARS, ANTHONY M.

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

certiorari is denied.

02-262 TechSEARCH V. INTEL CORP.

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.

02-5313 ALDERMAN, JACK E. V. HEAD, WARDEN

The petition for a writ of certiorari is denied.  
Justice Breyer would grant certiorari.

#### **HABEAS CORPUS DENIED**

02-6540 IN RE CRAIG PATTERSON

02-6557 IN RE JAMES LARKIN

02-6570 IN RE MAURICE McDONALD

02-6584 IN RE JAMES QUARY

02-6587 IN RE KEVIN BROOKS

02-6607 IN RE RODNEY EARL COHEN

The petitions for writs of habeas corpus are  
denied.

#### **MANDAMUS DENIED**

02-6550 IN RE PAUL EARL DORSEY

The petition for a writ of mandamus is denied.

02-6431 IN RE WILLIAM DAVID WILSON

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

**REHEARINGS DENIED**

01-8204 JACOBS, CHRIS V. McCAUGHTRY, WARDEN

01-10203 FUELL, KEVIN J. V. UNITED STATES

The petitions for rehearing are denied.

**ATTORNEY DISCIPLINE**

D-2187 IN THE MATTER OF DISBARMENT OF FREDERICK L. RISKER, JR.

Frederick L. Risker, Jr., of Stafford, Texas, having been suspended from the practice of law in this Court by order of August 28, 2000; and a rule having been issued and served upon him requiring him to show cause why he should not be disbarred; and a response having been filed;

It is ordered that Frederick L. Risker, Jr., is disbarred from the practice of law in this Court.