

(ORDER LIST: 547 U.S.)

MONDAY, JUNE 5, 2006

**ORDERS IN PENDING CASES**

05M83 MOORE, FREDDIE L. V. COLORADO

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

05M84 FRUDAKIS, DEMETRIOS V. SUFFOLK CTY. DEPT. OF PUB. WORKS

The motion to direct the Clerk to file a petition for a writ of certiorari out of time under Rule 14.5 is denied.

05M85 BLANCO-LOYA, FELIPE 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.

05M86 CREW, JOHN V. USPS, ET AL.

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

05-9324 IN RE STANLEY E. KORNAFEL

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

**CERTIORARI GRANTED**

05-908 PARENTS INVOLVED IN COMM. SCHS. V. SEATTLE SCH. DIST. NO. 1

05-915 MEREDITH, CRYSTAL D. V. JEFFERSON CTY. BD. OF ED.

The petitions for writs of certiorari are granted. These cases will be argued in tandem.

05-9222 BURTON, LONNIE L. V. WADDINGTON, SUPT., STAFFORD

The motion of petitioner for leave to proceed *in forma*

*pauperis* and the petition for a writ of certiorari are granted.

**CERTIORARI DENIED**

05-469 SCHAD, GEORGE C. V. JONES, ARTHUR L.  
05-471 CHAVEZ, DINO V. BROWNSVILLE INDEP. SCH. DIST.  
05-905 SENECA NATION OF INDIANS, ET AL. V. NEW YORK, ET AL.  
05-956 CAWLEY, DONNA M. V. CIR  
05-1089 LAWRENCE, DAVID, ET AL. V. BLACKWELL, J. KENNETH, ET AL.  
05-1107 TODD, VINCENT V. UNITED STATES  
05-1109 ALLEY, RALPH, ET AL. V. QUEBECOR WORLD KINGSPORT, INC.  
05-1248 TECHNOLOGY LICENSING CORP. V. USDC ND CA, ET AL.  
05-1249 AFFRONTI, EMILY V. LONG ISLAND UNIV.  
05-1254 HAAGENSEN, JANICE S. V. REED, WALLACE, ET AL.  
05-1263 GIBSON GUITAR CORP. V. PAUL REED SMITH GUITARS  
05-1264 KANE, JAMES, ET AL. V. BD. OF APP. OF PRINCE GEORGE'S  
05-1266 MORRIS, JUDY E. V. UNUM LIFE INS. CO.  
05-1268 U.S. STEEL MINING CO., LLC V. HELTON, WV STATE TAX COMM'R  
05-1273 COWAN, MARY M. V. TOHONO O'ODHAM NATION  
05-1274 HOWARD, BARRY, ET AL. V. MARION, IN, ET AL.  
05-1278 MANRIQUEZ, ABELINO V. CALIFORNIA  
05-1291 MALAK, REHBY YOUSSEF A. V. GONZALES, ATT'Y GEN.  
05-1297 PHARMACEUTICAL CARE MGMT. ASSN. V. ROWE, ATT'Y GEN. OF ME  
05-1299 BLAKE, ANGELA P. V. MARYLAND  
05-1324 ) GOMEZ, LOUIS V. UNITED STATES  
)  
05-10509 ) GONZALES, RICHARD V. UNITED STATES  
05-1358 TOKYO KIKAI SEISAKUSHO, LTD. V. GOSS INT'L CORP., ET AL.  
05-1400 ZVI, ROZ B. V. UNITED STATES  
05-8866 CRUZ, PABLO E. V. UNITED STATES  
05-9154 BARBER, EFRAM V. UNITED STATES

05-9580 HONEYCUTT, PAUL M. V. ROPER, SUPT., POTOSI, ET AL.  
05-9581 HARDY, JOHN V. UNITED STATES  
05-10020 O'BRIEN, DERRICK S. V. DRETKE, DIR., TX DCJ  
05-10070 ROWE, LEONARD V. REGISTER, JESSE B., ET AL.  
05-10074 THOMAS, EUGENE V. VIRGINIA  
05-10078 YOUNG, SHAWN L. V. CULLIVER, WARDEN  
05-10085 LAWRENCE, JAMES I. V. PENNSYLVANIA  
05-10098 MOSES, MARTIN M. V. SIRMONS, WARDEN  
05-10099 HANSON, DALE M. V. MAHONEY, WARDEN  
05-10102 GARCIA, MARTIN R. V. HICKMAN, ACTING SEC., CA DOC  
05-10106 WILCOX, NORBERT S. V. MORGAN, WARDEN  
05-10108 BAKER, MILTON V. BASKERVILLE, WARDEN, ET AL.  
05-10123 EVANS, DAVID E. V. OKLAHOMA  
05-10138 DRUITT, ANTHONY D. V. COLLEGE OF WILLIAM & MARY  
05-10139 ANTHONY, MARK T. V. USDC ED MI  
05-10143 MALICOAT, JAMES P. V. SIRMONS, WARDEN  
05-10144 MARQUARD, JOHN C. V. McDONOUGH, INT. SEC., FL DOC  
05-10146 LEETH, EDNA W. V. ALABAMA  
05-10148 WILLIAMS, DENNIS E. V. AL BD. OF PARDONS & PAROLES  
05-10149 RHEA, JOHNNY V. TEXAS  
05-10153 MILLS, TROY L. V. CARTER, REG. DIR., FL DOC  
05-10155 ADAMS, McCONNELL V. JONES, WARDEN  
05-10158 LEE, GEORGE V. LAMARQUE, WARDEN  
05-10161 LANCASTER, KENNETH D. V. TEXAS  
05-10164 RAIMONDO, JOSEPH V. ARMADA, MI, ET AL.  
05-10170 GRANT, MARQUIS D. V. DRETKE, DIR., TX DCJ  
05-10172 HAMILTON, EDWARD V. ILLINOIS  
05-10173 VARGAS, FABIO V. McDONOUGH, INT. SEC., FL DOC

05-10175 TURNER, BRAD V. McDONOUGH, INT. SEC., FL DOC  
05-10186 PEREZ, DANIEL E. V. FLORIDA  
05-10187 JACKSON, NATHANIEL E. V. OHIO  
05-10191 SANTIAGO, JOSE L. V. McDONOUGH, INT. SEC., FL DOC  
05-10202 FLEMING, CODY B. V. LOUISIANA  
05-10213 COOLEY, JESSE V. AL DEPT. OF MENTAL HEALTH  
05-10219 VOHRA, DEEPAK V. ORANGE COUNTY, CA, ET AL.  
05-10240 CALDWELL, MYRIAATRICE L. S. V. DOUGLAS, MARGARET, ET AL.  
05-10243 CALDWELL, MYRIAATRICE L. S. V. BARNHART, COMM'R, SOCIAL SEC.  
05-10258 GUZIKOWSKI, GAIL A. V. YUKINS, WARDEN  
05-10266 PATTEN, DANIEL L. V. MINNESOTA  
05-10296 OGUREK, KENNETH L. V. ILLINOIS  
05-10300 LOVEDAY, DONALD A. V. BERGHUIS, WARDEN  
05-10304 STRICKLAND, STEVE V. PITCHER, WARDEN  
05-10307 BANDA, JOHN M. V. NJ SPEC. TREATMENT UNIT ANNEX  
05-10309 OLIVER, CORNELIUS D. V. KANSAS  
05-10365 VILLESAS, ALBERTO V. HERNANDEZ, WARDEN  
05-10368 HOUFF, WAYNE T. V. OREGON  
05-10372 HUDE, BRADLEY R. V. MICHIGAN  
05-10411 WILLIAMS, ANTHONY W. V. CALIFORNIA  
05-10425 NICARRY, NEAL V. FLORIDA  
05-10520 JONES, GEORGE V. PENNSYLVANIA  
05-10615 JOSE, ROBERTO V. UNITED STATES  
05-10651 MICHELIN, MICHEL V. FLORIDA  
05-10681 WRIGHT, CHESTER C. V. UNITED STATES  
05-10695 TOLEDO, JACKY V. UNITED STATES  
05-10708 SHELBY, ALAN V. UNITED STATES  
05-10712 BLOOM, MARK V. UNITED STATES

05-10713 BURNETTE, CHERYL A. V. UNITED STATES  
05-10714 BARRAGAN-SANCHEZ, ALEJANDRO V. UNITED STATES  
05-10715 ALCALA, CHUY J. V. UNITED STATES  
05-10718 ARDILLA-TEPETATE, MOISES V. UNITED STATES  
05-10721 BIRKS, MICHAEL V. UNITED STATES  
05-10722 AJAJ, AHMAD M. V. UNITED STATES  
05-10724 AHERN, SEAN V. UNITED STATES  
05-10727 WEST, ANTHONY R. V. UNITED STATES  
05-10732 PRICE, WARD L. V. UNITED STATES  
05-10734 KELLY, RONALD D. V. UNITED STATES  
05-10735 LEVERING, MERWYN L. V. UNITED STATES  
05-10737 CORNELIO-PENA, RAUL V. UNITED STATES  
05-10739 PAYAN, RICHARD C. V. UNITED STATES  
05-10741 BROWN, QUINTIN L. V. UNITED STATES  
05-10744 SILER, MICHAEL W. V. UNITED STATES  
05-10751 EATMON, BENNIE J. V. B.D. MORGAN, INC., ET AL.  
05-10756 DANSER, DAVID K. V. UNITED STATES  
05-10760 HOLGUIN, ARLEX V. UNITED STATES  
05-10761 GRISSOM, EDDIE J. V. UNITED STATES  
05-10762 MEEKS, JOHN M. V. UNITED STATES  
05-10766 MARISCAL, ANGEL R. V. UNITED STATES  
05-10767 SMITH, GERALD V. UNITED STATES  
05-10769 HAYNES, JOSEPH V. UNITED STATES  
05-10770 ARRIETTA, SANTO V. UNITED STATES  
05-10771 UDONKANG, EISEN V. UNITED STATES  
05-10772 ALVAREZ-PEREZ, IGNACIO V. UNITED STATES  
05-10778 HASTON, GREGORY A. V. UNITED STATES  
05-10779 ISLAND, DONTE V. UNITED STATES

05-10780 GONZALEZ, PATRICIO V. UNITED STATES  
 05-10781 McMILLION, CHARLES L. V. UNITED STATES  
 05-10783 THOMAS, JAMES A. V. UNITED STATES  
 05-10785 INGUANZO, LUIS A. V. UNITED STATES  
 05-10790 MATTHEWS, MARTEZ V. UNITED STATES  
 05-10791 BARRETT, RICHARD A. V. UNITED STATES  
 05-10795 GARCIA-LEAL, ROLANDO V. UNITED STATES  
 05-10805 STONE, JEFF V. UNITED STATES  
 05-10806 ROBINSON, LEWIS E. V. UNITED STATES  
 05-10810 BURKETT, ERIC V. UNITED STATES  
 05-10814 BEAR, GARY B. V. UNITED STATES  
 05-10816 BURSE, LARRY V. UNITED STATES

The petitions for writs of certiorari are denied.

04-1025 KIRBY, CARL E. V. ELIZABETH CITY, NC, ET AL.

The motion of Professional Fire Fighters and Paramedics of North Carolina, et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

05-969 ) DROGIN, BOB, ET AL. V. LEE, WEN H., ET AL.  
 )  
 05-1114 ) THOMAS, PIERRE V. LEE, WEN H.

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

05-1119 CINGULAR WIRELESS, LLC V. MENDOZA, ASTRID, ET AL.

The motion of Pacific Legal Foundation for leave to file a brief as *amicus curiae* is granted. The motion of American Bankers Association, et al. for leave to file a brief as *amici 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 motion of Amazon.Com, Inc., et al. for leave to file a brief as *amici curiae* is granted. The petition for a writ of certiorari is denied.

05-10388 CHIN, MARK S. F. V. CAREY, WARDEN

The petition for a writ of certiorari is denied. Justice Breyer took no part in the consideration or decision of this petition.

05-10755 MENDEZ, RAPHAEL V. USDC ED NC

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.

05-10768 SMITH, BENJAMIN V. UNITED STATES

The petition for a writ of certiorari is denied. Justice Alito took no part in the consideration or decision of this petition.

**HABEAS CORPUS DENIED**

05-10918 IN RE GENE A. GUINN

The petition for a writ of habeas corpus is denied.

**REHEARING DENIED**

05-858 ALSTON, ALSON V. PHILADELPHIA, ZONING BD., ET AL.

05-861 BOWERSOCK, WILLIAM L. V. LIMA, OH, ET AL.  
05-994 LAWRENCE, CHRISTOPHER V. WESTINGHOUSE SAVANNAH RIVER CO.  
05-6375 BERAS, ROBERTO V. UNITED STATES  
05-8693 JORDAN, MERLENE V. B.F. FIELDS MOVING & STORAGE  
05-8751 ROBINSON, DONALD E. V. PADULA, WARDEN, ET AL.  
05-9138 MERTENS, KEVIN V. SEATTLE, WA, ET AL.  
05-9139 TAYLOR, LEONARD I. V. BARNHART, COMM'R, SOCIAL SEC.  
05-9163 PHILLIPS, MURLIN V. MISSOURI  
05-9390 DOBY, JEFFREY H. V. McDONOUGH, INTERIM SEC., FL DOC  
05-9488 SPENCER, JOSEPH R. V. KEMNA, SUPT., CROSSROADS  
05-9583 GRAVES, MICHAEL B. V. EEOC, ET AL.  
05-9809 SUGGS, JEROME V. UNITED STATES  
05-9902 IN RE ONYENOKACHIKEM C. OSAMOR  
05-10150 SEALS, EDWARD V. UNITED STATES

The petitions for rehearing are denied.

05-1031 PALLOTTA, THOMAS V. BARNHART, COMM'R, SOCIAL SEC.  
05-8401 RHINES, GARY D. V. UNITED STATES  
05-8793 JOSEPH, ARTHUR D. V. W. MANHEIM POLICE DEPT., ET AL.

The petitions for rehearing are denied. Justice Alito took no part in the consideration or decision of these petitions.

05-6350 ZADEH, HAMID K. V. CALIFORNIA

The motion for leave to file a petition for rehearing is denied.

#### ATTORNEY DISCIPLINE

D-2420 IN THE MATTER OF DISBARMENT OF VALERIE THERESA SIMURO

Valerie Theresa Simuro, of Brooklyn, New York, having been suspended from the practice of law in this Court by order of February 21, 2006; and a rule having been issued and served upon

her requiring her to show cause why she should not be disbarred;  
and the time to file a response having expired;

It is ordered that Valerie Theresa Simuro is disbarred from  
the practice of law in this Court.

D-2421 IN THE MATTER OF DISBARMENT OF MICHAEL DAVID ROSTOKER

Michael David Rostoker, of Boulder Creek, California, having  
been suspended from the practice of law in this Court by order  
of February 21, 2006; 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 Michael David Rostoker is disbarred from  
the practice of law in this Court.

D-2422 IN THE MATTER OF DISBARMENT OF JOEL DAVID TENENBAUM

Joel David Tenenbaum, of Greenville, Delaware, having been  
suspended from the practice of law in this Court by order of  
February 21, 2006; 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 Joel David Tenenbaum is disbarred from  
the practice of law in this Court.

D-2423 IN THE MATTER OF DISBARMENT OF KENNETH TREMAYNE ISRAEL

Kenneth Tremayne Israel, of Marietta, Georgia, having been  
suspended from the practice of law in this Court by order of  
February 21, 2006; 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 Kenneth Tremayne Israel is disbarred from  
the practice of law in this Court.

D-2424

IN THE MATTER OF DISBARMENT OF BARRY GORDON ROBERTS

Barry Gordon Roberts, of Atlanta, Georgia, having been suspended from the practice of law in this Court by order of February 21, 2006; 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 Barry Gordon Roberts is disbarred from the practice of law in this Court.

D-2426

IN THE MATTER OF DISBARMENT OF HARVEY JASON ZAMECK

Harvey Jason Zameck, of Southfield, Michigan, having been suspended from the practice of law in this Court by order of February 21, 2006; 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 Harvey Jason Zameck is disbarred from the practice of law in this Court.