

(ORDER LIST: 539 U.S.)

FRIDAY, JUNE 27, 2003

**APPEAL -- SUMMARY DISPOSITION**

02-1577 COMBES, TEXAS, ET AL. V. EAST RIO HONDO WATER SUPPLY

The judgment is affirmed.

**CERTIORARI -- SUMMARY DISPOSITION**

02-583 LIMON, MATTHEW R. V. KANSAS

The petition for a writ of certiorari is granted.

The judgment is vacated and the case is remanded to the Court of Appeals of Kansas for further consideration in light of *Lawrence v. Texas*, 539 U.S. \_\_\_\_ (2003).

02-733 GERLING GLOBAL REINSURANCE V. LOW, COMM'R OF INS. OF CA

The Court reversed the judgment below in *American Ins. Assn. v. Garamendi*, 539 U.S. \_\_\_\_ (2003). Therefore, the petition for a writ of certiorari is granted and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further proceedings.

**ORDERS IN PENDING CASES**

02M89 MEDINA, SANDY V. UNITED STATES

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

02M104 STANDARD, ROBERT M. V. UNITED STATES

02M105 SIMS, CARLAYNE V. NEW PROVIDENCE, ET AL.

02M107 MYERS, JESSE V. V. DEPARTMENT OF AGRICULTURE

02M108 BROWN, RICKY E. V. HENRY, WARDEN

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

02M106 JONES, ERNEST D. V. CALIFORNIA

The motion for leave to proceed *in forma pauperis* without an affidavit of indigency executed by petitioner is denied.

02-182 GEORGIA V. ASHCROFT, ATT'Y GEN., ET AL.

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

02-693 LAMIE, JOHN M. V. UNITED STATES TRUSTEE

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

02-1774 IN RE FRED RIGGS, ET AL.

The motion of petitioners to expedite consideration of the petition for writ of mandamus and/or prohibition is denied.

02-9486 SLAGEL, SAMUEL E. V. RUTH, DENNIS R., ET AL.

The motion of petitioner for reconsideration of order denying leave to proceed *in forma pauperis* is denied.

02-10324 REGAN, TIMOTHY P. V. GOVERNING BOARD OF SONORA

02-10638 JASKOT, FRANCIS W. V. PRINCIPI, SEC. OF VA

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

July 18, 2003, 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.

**APPEAL -- JURISDICTION NOTED**

02-1580 VIETH, RICHARD, ET AL. V. JUBELIRER, ROBERT C., ET AL.

In this case probable jurisdiction is noted.

**CERTIORARI GRANTED**

02-458 RAYMOND B. YATES, M.D., ETC. V. HENTON, WILLIAM T.

02-857 HOUSEHOLD CREDIT SERVICES V. PFENNIG, SHARON R.

02-1377 DOE, BUCK, ET AL. V. CHAO, SEC. OF LABOR

The petitions for writs of certiorari are granted.

02-626 SOUTH FL WATER MGMT. V. MICCOSUKEE TRIBE, ET AL.

The motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* is granted. The motion of Lake Worth Drainage District, et al. for leave to file a brief as *amici curiae* is granted. The motion of Florida Fruit and Vegetable Association, et al. for leave to file a brief as *amici curiae* is granted. The motion of National Water Resources Association, et al. for leave to file a brief as *amici curiae* is granted. The motion of City of New York, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is granted limited to Question 1 presented by the petition.

**CERTIORARI DENIED**

02-117 MINNESOTA V. MARTIN, JOAN, ETC.

02-197 MONSANTO CO. V. BAYER CropSCIENCE, S. A.

02-429 DETHMERS MANUFACTURING CO. V. AUTOMATIC EQUIPMENT MFG. CO.

02-434 ) WOODFORD, WARDEN V. KARIS, JAMES L.  
)  
02-6265 ) KARIS, JAMES V. WOODFORD, WARDEN

02-563 AM. COALITION OF LIFE, ET AL. V. PLANNED PARENTHOOD, ET AL.

02-597 WOODFORD, WARDEN V. JENNINGS, MICHAEL W.

02-815 SACRAMENTO, CA, ET AL. V. BARDEN, JOAN, ET AL.

02-1007 DUKE UNIVERSITY V. MADEY, JOHN M. J.

02-1213 LIU, XU, ET AL. V. PRICE WATERHOUSE LLP, ET AL.

02-1349 MERLINO, JOSEPH V. UNITED STATES

02-1409 CABLE CAR ADVERTISERS, INC. V. NLRB, ET AL.

02-1419 SHENANGO INC., ET AL. V. BARNHART, COMM'R, SSA

02-1430 KRZALIC, NEDZAD, ET UX. V. REPUBLIC TITLE CO.

02-1441 PAPPAS, THOMAS V. BLOOMBERG, MAYOR, ET AL.

02-1500 EYL, HAROLD D. V. CIBA-GEIGY CORP., ET AL.

02-1545 ABRAMS, CLEM, ET AL. V. SAN DIEGO, CA, ET AL.

02-1550 LAL, AZHAR V. YARBOROUGH, WARDEN

02-1557 ROADEN, DOUGLAS E. V. DERMOTT, JON, ET AL.

02-1559 HARLOW CORP. V. NORTON, SEC. OF INTERIOR

02-1562 MADIGAN, MARGARET A. V. NABISCO BRANDS, INC., ETC.

02-1564 RANEY, ARLIN E. V. RANEY, LINDA M.

02-1570 COTTER, NANCY E., ETC. V. BURKHALTER, TED A., ET AL.

02-1573 JOHNSON, CURTIS K. V. BUFFALO POLICE DEPARTMENT

02-1575 SNYDER-FALKINHAM, GEORGIA A. V. STOCKBURGER, BRUCE C., ET AL.

02-1578 CONRAIL C/O TRANS. DISPLAYS V. SCRUB

02-1582 YOUNG, THELMA V. WESTCHESTER CTY. SOC. SERV.  
02-1592 MILLS, MARCELL, ET AL. V. DAVIS, GOV. OF CA, ET AL.  
02-1600 PATEL, NARENDRA M. V. THOMPSON, SEC. OF H&HS  
02-1612 HOLLOWAY, SALLIE B. V. JOHNSON, ACTING SEC. OF NAVY  
02-1625 DAWKINS, HOWARD G., ET UX. V. WITT, DIR., FEMA  
02-1627 CAVELY, EVERETT L. V. UNITED STATES  
02-1636 ALEMAN, HARRY V. STERNES, WARDEN  
02-1641 WILSON, STEPHEN M. V. CIRCUIT COURT OF AL  
02-1656 PHONOMETRICS, INC. V. WESTIN HOTEL CO.  
02-1661 MAHORNER, JAMES G. V. BUSH, PRESIDENT OF U.S.  
02-1683 WEAVER, ZONNIE V. JONES, WARDEN  
02-1693 TRI, INC. V. BOISE CASCADE OFFICE, ET AL.  
02-1714 NAGEL, SCOTT W. V. WISCONSIN  
02-1738 PROL, LUCILLE V. PROL, HOWARD K.  
02-7489 ROSALES, MICHAEL V. COCKRELL, DIR., TX DCJ  
02-7669 GREY BEAR, DELANO V. ND DEPT. OF HUMAN SERVICES  
02-9131 BOWIE, NATHAN W. V. NORTH CAROLINA  
02-9456 LIPSCOMB, GARY G. V. BARNHART, COMM'R, SSA  
02-9825 GIRALDO, SANTIAGO V. UNITED STATES  
02-9907 HUSBAND, EUNICE V. UNITED STATES  
02-9934 DeWITT, FRED V. WALL, DIR., RI DOC  
02-10310 SHELTON, EARL H. V. COCKRELL, DIR., TX DCJ  
02-10311 SMITH, BERNARD V. EHRLICH, GOV. OF MD, ET AL.  
02-10312 STONE, JAMES H. V. COCKRELL, DIR., TX DCJ  
02-10314 SHEARS, DAVID A. V. MICHIGAN  
02-10315 SERRANO, ONOFRE T. V. MEJIA, R. V., ET AL.  
02-10325 SPIGNER, ROBERT V. AUSTIN, CHARLES, ET AL.

02-10329 GARRETT, CHRISTOPHER T. V. COCKRELL, DIR., TX DCJ  
02-10331 WEST, EDWARD V. TEXAS  
02-10334 S. C., ET VIR V. W. F. S., ET AL.  
02-10338 CROWDER, DAVID D. V. COCKRELL, DIR., TX DCJ  
02-10339 DUNLAP, EMMETT K. V. FRANK, SEC., WI DOC  
02-10343 JONES, THOMAS R. V. MENDEZ, WARDEN, ET AL.  
02-10346 HERNANDEZ, RAMIRO V. TEXAS  
02-10349 SCOTT, DELESTER V. 183RD DISTRICT COURT OF TX  
02-10351 BOWLING, THOMAS F. V. JOHNSON, DIR., VA DOC  
02-10352 SHIELDS, CECIL V. LEWIS, WARDEN  
02-10366 KRONCKE, ROBERT E. V. SALDATE, MANUEL, ET AL.  
02-10369 PANNELL, DAVID V. DAVIS, SUPT., IN  
02-10379 DOORBAL, NOEL V. FLORIDA  
02-10382 PATRICK, LARRY C. V. COCKRELL, DIR., TX DCJ  
02-10389 DeFOY, ROBERT L. V. McCULLOUGH, SUPT., HOUTZDALE  
02-10392 NASH, RICHARD V. BLUMEX U.S.A., INC.  
02-10393 PRIEST, LYNN S. V. ORTIZ, EXEC. DIR., CO DOC  
02-10401 JACKSON, CALVIN V. FLORIDA  
02-10402 LECHUGA, CARLOS A. V. AYERS, WARDEN, ET AL.  
02-10410 WHITE, HAROLD A. V. TEXAS  
02-10415 MULAZIM, AHOTO T. V. JOHNSON, DIR., VA DOC, ET AL.  
02-10416 McGHEE, RAY V. V. SMITH, WARDEN  
02-10417 STEPHENS, WILLIAM V. DaimlerCHRYSLER CORP., ET AL.  
02-10418 SHELTON, ODDIE V. MAKEL, WARDEN  
02-10419 SIMUEL, DONTEZ L. V. CURRY, SUPT., POLK, ET AL.  
02-10422 BULLARD, JOHN W. V. HEAD, WARDEN  
02-10425 POWELL, BASIL V. COWAN, WARDEN

02-10426 MOORE, ROBERT C., ET AL. V. JOHNSON, GOV. OF NM, ET AL.  
02-10427 MOORE, BYRON C. V. FRANK, SEC., WI DOC  
02-10433 BROWN, MICHAEL V. McGINNIS, SUPT., SOUTHPORT  
02-10436 KYLER, SEAN V. NEW YORK  
02-10437 SMITH, JOSEPH V. LEWIS, SUPT., HALES CREEK  
02-10442 AWIIS, BAKRI V. WA DOC  
02-10443 ALVAREZ, MIGUEL V. LAVAN, SUPT., DALLAS, ET AL.  
02-10445 AYRES, GARY A. V. EARNHARDT'S GILBERT, ET AL.  
02-10447 BRAUN, DOUGLAS W. V. PLASTOMER CORP.  
02-10450 CURTIS, RONALD L. V. KENTUCKY  
02-10485 BAINES, MICHAEL D. V. HORNUNG, ACTING WARDEN  
02-10491 SCHWARTZ, ADOLPH V. WILSON, SUPT., CRESSON  
02-10507 VINNIE, RAYMOND P. V. MALONEY, COMM'R, MA DOC  
02-10565 JACKSON, LARRY J. V. CROKER, GENE, ET AL.  
02-10566 OGUAGHA, INNOCENT V. CRAVENER, INS DIST. DIR.  
02-10576 LAIR, SCOTT M. V. HORN, ROBERT L., ET AL.  
02-10603 WOMACK, DOTTIE M. V. BARNHART, COMM'R, SSA  
02-10624 BERGLUND, KEVIN V. MAPLEWOOD, MN, ET AL.  
02-10636 PEABODY, DAVID W. V. UNITED STATES, ET AL.  
02-10647 MILLER, PHILLIP V. NEW YORK  
02-10650 SANCHEZ, ANGEL V. WALTERS, SUPT., CASWELL  
02-10653 SECRESS, AMY V. SECRESS, RODNEY  
02-10662 CLARK, JOSEPH J. V. UNITED STATES  
02-10681 RUTLEDGE, STEVEN L. V. ILLINOIS  
02-10702 GULLEY, COREY L. V. NORRIS, DIR., AR DOC  
02-10709 FRACTION, LIONEL V. MINNESOTA  
02-10717 ZHENGXING, FAYE V. TOMLINSON, CHMN., ETC.

02-10731 WHITAKER, MILTON H. V. DEPT. OF VA, ET AL.  
02-10745 WILLIAMS, MELVIN V. UNITED STATES  
02-10767 McGRATH, JOHN F. V. UNITED STATES  
02-10770 CASTILLO-PEREZ, JUAN T. V. UNITED STATES  
02-10774 BELTRAN-RODRIGUEZ, ALEJANDRO V. UNITED STATES  
02-10780 KENNEDY, ANDREW W. V. MENDEZ, WARDEN  
02-10797 ALVA-OTOYA, LUIS A. V. UNITED STATES  
02-10799 AKANA, THOMAS K. V. UNITED STATES  
02-10802 WEEKS, MARY B. V. BARNHART, COMM'R, SSA  
02-10805 MATHIESON, PAUL V. UNITED STATES  
02-10812 ROSARIO, JOSE P. V. UNITED STATES  
02-10813 PURCELL, PAUL V. UNITED STATES  
02-10835 CLAY, ADAX G. V. UNITED STATES  
02-10836 VAUGHAN, LLOYD A. V. UNITED STATES  
02-10843 TURNER, NATHANIEL V. UNITED STATES  
02-10845 THOMAS, ANTHONY V. UNITED STATES  
02-10851 OLIVER, WINFRED V. ILLINOIS  
02-10852 O'LESKA, ANNA M. V. WHITE, SECRETARY OF ARMY  
02-10857 SANCHEZ-GONZALEZ, POLICARPIO V. UNITED STATES  
02-10860 HERNANDEZ, VICTOR V. UNITED STATES  
02-10861 GREEN, O'CONNOR B. V. UNITED STATES  
02-10864 RASHID, AMIN A. V. UNITED STATES  
02-10865 RODRIGUEZ, RAFAEL V. UNITED STATES  
02-10866 DAY, GEORGE A. V. CHANDLER, WARDEN  
02-10867 NUNEZ, JULIAN N. V. UNITED STATES  
02-10869 WILSON, MARTIN G. V. UNITED STATES  
02-10870 EADY, ELDRED D. V. UNITED STATES



- 02-10871 DELANCY, GARRIC V. UNITED STATES  
02-10877 SMITH, JESSE J. V. UNITED STATES  
02-10883 JULIEN, GARRY V. UNITED STATES  
02-10885 BREDY, PHILLIP D. V. UNITED STATES  
02-10889 CURRIER, GEORGE V. UNITED STATES  
02-10891 JONES, CORNELL V. ILLINOIS  
02-10895 PEREZ, FELIX E. V. UNITED STATES  
02-10900 MARTINEZ-ESPINOZA, GERARDO V. UNITED STATES  
02-10907 McCOY, GREGORY L. V. UNITED STATES  
02-10908 SANCHEZ, ISAUL E. V. UNITED STATES  
02-10911 PIERCEFIELD, WILLIAM V. UNITED STATES  
02-10913 ALVAREZ, JUVENTINO M. V. UNITED STATES  
02-10920 CUAUTLE-TAPIA, ISIDRO V. UNITED STATES  
02-10921 CHANG, WONG V. UNITED STATES  
02-10923 DOMINGUEZ-DOMINGUEZ, JOEL V. UNITED STATES

The petitions for writs of certiorari are denied.

- 02-355 SOUTHERN BUILDING CODE V. VEECK, PETER

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

- 02-367 AM. CYANAMID CO. V. GEYE, TERRY, ET AL.

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

- 02-649 DEE-K ENTERPRISES, INC. V. HEVEAFIL SDN. BHD., ET AL.

The motion of American Antitrust Institute for leave to file a brief as *amicus curiae* is granted. The

petition for a writ of certiorari is denied.

02-1149 KELLY, RAYMOND W., ETC. V. KRIMSTOCK, VALERIE, ET AL.

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

02-1411 BOEING CO. V. U.S. EX REL. ROBY

The motion of Chamber of Commerce of the United States of America for leave to file a brief as *amicus curiae* is granted. The motion of National Defense Industrial Association for leave to file a brief as *amicus curiae* is granted. The petition for a writ of certiorari is denied.

02-1432 HEIMMERMANN, DANIEL, ET AL. V. FIRST UNION MORTGAGE CORP.

02-10383 MASON, HAROLD B. V. NORWEST BANK, N.A., ET AL.

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

02-10373 WALTON, KEVIN L. V. SCHWARTZ, WARDEN

The motion of petitioner to defer consideration of the petition for a writ of certiorari is denied. The petition for a writ of certiorari is denied.

02-10444 SHELTON, STANTON V. COFFMAN, JOHN, ET AL.

02-10446 McBRIDE, STEPHEN V. GA DOC, 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.

**MANDAMUS DENIED**

02-1596 IN RE H. GERARD HEIMBECKER

02-10326 IN RE LISA BARCLAY

The petitions for writs of mandamus are denied.

**REHEARINGS DENIED**

02-1018 WILSON, ROBERT C. V. JOHNSON, ACTG. SEC. OF NAVY

02-1378 BELL, PETER E. V. POTTER, POSTMASTER GEN.

02-1385 BELL, MARY F. V. POTTER, POSTMASTER GEN.

02-5521 YOUNG, CHARLES V. PATRICK, ANTHONY, ET AL.

02-6207 IN RE JOYCE PATTERSON-BEGGS

02-6400 MATHIS, PETER V. UNITED STATES

02-8253 HUNT, KENNETH V. LEE CTY. SHERIFF, ET AL.

02-9045 SHABTAI, DEVORAH V. GIULIANI, RUDOLPH, ET AL.

02-9052 COBAS, NELSON V. BURGESS, MARY

02-9103 BROOKS, CALVIN B. V. HOOKS, WARDEN, ET AL.

02-9117 IN RE RICHARD LYNN DOPP

02-9162 SHABTAI, DEVORAH V. NEW YORK, NY, ET AL.

02-9307 DAVIS, KEVIN C. V. WILLIAMS, WARDEN

02-9396 BENTLEY, LISA D. V. DE DEPT. OF FAMILY SERV.

02-9464 DUNCAN, JOHNNY L. V. WOOD, BOB, ET AL.

02-9783 BONN, WILLIAM M. V. CROSBY, SEC., FL DOC, ET AL.

02-9902 THIBEAUX, RAYFIELD J. V. TOBIAS, TABITHA C., ET AL.

02-9937 ELDRIDGE, CLINTON T. V. STEPP, WARDEN, ET AL.

02-10115 CAMPBELL, GEORGE V. UNITED STATES

The petitions for rehearing are denied.

**ATTORNEY DISCIPLINE**

D-2336 IN THE MATTER OF DISBARMENT OF SERGEI NICHOLAS KLIMOW

Sergei Nicholas Klimow, of Upland, California, having been suspended from the practice of law in this Court by order of February 24, 2003; 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 Sergei Nicholas Klimow is disbarred from the practice of law in this Court.

D-2354 IN THE MATTER OF DISBARMENT OF ALFRED A. PORRO, JR.

Alfred A. Porro, Jr., of Lewisburg, Pennsylvania, having been suspended from the practice of law in this Court by order of March 24, 2003; 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 Alfred A. Porro, Jr., is disbarred from the practice of law in this Court.

**RECESS ORDER**

The Court will take a recess from today until Monday, September 8, 2003.