

OCTOBER TERM, 1977

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STATISTICS

	Original	Paid Cases	In Forma Pauperis Cases	Total
Number of cases on docket.....	14	2, 341	2, 349	4, 704
Cases disposed of.....	3	1, 911	1, 953	3, 867
Remaining on docket.....	11	430	396	837

Cases docketed during term:

Paid cases.....	1, 869
In forma pauperis cases.....	2, 015
Original cases.....	6
Total.....	3, 890

Cases remaining from last term.....	812
Total cases on docket.....	4, 704
Cases disposed of.....	3, 867
Number remaining on docket.....	837
Petitions for certiorari granted:	
In paid cases.....	104
In in forma pauperis cases.....	10
Appeals granted:	
In paid cases.....	42
In in forma pauperis cases.....	4
Total cases granted plenary review.....	160
Cases argued during term.....	172
Number disposed of by full opinions.....	153
Number disposed of by per curiam opinions.....	8
Number set for reargument next term.....	1
Cases available for argument at beginning of term.....	88
Disposed of summarily after review was granted.....	13
Original cases set for argument.....	3
Cases reviewed and decided without oral argument.....	129
Total cases available for argument at start of next term.....	75

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## Stays:

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

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The Chief Justice said:

"I have the honor to announce that the October 1977 Term of the Supreme Court of the United States is now convened."

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## APPEALS—SUMMARY DISPOSITION

No. 76-1258. Peter Territo et al., appellants, *v.* Curtis Poche, Jr., et al. Appeal from the Supreme Court of Louisiana. The appeal is dismissed for want of jurisdiction.

No. 76-1340. William R. Bonner, appellant, *v.* W. M. Blumenthal, Secretary of the Treasury, et al. Appeal from the United States District Court for the District of Columbia. The appeal is dismissed for want of jurisdiction.

No. 76-1488. Joe Jacobson, appellant, *v.* City of Tucson et al. Appeal from the Supreme Court of Arizona. The appeal is dismissed for want of a substantial federal question.

No. 76-1566. Roger H. Comly, appellant, *v.* Lower Southampton Township. Appeal from the Commonwealth Court of Pennsylvania, Eastern District. The appeal is dismissed for want of a substantial federal question.

No. 76-1674. Norman Stephenson et al., appellants, *v.* Department of Agriculture and Consumer Services of Florida. Appeal from the Supreme Court of Florida. The appeal is dismissed for want of a substantial federal question.

No. 76-1688. John Hancock Mutual Life Insurance Company, appellant, *v.* Charles R. Brady, etc. Appeal from the Supreme Court of Mississippi. The appeal is dismissed for want of a substantial federal question.

No. 76-1714. Frank Rosenthal, appellant, *v.* Nevada et al. Appeal from the Supreme Court of Nevada. The appeal is dismissed for want of a substantial federal question.

No. **76-1741**. Donald Schupak et al., appellants, *v.* Forman & Zuckerman, P. A. Appeal from the Court of Appeals of North Carolina. The appeal is dismissed for want of a substantial federal question.

No. **76-1759**. Daytona Beach Racing and Recreational Facilities District et al., appellants, *v.* Volusia County et al. Appeal from the Supreme Court of Florida. The appeal is dismissed for want of a substantial federal question.

No. **77-61**. Dortha Leigh, widow and surviving joint tenant of J. W. Leigh, appellant, *v.* Oklahoma ex rel. The Oklahoma Tax Commission. Appeal from the Supreme Court of Oklahoma. The appeal is dismissed for want of a substantial federal question.

No. **77-86**. Charles Lester Gregg, appellant, *v.* Indiana. Appeal from the Court of Appeals of Indiana. The appeal is dismissed for want of a substantial federal question.

No. **77-125**. Getty Oil Company, appellant, *v.* Oklahoma Tax Commission. Appeal from the Supreme Court of Oklahoma. The appeal is dismissed for want of a substantial federal question.

No. **77-133**. Rufus Roland Faulk, appellant, *v.* Arkansas. Appeal from the Supreme Court of Arkansas. The appeal is dismissed for want of a substantial federal question.

No. **77-181**. Helen Corless, appellant, *v.* City of Lebanon. Appeal from the Court of Appeals of Ohio, Montgomery County. The appeal is dismissed for want of a substantial federal question.

No. **77-202**. In the Matter of Joseph M. Kadans, appellant. Appeal from the Supreme Court of Nevada. The appeal is dismissed for want of a substantial federal question.

No. **77-210**. Eveandra Enterprises, Inc., appellant, *v.* County of Nassau. Appeal from the Court of Appeals of New York. The appeal is dismissed for want of a substantial federal question.

No. **77-237**. Otto W. Reel, Executor of the Estate of George Wayland Evans, appellant, *v.* Iowa Department of Revenue. Appeal from the Supreme Court of Iowa. The appeal is dismissed for want of a substantial federal question.

No. **76-1563**. Coca Cola Bottling Company of Puerto Rico, Inc., et al., appellants, *v.* Jose M. Alonso-Garcia, Manager, State Insurance Fund, et al. Appeal from the United States District Court for the District of Puerto Rico. Judgment affirmed.

No. **77-180**. Robert W. Hagopian, appellant, *v.* Justices of the Supreme Judicial Court of Massachusetts. Appeal from the United States District Court for the District of Massachusetts. Judgment affirmed.



No. 76-1634. Marcell Baer and Wesley A. Baer, Executors of the Estate of Joseph R. Baer, appellants, *v.* Jennie Baer. Appeal from the Supreme Court of Utah. The appeal is dismissed for want of a substantial federal question. Mr. Justice Stevens would note probable jurisdiction and set case for oral argument.

No. 76-1647. Richard Alan Katzman, appellant, *v.* Florida. Appeal from the Supreme Court of Florida. The appeal is dismissed for want of a substantial federal question. Mr. Justice Brennan, Mr. Justice Marshall and Mr. Justice Stevens would note probable jurisdiction and set case for oral argument.

No. 76-1681. Otis Edward Golden, appellant, *v.* California. Appeal from the Court of Appeal of California, Third Appellate District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied. Mr. Justice Brennan would note probable jurisdiction and set case for oral argument.

No. 76-1699. Leadership Housing Inc., et al., appellants, *v.* Department of Revenue of the State of Florida. Appeal from the Supreme Court of Florida. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 76-1773. John C. Russell, appellant, *v.* City of Raytown, Missouri. Appeal from the Court of Appeals of Missouri, Kansas City District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 76-1807. Genuine Parts Company and Sentry Insurance Company, appellants, *v.* Court of Appeals of the State of New Mexico and Joe W. Wood. Appeal from the Supreme Court of New Mexico. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 76-1811. Robert J. Tracy, appellant, *v.* Ohio. Appeal from the Court of Appeals of Ohio, Franklin County. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as petition for writ of certiorari, certiorari denied.

No. 76-1824. Fleming S. Jackson, appellant, *v.* Stone and Simons Advertising Inc., et al. Appeal from the United States District Court for the Eastern District of Michigan. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 76-6656. Maggie Allen, appellant, *v.* Virginia. Appeal from the Supreme Court of Virginia. The appeal is dismissed for want of

jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 76-6798. William Thomas Bates, Jr., appellant, *v.* Doretta Ann Ince. Appeal from the Court of Appeals of Oregon. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 76-6867. Samuel Corrado et ux., appellants, *v.* Providence Re-development Agency. Appeal from the Supreme Court of Rhode Island. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 76-6995. Joseph C. Johns, appellant, *v.* Jeffrey Haber. Appeal from the Superior Court of New Jersey, Appellate Division. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 77-45. Robert Calhoun, Jr., appellant, *v.* New York et al. Appeal from the United States Court of Appeals for the Second Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 77-77. Howard J. O'Brien, Jr., Executor of the Estate of Howard J. O'Brien, deceased, and F. Stuart O'Brien, appellants, *v.* City of Syracuse et al. Appeal from the Appellate Division of the Supreme Court of New York, Fourth Judicial Department. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 77-145. Edgar T. Crismon, appellant *v.* United States. Appeal from the United States Court of Appeals for the Ninth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 76-1704. W. E. Campbell, Superintendent of Public Instruction of Virginia, et al., appellants, *v.* Daniel J. Kruse et al. Appeal from the United States District Court for the Eastern District of Virginia. Judgment vacated and case remanded to the United States District Court for the Eastern District of Virginia with directions to decide the claim based on the federal statute § 504 of the Federal Rehabilitation Act of 1973. *Westby v. Doe*, 433 U.S. — (1977). Mr. Justice Powell took no part in the consideration or decision of this case.

No. 76-1735. Marable-Pirkle, Inc., appellant, *v.* Ed Turner et al. Appeal from the Supreme Court of Georgia. Motion of appellee Ed

Turner for leave to proceed *in forma pauperis* granted. The appeal is dismissed for want of a substantial federal question.

No. 74-44. Barnes & Tucker Company, appellant, *v.* Pennsylvania. Appeal from the Supreme Court of Pennsylvania, Middle District. Motion of National Coal Association et al. for leave to file a brief, as *amici curiae*, granted. The appeal is dismissed for want of a substantial federal question. Mr. Justice Brennan and Mr. Justice White would note probable jurisdiction and set case for oral argument.

No. 77-84. Michael Smith et al., appellants, *v.* Board of Governors of the University of North Carolina et al. Appeal from the United States District Court for the Western District of North Carolina. Judgment affirmed. Mr. Justice Brennan, Mr. Justice Marshall and Mr. Justice Stevens would note probable jurisdiction and set case for oral argument.

No. 77-250. Americans United for the Separation of Church and State et al., appellants, *v.* Ray Blanton, Governor of Tennessee, et al. Appeal from the United States District for the Middle District of Tennessee. Judgment affirmed. Mr. Justice Brennan, Mr. Justice Marshall and Mr. Justice Stevens would note probable jurisdiction and set case for oral argument.

No. 77-114. William J. Quirk and Leon E. Wein, appellants, *v.* Municipal Assistance Corporation for the City of New York et al. Appeal from the Court of Appeals of New York. Motion of United States Trust Company of New York for leave to file a brief, as *amicus curiae*, granted. The appeal is dismissed for want of a substantial federal question.

No. 77-234. Richard E. Spencer, appellant, *v.* Lorraine Spencer et al. Appeal from the United States District Court for the Middle District of North Carolina. The appeal is dismissed for want of jurisdiction. *MTM Inc. v. Baxley*, 420 U.S. 799 (1975).

No. 77-5216. Robert W. Townsley, appellant, *v.* Board of Port Commissioners, Port of Oakland. Appeal from the Court of Appeal of California, First Appellate District. The appeal is dismissed for want of a properly presented federal question.

#### CERTIORARI—SUMMARY DISPOSITION

No. 76-1692. Donald Percy, Secretary, Wisconsin Department of Health and Social Services, petitioner, *v.* Ronald Francis Terry aka Barbara Lynn Terry. On petition for writ of certiorari to the Supreme Court of Wisconsin. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Supreme Court of Wisconsin to con-

sider whether its judgment is based upon federal or state constitutional grounds, or both. See *California v. Krivda*, 409 U.S. 33 (1972).

No. 76-529. Montana Power Company et al., petitioners, *v.* United States Environmental Protection Agency et al.;

No. 76-585. American Petroleum Institute et al., petitioners, *v.* United States Environmental Protection Agency et al.;

No. 76-594. Indiana-Kentucky Electric Corporation et al., petitioners, *v.* United States Environmental Protection Agency et al.;

No. 76-603. Alabama Power Company et al., petitioners, *v.* United States Environmental Protection Agency et al.;

No. 76-619. Utah Power & Light Company et al., petitioners, *v.* United States Environmental Protection Agency et al.; and

No. 76-620. Western Energy Supply and Transmission Associates et al.; petitioners, *v.* United States Environmental Protection Agency et al. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Motion of Solicitor General to dismiss writs of certiorari as improvidently granted denied. Judgment vacated and cases remanded to Court of Appeals for further consideration in light of Clean Air Act Amendments of 1977, Pub. L. 95-95, and to consider the suggestion of mootness filed by the intervenor-respondents. Mr. Justice Powell took no part in the consideration or decision of this motion and cases.

#### ORDERS IN PENDING CASES

No. . Randolph Phillips, petitioner *v.* John E. Tobin et al. Motion for an order directing the Clerk to accept as properly printed the petition for writ of certiorari denied.

No. 64, Original. State of New Hampshire, plaintiff *v.* State of Maine. Joint motion for entry of a final decree granted. Final decree entered.

No. 65. Original. State of Texas, plaintiff, *v.* State of New Mexico. Report of Special Master received and ordered filed.

No. 75-562. Rosebud Sioux Tribe, petitioner, *v.* Richard Kneip et al. Motion of petitioner to retax costs denied.

No. 75-651. Teamsters Local Union 657, petitioner, *v.* Jesse Rodriguez et al.; Teamsters Local Union 657, petitioner, *v.* Ernest Herrera et al.; Teamsters Local Union 657, petitioner, *v.* Patrick Resendis et al.;

No. 75-715. Southern Conference of Teamsters, petitioner, *v.* Jesse Rodriguez et al.; Southern Conference of Teamsters, petitioner, *v.* Ernest Herrera et al.; Southern Conference of Teamsters, petitioner, *v.* Patrick Resendis et al.; and

No. 75-718. East Texas Motor Freight System, Inc., petitioner, *v.* Jesse Rodriguez et al. Motion of respondents to retax costs denied.

No. 76-419. Vermont Yankee Nuclear Power Corporation, petitioner, *v.* Natural Resources Defense Council, Inc., et al.; and

No. 76-528. Consumers Power Company, petitioner, *v.* Nelson Aeschliman et al. Joint motion of petitioners and Solicitor General on behalf of federal respondents for additional time for oral argument granted and fifteen additional minutes allotted for that purpose. Nonfederal respondents allotted fifteen additional minutes for oral argument. Mr. Justice Powell took no part in the consideration or decision of this motion.

No. 76-545. United Airlines, Inc., petitioner, *v.* Liane Buix McDonald. Respondent requested to file response to petition for rehearing within thirty days. Mr. Justice Stevens took no part in the consideration or decision of this order.

No. 76-811. Regents of the University of California, petitioner, *v.* Allan Bakke. Motion of State of California for leave to participate in oral argument, as *amicus curiae*, denied. Motion of Solicitor General for leave to file a brief, as *amicus curiae*, granted. Motion of Solicitor General for leave to participate in oral argument, as *amicus curiae*, granted and fifteen additional minutes allotted for that purpose. Motion of Pacific Legal Foundation for leave to participate in oral argument, as *amicus curiae*, denied. Motion of petitioner for additional time for oral argument granted and fifteen additional minutes allotted for that purpose. Respondent allotted fifteen additional minutes for oral argument. Motion of Chamber of Commerce of the United States for leave to participate in oral argument, as *amicus curiae*, denied. Motion of NAACP Legal Defense and Educational Fund, Inc., for leave to participate in oral argument, as *amicus curiae*, denied.

No. 76-859. Hazlewood Chronic & Convalescent Hospital, Inc., etc., petitioner, *v.* Joseph A. Califano, Jr., Secretary of Health, Education, and Welfare, et al. Motion for clarification and recall of judgment denied.

No. 76-864. City of Lafayette, Louisiana and City of Plaquemine, Louisiana, petitioners, *v.* Louisiana Power & Light Company. Motion of Columbus and Southern Ohio Electric Company et al. for leave to file a brief, as *amici curiae*, granted.

No. 76-1095. Commissioner of Internal Revenue, petitioner, *v.* Robert J. Kowalski et ux. Motion of respondents for divided argument denied.

No. 76-1523. David B. Swoap, etc., petitioner, *v.* Marguarita Garcia et al.;



No. 76-1609. Indiana, petitioner, *v.* Scottsdale Mall;

No. 76-1645. General Dynamics Corporation, petitioner, *v.* Bob Bullock, Comptroller of Public Accounts of the State of Texas, et al.;

No. 76-1690. H. W. Berry et al., appellants, *v.* J. D. Doles, etc., et al.;

No. 76-6853. Eloise Randle et al., petitioners, *v.* Frank Beal et al.;

No. 77-97. Allied Chemical Corporation, petitioner, *v.* Anthony White and Henry Clark, Sr.; and

No. 77-388. Washington et al., appellants, *v.* Confederated Bands and Tribes of the Yakima Indian Nation. Solicitor General invited to file briefs in these cases expressing the views of the United States.

No. 76-1662. United States, appellant, *v.* Board of Commissioners of Sheffield, Alabama, et al. Motion of the Mexican American Legal Defense and Educational Fund et al. for leave to file a brief, as *amici curiae*, granted.

No. 76-6720. Willie Lee Richmond, petitioner, *v.* Arizona. Respondent requested to file response to petition for rehearing within thirty days.

#### APPEALS—JURISDICTION NOTED

No. 76-1184. E. I. Malone, Commissioner of Labor and Industry for Minnesota, appellant, *v.* White Motor Corporation and White Farm Equipment Company. Appeal from the United States Court of Appeals for the Eighth Circuit. In this case probable jurisdiction noted. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 76-1650. Albert Ohralik, appellant, *v.* Ohio State Bar Association. Appeal from the Supreme Court of Ohio; and

No. 77-56. In the Matter of Edna Smith, appellant. Appeal from the Supreme Court of South Carolina. Motion of Public Citizen et al., for leave to file a brief, as *amici curiae*, granted. In these cases probable jurisdiction noted and cases set for oral argument in tandem.

No. 77-10. Exxon Corporation et al., appellants, *v.* Governor of Maryland et al.;

No. 77-11. Shell Oil Company, appellant, *v.* Governor of Maryland et al.;

No. 77-12. Continental Oil Company et al., appellants, *v.* Governor of Maryland et al.;

No. 77-47. Gulf Oil Corporation, appellant, *v.* Governor of Maryland et al.; and

No. 77-64. Ashland Oil, Inc., et al., appellants, *v.* Governor of Maryland et al. Appeals from the Court of Appeals of Maryland. Motion of Pacific Legal Foundation for leave to file a brief, as *amicus curiae*, and motion of Champlin Petroleum Co. et al. for leave to file

a brief, as *amici curiae*, in No. 77-10 are granted. Motion of Chamber of Commerce of the United States for leave to file a brief, as *amicus curiae*, granted. In these cases probable jurisdiction noted. Cases consolidated and a total of one hour allotted for oral argument. Mr. Justice Stewart and Mr. Justice Powell took no part in the consideration or decision of these motions and cases.

#### CERTIORARI GRANTED

No. 76-1608. Michigan, petitioner, *v.* Loren Tyler and Robert Tompkins. Petition for writ of certiorari to the Supreme Court of Michigan granted.

No. 76-1610. Pedro Ayala et al., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No 76-1706. Department of Revenue of the State of Washington, petitioner, *v.* Association of Washington Stevedoring Companies et al. Petition for writ of certiorari to the Supreme Court of Washington granted.

No. 76-1750. Harold D. Stump et al., petitioners, *v.* Linda Kay Sparkman and Leo Sparkman. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 76-1767. National Society of Professional Engineers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 76-1810. City of Los Angeles, Department of Water and Power, et al., petitioners, *v.* Marie Manhart et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 76-1471. Federal Communications Commission, petitioner, *v.* National Citizens Committee for Broadcasting et al.;

No. 76-1521. Channel Two Television Company et al., petitioners, *v.* National Citizens Committee for Broadcasting et al.;

No. 76-1595. National Association of Broadcasters, petitioner, *v.* Federal Communications Commission et al.;

No. 76-1604. American Newspaper Publishers Association, petitioner *v.* National Citizens Committee for Broadcasting et al.,

No. 76-1624. Illinois Broadcasting Company, Inc., et al., petitioners, *v.* National Citizens Committee for Broadcasting et al.; and

No. 76-1685. Post Company et al., petitioners, *v.* National Citizens Committee for Broadcasting et al. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia

Circuit granted. Cases consolidated and a total of one hour allotted for oral argument.

No. **76-1484**. James Zurcher, etc., et al., petitioners, *v.* The Stanford Daily et al.; and

No. **76-1600**. Louis P. Bergna, District Attorney, and Craig Brown, petitioners, *v.* The Stanford Daily et al. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Cases consolidated and a total of one hour allotted for oral argument.

No. **76-1560**. United States, petitioner, *v.* United States Gypsum Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. **76-1572**. United States, petitioner, *v.* Ted R. Grayson. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. **76-1629**. United States, petitioner, *v.* Anthony Robert Wheeler. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. **77-142**. United States, petitioner, *v.* Donald Lavern Culbert. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. **76-1596**. United States, petitioner, *v.* John Mauro and John Fusco. Motion of respondent John Fusco for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted. Case set for oral argument in tandem with No. 77-52.

No. **77-52**. United States, petitioner, *v.* Richard Thompson Ford. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted. Case set for oral argument in tandem with No. 76-1596.

No. **76-1726**. Mobil Oil Corporation, petitioner, *v.* Francis Nell Higginbotham, Administratrix of the Estate of Marshall K. Higginbotham, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit limited to Question 1 presented by the petition.



No. **76-1800**. United States, petitioner, *v.* Onofre J. Sotelo and Naomi Sotelo. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted. Case set for oral argument in tandem with No. 76-1835.

No. **76-1835**. Ike Slodov, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted. Case set for oral argument in tandem with No. 76-1800.

No. **77-25**. Flagg Brothers, Inc., etc., et al., petitioners, *v.* Shirley Herriott Brooks et al.;

No. **77-37**. Louis J. Lefkowitz, Attorney General of New York, petitioner, *v.* Shirley Herriott Brooks et al.; and

No. **77-42**. American Warehousemen's Association, and The International Association of Refrigerated Warehouses, Inc., petitioners, *v.* Shirley Herriott Brooks et al. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit granted. Cases consolidated and a total of one hour allotted for oral argument.

#### CERTIORARI DENIED

No. **76-1254**. In the Matter of Gaillard T. Hunt, petitioner. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. **76-1298**. James Lee Worthington, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **76-1345**. Sovereign News Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **76-1373**. Charles L. Meyer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. **76-1385**. Patrick Joseph Sexton, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Orange, denied.

No. **76-1396**. Larry Joe Shafer et ux., petitioners, *v.* Christina Marie Smith et al. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. **76-1412**. John Borland, Jr., et al., petitioners, *v.* Bayonne Hospital et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 76-1415. Local 814, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 76-1439. Louis M. Pihakis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1443. Allied Meat Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 76-1449. Ozora E. Salmon, petitioner, *v.* District of Columbia Redevelopment Land Agency. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 76-1453. Gordon O'Brien, petitioner *v.* Frank A. Hall, etc. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 76-1455. Wellman Industries, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 76-1456. William Robert Klein, petitioner, *v.* David N. Edelstein, Chief Judge, United States District Court for the Southern District of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1457. Lundy Packing Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-1460. Vegas Vic, Inc. dba Pioneer Club, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1468. John F. Hendrix, Sr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1470. Stanley M. Rosenblum, et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-1480. Benjamin Rodriguez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1481. Digna Ballenilla-Gonzalez, petitioner, *v.* Immigration and Naturalization Service. Petitioner for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1482. Lakeside Mercy Hospital, Inc., petitioner, *v.* Indiana State Board of Health et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 76-1486. Robert Franklin Brown, petitioner, *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 76-1487. Continental Casualty Company, petitioner, *v.* Champion International Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1489. Heinz H. Heitland (A17 587 648), et ux., petitioners, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1491. Anthony M. Natelli, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1494. Fay Anderson et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-1499. Charles G. Rodman, etc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1502. Edwin David Banta and George Hohmann, petitioners, *v.* United States et al.; and

No. 76-1668. City of St. Louis et al., petitioners, *v.* United States et al. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-1504. Donald R. McGee, petitioner, *v.* Railroad Retirement Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1505. Marshall P. Safir, petitioner, *v.* Juanita M. Kreps, Individually, and as Secretary of Commerce, et al.;

No. 77-62. American Export Lines, Inc., et al., petitioners, *v.* Marshall P. Safir et al.; and

No. 77-65. Juanita M. Kreps, Secretary of Commerce, et al., petitioners, *v.* Marshall P. Safir et al. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **76-1506**. Bradley Eugene Smith, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. **76-1508**. Vernon Egge, petitioner, *v.* Charles Davis, Public Utility Commissioner of Oregon. Petition for writ of certiorari to the Court of Appeals of Oregon denied.

No. **76-1510**. Raymond W. Graber, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **76-1514**. John J. Considine, Jr., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **76-1515**. Pacific Northwest Bell Telephone Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **76-1520**. Robert Henry, petitioner, *v.* United Overseas Marine Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **76-1525**. Ramon Ramirez, petitioner, *v.* United States Department of Interior, Bureau of Reclamation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **76-1528**. American Airlines, Inc., et al., petitioners, *v.* Civil Aeronautics Board et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **76-1535**. Curvin J. Trone, Jr., Trustee for Westgate-California Corp., etc., et al. petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. **76-1536**. Kabua Kabua et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. **76-1537**. Irving Mason, etc., petitioner, *v.* City Investing Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **76-1542**. Elliot Lasky, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **76-1546**. Adolio Lazaro Cruz et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1547. Samuel H. Sloan, etc., petitioner, *v.* Securities and Exchange Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1548. Anthony G. Alateras, petitioner, *v.* Floyd J. Hepting and American Radio Association, AFL-CIO. Petition for writ of certiorari to the Court of Appeal of Louisiana, Fourth Circuit, denied.

No. 76-1550. Jerry G. Meagher, by and through his Guardian ad litem, Dorothy O. Meagher, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1554. Grandview Bank and Trust Company, petitioner, *v.* Board of Governors of the Federal Reserve System et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-1555. Basin, Inc., petitioner, *v.* Federal Energy Administration et al. Petition for writ of certiorari to the United States Temporary Emergency Court of Appeals denied.

No. 76-1561. National Labor Relations Board, petitioner, *v.* Electro Vector, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1567. Roger H. Comly, petitioner, *v.* Lower Southampton Township. Petitions for writs of certiorari to the Commonwealth Court of Pennsylvania, Eastern District, denied.

No. 76-1570. Freddie D. Robinson et al., petitioners, *v.* Union Carbide Corporation, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1571. Martha Wiley, Mother and Next of Kin of Fred Lee Berry, petitioner, *v.* Memphis Police Department et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-1573. Jim S. Barnette, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1575. Control Data Corporation, petitioner, *v.* Technitrol, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-1577. James Wendell Hall, petitioner, *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 76-1578. Salvatore Visconti, petitioner, *v.* United States;

No. 76-6697. Valerie Visconti, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-1579. Grand Lodge of Free and Accepted Masons, Masonic Home, petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-1580. Sands Point Nursing Home, petitioner, *v.* Hollis S. Ingraham, etc., et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 76-1581. Abraham E. Freedman, petitioner, *v.* A. Leon Higginbotham, Jr., Judge, United States District Court for the Eastern District of Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-1582. Dawn A. Whitmer, petitioner, *v.* Edward H. Whitmer. Petition for writ of certiorari to the Superior Court of Pennsylvania, Western District, denied.

No. 76-1583. Masoud Ahmadi and Alireza Khojasteh, petitioners, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 76-1584. Hennepin Broadcasting Associates, Inc., petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-1585. Richard Henson and Henson Aviation, Inc., petitioners, *v.* T. S. Alphin and Alphin Aircraft, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-1590. Patrick L. Tighe, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-1591. Joseph Sapia, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 76-1592. Harvey R. Miller, Trustee in Bankruptcy of Ira Haupt and Co., etc., petitioner, *v.* New York Produce Exchange et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1593. Mable Skinner, petitioner, *v.* Mallard Truck Lines, Inc., et al. Petition for writ of certiorari to the Court of Appeal of Louisiana, First Circuit, denied.

No. 76-1594. North Washington Neighbors, Inc., et al., petition-



ers, *v.* District of Columbia et al. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 76-1597. Bassett Furniture Industries, Inc., and Bassett Mirror Company, Inc., petitioners, *v.* Aaron Bravman; and

No. 76-1805. Aaron Bravman, petitioner, *v.* Bassett Furniture Industries, Inc. and Bassett Mirror Co., Inc. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-1598. Standard Forge and Axle Company, Inc., petitioner, *v.* Brock Adams, Secretary of Transportation, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 76-1599. Helen A. Pryor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 76-1601. Foodservice and Lodging Institute, Inc., et al., petitioners, *v.* United States Department of Labor et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 76-1602. California, ex rel. Department of Transportation, petitioner, *v.* United States, ex rel. Department of Transportation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1605. Security Mutual Casualty Company, petitioner, *v.* Century Casualty Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 76-1611. Raymond L. Scharf, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-1612. Harry U. Scruggs, Sr. and Harry U. Scruggs, Jr., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-1613. LaGretta B. Fisher, petitioner, *v.* Wallace H. Robinson, Jr., etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-1614. Harper Sibley, Jr., petitioner, *v.* Tandy Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1615. Christopher Andrew Johnston, a minor, by Robert R. Bryson and Barbara Faye Bryson, his general guardians, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1617. William M. Ordner, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1620. Thomas A. Harnett, as Superintendent of Insurance of the State of New York, petitioner, *v.* Harold D. Azzaro et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1622. Marcus Rottenberg, petitioner, *v.* Irving Sulmeyer, Trustee, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1623. Fidelity Corporation, petitioner, *v.* Regal Ware, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-1626. Steven Wise Wright and Clarence Edward Wright, Jr., petitioners, *v.* George Bailey, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-1627. Tempe Elementary School District No. 3, et al., petitioners, *v.* Socorro Hernandez Bernasconi. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1628. Chisholm-Ryder Company, Inc., et al. petitioners, *v.* Lewis Manufacturing Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-1630. Herman Chanen, Miller B. Lee and M. L. Vanlandingham, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1631. Seymour Rosenwasser, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1632. Anne T. Henderson and Helen T. Wilkes, petitioners, *v.* Mann Theatres Corporation of California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 76-1633. Thomas Arthur Garrigan, petitioner, *v.* Robert F., Giese et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-1635. Thomas E. Reilly, Jr., et al., petitioners, *v.* Mary F. Robertson and Esther Davis. Petition for writ of certiorari to the Supreme Court of Indiana denied.



No. 76-1636. Arizona State Dental Association et al., petitioners, *v.* Vernon S. Boddicker et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1637. Executive Aero, Inc., petitioner, *v.* Baact Corporation. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 76-1639. Harry J. Ramsey, petitioner, *v.* M/V MODOC et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1641. Edmund A. Rosner, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1642. Sears, Roebuck and Co., petitioner, *v.* General Services Administration et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 76-1643. Samuel D. Magavern, as Executor and Trustee of the Last Will and Testament of Margaret C. Duncan, Deceased, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1646. Johney Bowman Kearney, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1648. Kenneth Shalom Millrood, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 76-1649. Movers and Warehousemen's Association of Metropolitan Washington, D.C., Inc., et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-1652. Mount Wilson F. M. Broadcasters, Inc., petitioner, *v.* Robert L. Fox and Ira Laufer. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 76-1654. Charles Brownsell et ux., petitioners, *v.* Archie Davidson and Joan Boyd. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1655. Robert Rickenbacker, petitioner, *v.* Warden, Auburn Correctional Facility, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1657. Edwin R. MacKethan, etc., petitioner, *v.* Burrus, Cootes and Burrus, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **76-1658**. Dynamic Machine Co., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **76-1659**. Adeline S. Guttelman, petitioner, *v.* John Stewart et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **76-1664**. Felipe Gama-Garcia, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **76-1667**. Nadine Monroe et al., petitioners, *v.* L. Patrick Gray et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **76-1669**. Delta Steamship Lines, Inc., petitioner *v.* Paul Turner; and

No. **76-1687**. Paul Turner, petitioner, *v.* Delta Steamship Lines, Inc. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **76-1670**. Luttetus Perry, aka Ted Perry, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **76-1671**. United States, petitioner, *v.* Frank DeMarco, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **76-1679**. Baton Rouge Water Works Company, petitioner, *v.* Louisiana Public Service Commission. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. **76-1680**. Mary Alice Relf et al., etc., petitioners, *v.* Oliver Gasch, Judge, United States District Court for the District of Columbia. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **76-1682**. Raymond M. Hartman, petitioner, *v.* Catherine E. Hartman. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. **76-1683**. National Barrel and Drum Association, Inc., petitioner, *v.* United States and Interstate Commerce Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **76-1684**. Super Tire Engineering Co., et al., petitioners, *v.* Lloyd W. McCorkle, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **76-1686**. International Organization of Masters, Mates and

Pilots, Marine Division, International Longshoremen's Association, AFL-CIO, petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **76-1689**. H. R. Morgan, Inc., et al., petitioners, *v.* United States ex rel. Mississippi Road Supply Co. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **76-1691**. Pasquale Matassini, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **76-1695**. James D. Eckman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **76-1696**. David C. Hakim, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **76-1697**. MacDermid Incorporated, petitioner, *v.* Southern California Chemical Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **76-1698**. Raymond Mayfield, petitioner, *v.* Margie R. Phelps. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. **76-1700**. Illinois et al., petitioners, *v.* Interstate Commerce Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **76-1702**. James M. Rochford et al., petitioners, *v.* Alliance to End Repression et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **76-1703**. Durham Hosiery Mills, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **76-1707**. Juan M. Huerta, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. **76-1708**. Donald Martin Stern, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **76-1709**. Arthur Young & Company and Otis Chandler, petitioners, *v.* United States District Court for the Northern District of California et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1711. Janie Lou Underwood and C. J. Underwood, petitioners, *v. Louisiana*. Petition for writ of certiorari to the Fourth Judicial District Court of Louisiana for Parish of Ouachita denied.

No. 76-1713. Joseph P. Kendall, petitioner, *v. Bethlehem Steel Corporation*. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-1715. Ronald Siletti, petitioner, *v. New York City Employees' Retirement System, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1716. Barry Lipsitz et al., petitioners, *v. Michael Costello et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1717. Chickasha Cotton Oil Company et al., petitioners, *v. The Corporation Commission of the State of Oklahoma et al.* Petition for writ of certiorari to the Supreme Court of Oklahoma denied.

No. 76-1720. John M. Daley, petitioner, *v. Attorney Registration and Disciplinary Commission of the Supreme Court of Illinois*. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 76-1722. Francis Nell Higginbotham, Administratrix of the Estate of Marshall K. Higginbotham, et al., petitioners, *v. Mobil Oil Corporation et al.*; and

No. 76-1725. Wanda Moore Long, Administratrix of the Estate of Joseph C. Long, Jr., petitioner, *v. Bell Helicopter Company, etc.* Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1724. Federal Communications Commission, petitioner, *v. Home Box Office, Inc., et al.*;

No. 76-1841. American Broadcasting Companies, Inc., petitioner, *v. Home Box Office, Inc., et al.*; and

No. 76-1842. National Association of Broadcasters, petitioner, *v. Home Box Office, Inc., et al.* Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 76-1728. Stanley Kowalik, petitioner, *v. General Marine Transport Corp. et al.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1730. William B. Richardson, petitioner, *v. J. T. Spahr, etc., et al.* Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-1731. George Raymond Dyba, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 76-1732. Kalvar Corporation, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 76-1733. Harold G. Nabhan et al., petitioners, *v.* Frederick Abdulla et al. Petition for writ of certiorari to the Appeals Court of Massachusetts denied.

No. 76-1736. Walter J. Meyer, petitioner, *v.* Louis J. Frank, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1740. Midwest Hanger Co. et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-1742. William Albert Halterman, petitioner, *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 76-1743. John Leonard Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 76-1744. Andy Wallace Barnett, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-1745. Robert Bageris and Bamboo Productions, Inc., petitioners, *v.* Louis D. McGregor et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-1746. Mary Elizabeth Wilson, petitioner, *v.* Robert W. Biccum et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1747. John Fleming, Executor of the Estate of Robert W. Best, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1748. Kenneth Malcolm Riffe, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1749. Joseph Waterman, petitioner, *v.* Denver Wray and Steven Kirby. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-1751. Jose Hernan Lemos-Olaya, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1752. Judy Berry et vir, petitioners, *v.* Hinds County, Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 76-1753. Walter R. Conlin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1754. Lonnie Kishpaugh, petitioner, *v.* District of Columbia Government et al. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 76-1756. Emmett E. Norton et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 76-1758. Philip Rastelli, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1760. S. D. Cohn & Company and Sidney D. Cohn, petitioners, *v.* Shirley Woolf et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1761. David Johnston, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 76-1762. Errol Jay Mirmelli, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-1763. Helen Lewandowski et al., petitioners, *v.* John D. Ashcroft, Attorney General of Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 76-1764. Shatterproof Glass Corporation, petitioner, *v.* Libbey-Owens-Ford Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-1765. Stanley Jules Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1769. Joseph H. Liberman, petitioner, *v.* City of St. Louis. Petition for writ of certiorari to the Supreme Court of Missouri denied.



No. 76-1770. International Association of Bridge, Structural and Ornamental Iron Workers, AFL-CIO, Local 433; petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1771. California et al., petitioners, *v.* Civil Aeronautics Board. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 76-1772. Henry Chong Tenn and Sylvia Tenn Luckfield, petitioners, *v.* First Hawaiian Bank. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1773. Texas International Airlines, Inc., et al., petitioners, *v.* Southwest Airlines Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1774. Helen McCaffrey Jackson and Andrew J. Jackson, etc., et al., petitioners, *v.* Associated Hospital Service of Philadelphia, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-1775. Robert G. Bensing, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 76-1777. James W. Benson, petitioner, *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 76-1780. Amelia O. Bonsukan, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 76-1781. Harvey A. Leve and William H. Quasha, dba Quasha Law Office, petitioners, *v.* Schering Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-1782. Terrence Creamer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 76-1784. Thomas Musto and Michael Astarita, petitioners, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 76-1785. Calvin Eugene Flowers et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 76-1787. Charles L. Levy, petitioner, *v.* Irving J. Cohen et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 76-1788. St. Regis Paper Company, petitioner, *v.* Bemis Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 76-1790. Milton Kirsner and County Realty, Inc., petitioners, *v.* Rebecca Reid and Hattie Reid. Petition for writ of certiorari to the Baltimore City Court of Maryland denied.

No. 76-1791. William Leonard Kay, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1793. Steven Charles Sanders, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 76-1794. Jacob D. Zeldes, etc., petitioner, *v.* Manufacturers Hanover Trust Company, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1797. Southern Pacific Transportation Company, petitioner, *v.* Ronald Dean Johnson. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 76-1798. Arthur J. Homans, petitioner, *v.* Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1803. Southwest Kenworth, Inc., petitioner, *v.* Arizona State Tax Commission et al. Petition for writ of certiorari to the Court of Appeals of Arizona, Division One, denied.

No. 76-1804. A. E. Hotchner, petitioner, *v.* Doubleday & Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1806. Jesse L. Getz, petitioner, *v.* Equitable Life Assurance Society of the United States. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 76-1808. John Paul Gorthy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1812. Kenneth Roberts, et al., petitioners, *v.* Cecil D. Andrus, Secretary of Interior. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.



No. 76-1815. Peter A. Viglia, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1816. Arthur F. Turco, Jr., petitioner, *v.* Monroe County Bar Association et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1817. Stockton Door Co., Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1818. Richard Hamilton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 76-1819. First National Bank in Albuquerque, as Guardian for and on behalf of Dorothy Jean Huckleby, et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 76-1820. Jonathan W. Batten, petitioner, *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 76-1821. Estate of A. Devereau Chesterton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 76-1823. 28 East Jackson Enterprises, Inc., petitioner, *v.* P. J. Cullerton, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 76-1825. Bruce Baker, etc., petitioner, *v.* Joseph A. Califano, Jr., etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1829. Jesse M. McDonnel, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1832. Marion A. Bunyard et al., petitioners, *v.* Jo Anne Franco, Administratrix, etc., et al. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 76-1844. Ernest C. Hamilton, petitioner, *v.* Louisiana State Bar Association. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 76-1845. Ex Parte Shearn Moody, Jr., petitioner. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 76-1846. Arizona Power Authority, Electrical District No. 3, Pinal County, Arizona, et al., petitioners, *v.* Cecil D. Andrus, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1849. Multi-Medical Convalescent and Nursing Center of Towson, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-1850. John Seekins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1851. Thomas Allen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 76-1853. Edward J. Larkin and Julia Larkin, petitioners, *v.* Town Board of the Town of Fleming et al.; and

No. 76-1854. Edward J. Larkin and Julia Larkin, petitioners, *v.* David A. Farrell et al. Petitions for writs of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 76-1856. Humboldt Placer Mining Company, petitioner, *v.* Cecil D. Andrus, Secretary of Interior. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1857. Morris Harris, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1858. Charles Alexander, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 76-1861. Florida Boatsmen Association et al., petitioners, *v.* Department of Revenue of Florida et al. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. 76-1862. John Doe, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1863. W. R. (Bill) Shore, dba Shore Oil Products, et al., petitioners, *v.* Longview Refining Company and Crystal Oil Company. Petition for writ of certiorari to the United States Temporary Emergency Court of Appeals denied.

No. 76-1864. Save Our Wetlands, Inc. (SOWL) by Mary Halpin, President, et al., petitioners, *v.* United States Army Corps of Engineers et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1865. Charles Deboles, petitioner, *v.* Trans World Airlines, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-1866. William C. Korbar, petitioner, *v.* Thomas Hite et al. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 76-1867. Bernhard Rosee, petitioner, *v.* Board of Trade of City of Chicago et al. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 76-1868. National Labor Relations Board, petitioner, *v.* International Brotherhood of Electrical Workers Local Union No. 388. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 76-1869. Amalgamated Transit Union, Division 1384, AFL-CIO, et al., petitioners, *v.* Greyhound Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1872. William Whitaker, petitioner, *v.* Robert Bruce Pierce et al. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 76-6379. Lester Posner, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-6380. David Terance Tuley, petitioner, *v.* United States; and

No. 76-6807. Frank Christian Oller, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6384. Maurice Harper, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 76-6391. Milton Leroy Henry, petitioner, *v.* Joseph S. Hopper, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **76-6418**. Richard W. Goodyear, petitioner, *v.* Delaware Correctional Center. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **76-6440**. Robert George Paduano, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **76-6479**. Phillip Bradley Polk, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **76-6496**. Bernie A. Ybarra, petitioner, *v.* Nevada State Employees Federal Credit Union. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. **76-6522**. Willie James London, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **76-6530**. Clarence F. Wright, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **76-6533**. Roosevelt Miller, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **76-6536**. Kenneth P. Greathouse, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **76-6545**. Marvin Byrd, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. **76-6568**. James McGhee, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **76-6570**. Paul Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **76-6572**. Judy D. Backert, etc., petitioner, *v.* Victor G. Walker, Warden. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. **76-6573**. James Bush, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **76-6581**. Clayton Wenstrom et al., petitioners, *v. Illinois*. Petition for writ of certiorari to the Appellate Court of Illinois, Second District denied.

No. **76-6585**. Jose Ignacio Rabago Cardenas, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **76-6593**. Wardell F. Clark, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Claims denied.

No. **76-6603**. John W. Shannon, Jr., petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **76-6610**. Efrain Medina, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **76-6615**. David Guillette and Robert Joost, petitioners, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **76-6621**. Melan Clinton Baron, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **76-6624**. Carl Sigman, petitioner, *v. Illinois*. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. **76-6629**. Louis Hazzard, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **76-6631**. Rudolph Stacy Dunbar, petitioner, *v. W. J. Estelle, Jr., Director, Texas Department of Corrections*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **76-6632**. David Michael Everman, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **76-6634**. William James McClain and Henry McClain, Petitioners *v. United States*; and

No. **76-6684**. Joseph James Readdy, Jr., petitioner, *v. United States*. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-6636. Johnny Lee London, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6645. Leroy Chiarini and Wymer Chiarini, Petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-6646. Aaron Vernon Freeman, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-6651. Carl Leroy Leonard, petitioner, *v.* Irl E. Day, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 76-6652. Dennis A. Sudler, petitioner, *v.* Delaware. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-6654. Clarence Eugene Masterson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-6655. Leonard Russell Horger, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-6660. Autry Lee Jones, petitioner, *v.* C. Murray Henderson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6661. James Frank Dinsio, petitioner, *v.* United States District Court for the Central District of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-6665. J. W. Prewitt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 76-6666. Malcolm R. Morrison, petitioner, *v.* Maurice Sigler, U.S. Board of Parole, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 76-6670. Joseph Dallas Featherston, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 76-6673. Joseph W. Di Silvestro, petitioner, *v.* United States Veterans Administration. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.



No. 76-6678. Ronald Wayne Wiggins, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 76-6680. Benjamin G. Blackburn, petitioner, *v.* E. P. Perini. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-6682. Peter Melnyczenko, petitioner, *v.* Lowell D. Hewitt, Superintendent, Huntingdon State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-6685. Lola Mae Kelley, petitioner, *v.* Dwight T. Baptist, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6686. Reyes Frias-Deleon, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-6692. Beverly J. Edmonds, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 76-6696. Richard T. Cardall, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 76-6698. Leonard Washington, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6703. Woodrow Wilson Wallace, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6705. Ray Ward, petitioner, *v.* Joe S. Hopper, Warden. Petition for writ of certiorari to the Superior Court of Tattnall County, Georgia, denied.

No. 76-6706. Robert LaGrone, petitioner, *v.* Oklahoma et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 76-6721. Robert C. Green, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 76-6724. Alvin Jones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-6730. James Elliston Moore, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-6731. Walter Leroy Moody, Jr., petitioner, *v.* Hazel S. Moody. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 76-6734. Raymond Peter Dupart, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6736. Ron Ash, petitioner, *v.* Wyoming. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 76-6737. Manuel R. Zambrano, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6739. David Howard Smith, petitioner, *v.* George H. Collins, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-6741. Rudolph Jackson, petitioner, *v.* Joe S. Hopper, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6745. John Alvin Carter, petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 76-6748. Thomas J. Brunson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6751. Ralph Hall, petitioner, *v.* Walter Fogg, Superintendent, Green Haven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-6753. Yusefas Abba Socrates, petitioner, *v.* William M. Balson, Superintendent, Lima State Hospital. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-6757. Steve Gerald Stevens, petitioner, *v.* West Valley Joint Community College District et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-6758. Gene Lovitz, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 76-6759. Arthur Robert Nicol, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 76-6761. Ronald Holt, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 76-6762. Winifred Huey Kimmons, petitioner, *v.* Louie L. Wainwright, Secretary, Florida Department of Offender Rehabilitation. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. 76-6765. Skeeter Cyphers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 76-6770. John H. Stokes, petitioner, *v.* Gerald A. Tracey et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-6771. Melvin James Dixon, petitioner, *v.* Vinson Thompson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-6773. Thomas Perry, petitioner, *v.* Walter Fogg, Superintendent, Green Haven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-6775. Hershell Ray Austin, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 76-6778. Cruz Escobar-Negron, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-6780. Samuel Gravina, petitioner, *v.* Larry Meachum, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 76-6781. Willie Allen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-6782. C. W. Curan, petitioner, *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 76-6785. Nathaniel Vincent, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **76-6788**. Herbert Lewis Bateman, Jr., petitioner, *v. Virginia*. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. **76-6789**. Herbert Lewis Bateman, Jr., petitioner, *v. Virginia*. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. **76-6790**. Herbert Lewis Bateman, Jr., petitioner, *v. Virginia*. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. **76-6791**. George V. Taliaferro, petitioner, *v. Virginia*. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. **76-6792**. Earthia Wiley, petitioner, *v. L. Daggett, Warden, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **76-6793**. George Meeks, petitioner, *v. Arnold R. Jago, Superintendent, Southern Ohio Correctional Facility*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **76-6795**. Joseph Ward Easter, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **76-6796**. Floyd Clayton Forsberg, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **76-6797**. Oliver Williams, petitioner, *v. Louie L. Wainwright, Secretary, Florida Department of Offender Rehabilitation*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **76-6800**. Jay Lynott, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **76-6803**. Wendell Vernon Vavra, petitioner, *v. Oklahoma et al.* Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **76-6804**. Gerald Wayne Phelps, petitioner, *v. Indiana*. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. **76-6805**. Richard Emmett Smiley, petitioner, *v. California et al.* Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-6808. Etta Ruth Stroud, petitioner, *v.* Delta Air Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6809. George R. Jacques, petitioner, *v.* Gary Hilton, Superintendent, New Jersey State Prison. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-6810. Duane Selby, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 76-6811. Jerome J. Carter, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 76-6812. Oddis L. Spriggs, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6813. Vanessa Taylor, etc., petitioner, *v.* Consolidated Edison Co., of New York, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-6814. Michael C. Ward, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6815. Riley I. Gillihan, petitioner, *v.* Felix Rodriguez, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 76-6816. Daniel J. Bowles, petitioner, *v.* Marion D. Strickland, Superintendent, Lorton Correctional Complex. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 76-6817. Francisco Hernandez Hernandez, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 76-6819. Michael Joseph Stimpson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-6820. Darrell L. Cain, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 76-6826. Benjamin Weathington, petitioner, *v.* Louie L. Wainwright, Secretary, Florida Department of Offender Rehabilitation. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 76-6831. Donald Lee Angus, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 76-6833. Isaiah Hall, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 76-6835. William Shawn Bolton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6836. Richard Trimble, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 76-6839. Michael J. Downing, petitioner, *v.* District Attorney of Northampton County, Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Eastern District, denied.

No. 76-6840. Larry Bernard Cole, petitioner, *v.* Louie L. Wainwright, Secretary, Florida Department of Offender Rehabilitation. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 76-6842. Howard Loter, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6844. Josephine Stone, petitioner, *v.* Superior Court of California for the County of Los Angeles. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 76-6845. Virgil Carter, petitioner, *v.* United States Department of Justice et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-6846. Joe White, petitioner, *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 76-6848. Brien Lavon Gray, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6849. Kenneth Eugene Sutton, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.



No. **76-6851**. Walter Miller, Jr., petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. **76-6855**. John Roy Sims, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **76-6859**. Isaac Ford, petitioner, *v.* Robert Rees, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **76-6861**. John Chiarello, petitioner, *v.* Walter Fogg, Superintendent, Green Haven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **76-6862**. Frank Olmos Castaneda, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **76-6863**. Edward Joseph DeFreitas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **76-6864**. Dennis Roy Golston, petitioner, *v.* Alabama. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **76-6865**. Clarence Robert Purdy, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. **76-6868**. Larry Eugene Brown, petitioner, *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. **76-6869**. Willie Lee Mason, petitioner, *v.* John R. Gagnon, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **76-6871**. John N. Davis, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. **76-6874**. Edward A. White, Julian M. White and William W. Baker, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **76-6876**. William Anderson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-6877. Manuel Francisco Padilla-Martinez, petitioner, *v.* United States; and

No. 76-6878. Estella Navas, Mario Navas and Jose Ramirez-Rivera, petitioners, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-6879. Patricia Smith, etc., petitioner, *v.* Harry A. McNichol et al. Petition for writ of certiorari to the Commonwealth Court of Pennsylvania, Eastern District, denied.

No. 76-6881. Alexander English, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 76-6883. William C. Zakrajsek, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 76-6884. Donald G. Wright, petitioner, *v.* California et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 76-6885. Kenneth Leon Wood, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-6886. Paul Braxton Owens, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6887. Robert Tate Kasold, petitioner, *v.* Harold T. Cardwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-6888. James Earl Gilbert, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-6889. Carl F. Day, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 76-6890. Irving Joseph Tosti and Phillip T. Hermanson, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 76-6891. Troy Williams Starkey, petitioner, *v.* Donald Wyrick, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-6892. Napier Talton, petitioner, *v.* John R. Manson et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-6893. John B. Walker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-6895. Kenneth Beardsley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-6896. William H. Windham, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 76-6898. John Charles Burden, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 76-6899. Hiawatha Beard, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-6900. Fred Kipp Bassett, petitioner, *v.* D. J. McCarthy, Superintendent, California Men's Colony. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-6901. Lee Cleveland Rutherford and Edward Palmer Vaughn, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6902. Gary A. Hendrix, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 76-6903. Thomas Robert Wilson, petitions, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-6904. Mark William Hipp, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 76-6905. William F. Wells, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 76-6906. Louis Hajal, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-6908. Lawrence E. Smith, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Eastern Division, denied.

No. 76-6909. Narciso Rosario, petitioner, *v.* J. E. LaVallee, Superintendent, Clinton Correctional Facility. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 76-6910. Redgie Eugene Smallwood, petitioner, *v. Oregon*. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 76-6911. Leroy Harris, petitioner, *v. R. F. Zahradnick*, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-6912. Russell Hardy, Sr., petitioner, *v. John A. Jamison and John C. Cowan*. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-6913. William R. Kinsley, petitioner, *v. Robert E. Brent, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6914. Audwin Brent Jackson, petitioner, *v. North Carolina*. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 76-6915. Edward Cousin, petitioner, *v. C. Murray Henderson*, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6917. Randolph Wayne Johnston, petitioner, *v. W. J. Estelle, Jr.*, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6918. Garland Rex Brinlee, petitioner, *v. Richard A. Crisp*, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 76-6919. Chester Otto Weger, petitioner, *v. David Brierton*, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 76-6920. Wiley Rufus Ward, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6921. Russell House, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-6922. Richard Allen Barker, petitioner, *v. California*. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 76-6923. Donald Gwinn, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-6925. Jeffrey Gehrman, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 76-6927. Gary Bowdach, petitioner, *v.* Sgt. Raymond Havens et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6928. John D. Stolarz, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-6929. Lamont Floyd, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-6930. Brent Lloyd Mosley, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-6931. Willie James London and Gregory Turner, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-6932. Richard Vines, petitioner, *v.* R. M. Muncy et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-6934. George M. Wetherington, petitioner, *v.* Joshua S. James, Superior Court Judge, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-6935. Bobby Lee Edwards, petitioner, *v.* Louie L. Wainwright, Secretary, Florida Department of Offender Rehabilitation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6936. Thomas B. Houghton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 76-6937. John Leonard Benson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-6938. Nicholas Tzimopoulos, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 76-6940. William B. Campbell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6943. James Allen Candie, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-6944. George H. Heiser, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-6945. Preciliano Campos Martinez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-6947. Kenneth L. Hodges, petitioner, *v.* Clifford L. Alexander, Secretary of the Army. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6948. Vincent X. Wiggins, petitioner, *v.* Ralph Lee Aaron, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 76-6949. Esequiel Ramirez Rodriguez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6953. Woodman Collins, petitioner, *v.* Ross Maggio, Jr., Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6954. Kenneth William Schaffer, petitioner, *v.* Carl Robinson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-6957. Tyrone Wilkins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-6960. George Elmer Black, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 76-6963. Donald Ray Davis, petitioner, *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 76-6964. Larry James Woodall, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 76-6966. Jerome Silo, petitioner, *v.* Robert Kane, Attorney General of Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.



No. 76-6967. Sandra Lee Simmons Shaw et al., petitioners, *v.* Merritt-Chapman & Scott Corp. et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-6968. Robert Williams, petitioner, *v.* William D. Leeke, Director, South Carolina Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-6969. Amalia Herbira Zoriano Sanchez, etc., et al., petitioners, *v.* Caribbean Carriers Limited et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-6970. Robert D. Davis, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 76-6971. Dennis Sands, petitioner, *v.* Joe S. Hopper, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6972. James Robert Scott, Jr., petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 76-6975. Hugh Frank McDowell, Sr., petitioner, *v.* Dorothy McDowell Morris. Petition for writ of certiorari to the Superior Court of Pennsylvania, Eastern District, denied.

No. 76-6976. Jenniver G. Rosenbaum, petitioner, *v.* Arizona. Petition for writ of certiorari to the Court of Appeals of Arizona, Division One, denied.

No. 76-6980. Ruben Longoria-Castenada, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-6984. Daniel White, petitioner, *v.* Eugene S. LeFevre, Superintendent, Clinton Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-6991. Willie Lee Mason, petitioner, *v.* Ramon L. Gray, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 76-6992. Clarence Swann, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-6993. John E. Galbo, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 76-6994. Charles Ramsey, petitioner, *v.* United States;

No. 77-5037. Al Green, petitioner, *v.* United States; and

No. 77-5185. Rufus Wesley, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-6996. Dennis L. Weaver, petitioner, *v.* John Carson, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-6999. Robert L. Sampson, petitioner, *v.* Joseph A. Califano, Secretary of Health, Education and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 76-7000. Alan Lloyd Lussier, petitioner, *v.* Frank O. Gunter et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 76-7001. Johnny Daniel Beecher, petitioner, *v.* William Baxley et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1. Erich F. Meitzner and James A. Oline, petitioners, *v.* Morris Mindick and Jerry J. Svarz. Petition for writ of certiorari to the U.S. Court of Customs and Patent Appeals denied.

No. 77-2. William C. Waggoner et al., petitioners, *v.* Griffith Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-4. The Amalgamated Sugar Company et al., petitioners, *v.* United States District Court for the Northern District of California, (Anthony J. Pizza Food Products Corporation et al., Real Parties in Interest). Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5. Allen N. Brunwasser and Sally Maiette, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6. Erin Robert Russell, petitioner, *v.* Harold E. Black, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-9. American Fidelity Fire Insurance Company, petitioner, *v.* Sue Klau Enterprises, Inc. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-13. Blevins Popcorn Company, petitioner, *v.* National Labor Relations Board and American Federation of Grain Millers, AFL-CIO. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-14. Bascom Bogle, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-15. E. B. Brooks, Jr., petitioner, *v.* Merrill Lynch, Pierce, Fenner & Smith, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-19. In re Boston & Providence Railroad Corporation, Armistead B. Rood, petitioner. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-20. Salvatore S. Riniolo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-21. Salvatore Barone, Senior and Salvatore Barone, Junior, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-23. Lonnie McLucas, petitioner, *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 77-27. Joseph William Landmesser, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-28. Iowa Beef Processors, Inc., petitioner, *v.* Valley View Cattle Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-29. Alan Nemser et ux., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-31. James G. King, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 77-33. Eddie A. Turner, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-35. Irwin Donald Kirschenblatt, aka Donald Kirsch, and Arthur Shevack, petitioners, *v.* Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-36. Sabine Towing and Transportation Co., Inc., petitioner, *v. Zapata Uglund Drilling, Inc.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-40. A. Patrick Tonti, petitioner, *v. Mary B. Tonti, James C. Petropoulos, and City National Bank and Trust Company.* Petition for writ of certiorari to the Court of Appeals of Ohio, Franklin County, denied.

No. 77-41. City of Cleveland, petitioner, *v. Cleveland Electric Illuminating Co.* Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 77-48. Joseph B. Wallis, petitioner, *v. Bechtel Corporation et al.* Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 77-49. Ronald Holm, petitioner, *v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-51. Robert Fuiman, petitioner, *v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-55. John Brett Allen and Frank Lewis Jackson, petitioners, *v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-58. William J. Chleborad, petitioner, *v. Roger Charter, Individually and as Assignee.* Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-60. National Railroad Passenger Corporation, petitioner, *v. Robert W. Blanchette et al.* Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-66. Frank A. Cugliata and John Moraites, petitioners, *v. Maine.* Petition for writ of certiorari to the Supreme Judicial Court of Maine denied.

No. 77-68. Parking Realty Company et al., petitioners, *v. Howard Sherline.* Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 77-71. John M. Dineen et al., petitioners, *v. Michael A. Bilandic.* Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-72. Frank R. West, petitioner, *v. Iowa.* Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 77-73. Pillsbury Company et al., petitioners, *v.* Marceline Donaldson. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-75. Systematic Tool & Machine Company et al., petitioners, *v.* Walter Kidde & Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-76. Fred H. Smith et ux., petitioners, *v.* Village of La-Grange. Petition for writ of certiorari to the Court of Appeals of Ohio, Ashland County, denied.

No. 77-78. Warren A. McFadden, petitioner, *v.* G. H. McShane Company, Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-80. Howard Polin, petitioner, *v.* Conductron Corporation et al. Petition for writ and certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-82. Charlotte Cichanski, petitioner, *v.* Honeywell, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-87. Kama Corporation, petitioner, *v.* Local No. 1451, UAW and International Union, United Automobile, Aerospace and Agricultural Implement Workers of America. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-89. Virginia W. Lucom, petitioner, *v.* David L. Reid, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-90. Alfredo Fernandez Alfonso et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-92. Taylor Industries, Inc., petitioner, *v.* Panduit Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-95. Continental Acceptance Corp., petitioner, *v.* Guadalupe Rivera. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 77-98. California, etc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 77-100. Charles F. Atwell, petitioner, *v.* James D. O'Connell and State Bar of Michigan. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-101. David J. Alien et al., petitioners, *v.* John C. Pittenger, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-102. Dennis Kehn and Peter Mihalic, petitioners, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 77-105. Ellen Finkelstein et al., petitioners, *v.* Trans World Airlines, Inc. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Second Judicial Department, denied.

No. 77-107. Western Pharmacal Company, petitioner, *v.* AMFAC Distributing Corporation, etc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-108. Vincent DiNapoli, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-109. Ernest Charles Wilson et al., petitioners, *v.* John J. Hinkle et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 77-110. Thomas B. Byerly et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-111. Peoples National Bank of New Jersey, petitioner, *v.* Maurice L. Stonehill et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 77-112. REA Express, Inc., etc., petitioner, *v.* Travelers Insurance Company et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-113. *In re* Charles Bernard Mead, petitioner. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 77-122. Royal W. Sims and the R. W. Sims Trust, petitioners, *v.* Western Steel Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-124. Overseas Oil Carriers, Inc., petitioner, *v.* The Peninsular & Oriental Steam Navigation Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.



No. 77-129. National Micronetics, Inc., petitioner, *v.* U.S. Philips Corp. et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-130. State Farm Mutual Automobile Insurance Co. and Ruth Newman, petitioners, *v.* Aaacon Auto Transport, Inc. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 77-140. Kiwanis Club of Great Neck, Inc., et al., petitioners, *v.* Board of Trustees of Kiwanis International et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 77-141. East Baton Rouge Parish School Board et al., petitioners, *v.* Lawrence Moch et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-144. Arizona, petitioner, *v.* Phelps Dodge Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-147. William C. Hozie and Clelia A. Hozie, petitioners, *v.* Karen S. Hozie. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 77-148. Roger A. Britt et al., petitioners, *v.* San Diego Unified Port District, et al. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 77-149. Lillie F. Fitzgerald, petitioner, *v.* Connecticut General Life Insurance Company et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-151. Harry T. Mangurian, Jr., et al., petitioners, *v.* Clayton P. Thompson et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-153. Herbert David Schiffman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-155. John D. Ballard, dba Ballard's Dairy Queen, petitioner, *v.* Burger Train Systems, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-156. Milgo Electronic Corporation et al., petitioners, *v.* Codex Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-157. Chauffeurs, Teamsters & Helpers Local Union No. 186, petitioner, *v. McNall Building Materials, Inc.* Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-158. Norfolk and Western Railway Company, petitioner, *v. Ralph J. White, III.* Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 77-168. Kamei-Autokomfort et al., petitioners, *v. Eurasian Automotive Products.* Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-170. E. M. "Mike" Riebold and Donald T. Morgan, petitioners, *v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-171. Frankford Hospital, petitioner, *v. Blue Cross of Greater Philadelphia.* Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-173. Michael Albert Moone, petitioner, *v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-177. Provident Life & Accident Insurance Company, petitioner, *v. Sigmund G. Zawacki.* Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-179. Amperex Electronic Corp., petitioner, *v. New York Racing Association, Inc., et al.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-184. Alan Ernest, next friend of Unborn Child Roe, etc., petitioner, *v. Jimmy Carter, President of the United States, et al.* Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-186. Alfred A. Porro, Jr., petitioner, *v. Joseph C. Woodcock, Jr., Bergen County Prosecutor, et al.* Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 77-188. Melvin Frederick Glazner, petitioner, *v. Florida.* Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 77-191. Warren Donahue et al., petitioners, *v. Board of Elections of the State of New York et al.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-197. Donald Schanbarger, petitioner, *v.* Marine Midland Bank-Central, etc. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 77-198. Robert Hurst and Leslie Minus, petitioners, *v.* Triad Shipping Co. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-199. Hugh J. Gunne, petitioner, *v.* Michigan. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 77-205. Otto Marx, Jr., et al., petitioners, *v.* Diners' Club, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-209. Robert Douglas Watkins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-224. James E. Zimmerman et ux., petitioners, *v.* Dail Eber and Nick Stipa. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-232. Thomas LiPuma, petitioner, *v.* Commissioner, New York Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-238. Michigan, petitioner, *v.* Richard Bert Mosley. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 77-251. Local Union No. 657, United Brotherhood of Carpenters and Joiners of America of Sheboygan County, petitioner, *v.* William Sidell et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-288. Lewis Miller Smyth III, petitioner, *v.* United States; and

No. 77-289. Glenn B. Bavousett, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-307. United States ex rel Johnston, L. R. dba L. R. Johnston Company, petitioner, *v.* General Insurance Company of America et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-319. Joseph Sica, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-320. Coast of Maine Lobster Co., Inc., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-329. Robert H. Polk, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5003. Sherman G. McBryar, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5005. Jimmy Lee Wingard, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5006. Leroy Walker, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5007. Eli Raitport, petitioner, *v.* Delaware Valley Small Business Investment Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5008. Lucero Alberto Escalante, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5010. John Archie Malloy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5012. Lonnie E. Willis, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 77-5013. Robert Rodriguez, petitioner, *v.* Arthur Wallenstein. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5015. John Lewis, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5017. John Lee Fleetwood, petitioner, *v.* Maryland et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5023. Michael Wayne Lee, petitioner, *v.* Vinson Thompson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5024. Kenneth Goodson, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 77-5027. Olga Ograd, petitioner, *v.* Walter Ograd. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5030. Jose B. Verdugo, petitioner, *v.* Industrial Commission of Arizona et al. Petition for writ of certiorari to the Court of Appeals of Arizona, Division One, denied.

No. 77-5032. Albert E. McFerran, Jr., petitioner, *v.* Board of Education for the Enlarged City School District of Troy, New York, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5035. Antonio Ramirez Cruz, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5038. Millicent Linden, petitioner, *v.* Seymour Schwartz et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5039. Calvin Chatman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5040. Oscar E. Kramer, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5041. Andrew Anthony Craft, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5043. Carl Bass, petitioner, *v.* L. B. Sullivan, Commissioner of the State of Alabama Board of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5045. Dwight Clark, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 77-5047. Demetrius Gordy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5048. Abdur-Rahim Dib Dudar, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5050. John Warren Munn, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5051. Grace Lowe, Assignee of Seth Moore, petitioner, *v.* Marjorie Severance Hoover. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 77-5052. Rosell Palmer, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 77-5053. Cleveland Curtis Shaw, petitioner, *v.* Vinson Thompson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5054. Jim Fair, etc., petitioner, *v.* City of Tampa et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5056. Joseph J. Neary, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5058. Randolph Joseph Greene, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5060. Jim Abbitt, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 77-5062. Richard Fulton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5064. Theodore W. Bettker, petitioner, *v.* C. Brown Whitley et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5067. Charles Diggs, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5068. Donald J. King, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5071. James Edward Clifton, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.



No. 77-5072. Z. T. Kennedy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5073. Jake McCant, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5075. Ronnell Barrett Williams, petitioner, *v.* Donald Wyrick, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5076. Carlos A. Catano, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5077. Robert Williams, petitioner, *v.* J. R. Martin, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5078. James Morris Fletcher, petitioner, *v.* James F. Howard, Superintendent, State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5079. William Cornish, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5080. Dewey Butler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5082. Michael E. Yates, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5085. Javier Vasquez-Guerrero, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5086. Jason Elliot Roman III, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 77-5087. Victor Marcelino Mata, petitioner, *v.* Ralph L. Aaron, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5088. Joseph Charles Gramlich et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5089. Robert Erwin Gwin, petitioner, *v.* Vinson Thompson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5091. John E. Morgan, petitioner, *v.* Richard W. Moyle. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5094. Gerald Namenson, petitioner, *v.* Lawrence Vallen-court. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-5096. Wayne Preston Carter, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 77-5098. Terry Ray Uptain, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5100. Carl Sims Pankey and Verser Joseph Swaite, petitioners, *v.* Donald Bordenkircher, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5102. Joseph Lamar Jones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5103. Joe Agapito Olivas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5108. Curtis Edward Broussard, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 77-5109. Jose Nunez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5110. Jessie D. McDonald, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Middle Division, denied.

No. 77-5113. Edward Vanasco, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-5114. Thomas Lee Owens, Sr., petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Western District, denied.

No. 77-5117. Charles Hood, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5119. Daniel Ezell Nails, Jr., petitioner, *v.* Louisiana State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5121. David Brightwell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5122. Leroy Hayes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5123. Lenard Wallace Nolen, Sr., petitioner, *v.* Wilbur D. Owens, Jr., United States District Court Judge for the Middle District of Georgia. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5126. Robert Victor Taylor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5127. Kelsey D. Bartlett, petitioner, *v.* Sydney O'Dell et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5129. Robert Hudson, petitioner, *v.* Attorney General of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5130. Isiah Reese, petitioner, *v.* Harold J. Smith, Superintendent, Attica Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5131. James R. Quarels, petitioner, *v.* Indiana. Petition for writ of certiorari to the Court of Appeals of Indiana, First District, denied.

No. 77-5132. Daniel A. Grippe, petitioner, *v.* Louis J. Frank et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5135. Bill Bradley, Jr., petitioner, *v.* Theodore Koehler, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5136. Ronald Corbitt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5137. Johnny Lee Ransom, petitioner, *v.* Louie L. Wainwright, Secretary, Florida Department of Offender Rehabilitation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5139. Charles L. Pierson, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 77-5144. Kenneth Raymond Krohn, etc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5147. Amador A. Valerio, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 77-5153. Eugene Henderson, petitioners *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 77-5154. Ronald Patrick Pratt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5158. Milton Mills, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5160. Ronald A. Vashone Caruso, petitioner, *v.* Donald R. Evans, Superintendent, Colorado State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5162. Herman Petty, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5167. Charles E. Davis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5169. Fred Aaron, petitioner. *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 77-5170. Ghulam Mohammed Nasim, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 77-5178. Thomas E. Sims, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5181. Ernest Richard Tope, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 77-5182. Eddie Sunday, petitioner, *v.* United States District Court. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5186. Aaron Holsey, petitioner, *v.* Maryland Inmate Grievance Commission. Petition for writ of certiorari to the City Court of Baltimore, Maryland denied.

No. 77-5195. Robert E. Whitehead, petitioner, *v.* Flamegas Companies, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5197. Gwenniece Leveritte, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5199. Ralph A. Pisa, petitioner, *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 77-5200. Sollie Lee Liptroth, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 77-5201. Joseph Collins, petitioner, *v.* Walter Fogg, Superintendent, Greenhaven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5202. Samuel Benjamin Mangiopane, petitioner, *v.* Arnold Jago, Superintendent, Southern Ohio Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5203. Oscar Stephens, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5204. George Edward Murray, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 77-5208. Tyrone Robert Toliver, petitioner, *v.* Maryland. Petitioner for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 77-5209. Howard Lee Hill, petitioner, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 77-5211. Harry William Theriault, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5213. Charles A. Fahrig, petitioner, *v.* Max Jenefsky. Petition for writ of certiorari to the Court of Appeals of Ohio, Montgomery County, denied.

No. 77-5217. John J. Flannery, petitioner, *v.* Montgomery County Probation Department et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5218. George Enos Cabral, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5222. In re Charles J. Franciscus, Justice of the Peace, etc., petitioner. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 77-5227. Henry M. Henderson, petitioner, *v.* Metropolitan Atlanta Rapid Transit Authority. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 77-5230. Patrick John Gallagher, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5232. Charles A. Fahrig et al., petitioners, *v.* Dee Ledford et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5235. Frances Owen Warriner, petitioner, *v.* Florida et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5238. James Bailey Cook, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5242. Ruben Garza Coronado, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5245. Darris White, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5251. Jesse Collins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.



No. 77-5253. Samuel B. Wallace, petitioner, *v.* Pan American Airways. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-5254. James William Mills, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5264. Larry Gillentine, petitioner, *v.* Hancock Textile Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5265. Robert William Bondurant, aka Robert William Grant, aka Bill Grant, aka Joe, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5270. Glen Rolison, Jr., petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 77-5275. Walter H. Terry, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-5279. Amos Jimmy Jennings, petitioner, *v.* Irl E. Day, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5280. Wayne Allen Peden, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5282. Donald Gene Andress, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5283. Harry W. Theriault et al., petitioners, *v.* Frederick Silber et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5289. Michael Neil Kleinbart, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-5297. Reuben Cruz-Valenzuela, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **77-5302**. Michael DeMaro and Audrey DeMaro, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **77-5304**. David N. Bubar, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **77-5307**. Earl Brown, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **77-5311**. Larry Edward Short, aka Beau Brown, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **77-5313**. John Joseph Evans, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **77-5314**. Ora Wayne Duke, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **77-5315**. Alfredo Aguilar Garcia, Jr., petitioner, *v.* Peter C. Gilman, District Attorney of Cameron County, Texas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **77-5316**. Johnnie Mack Griffin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **77-5319**. Philmon Raymond Crider, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **77-5325**. Raymond Louis Matlock, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **77-5341**. John L. Hancock, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **77-5348**. David L. Taplin and Harold J. Bracken, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5362. Jose Manuel Cisneros-Jiminez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5363. Richard Flowers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5364. Jimmy Fairfax, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5366. Laurie Claudius Kilbourne, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-1339. Robert F. Parratt, Warden, et al., petitioners, *v.* Dennis Sell and Edward Konder. Motion of respondent Edward Konder for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-1511. Illinois, petitioner, *v.* Nicholas A. Polito. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 76-1540. Arnold R. Jago, Superintendent, Southern Ohio Correctional Facility, petitioner, *v.* Walter Webb, Jr. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-1729. Otto Construction Corporation, petitioner, *v.* Anna C. Bock, Administratrix of the Estate of John J. Bock, deceased. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-1792. Bill Shaw, District Clerk, Dallas County, Texas, petitioner, *v.* James Edward Clayton. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-160. Neil E. Kette, Superintendent, Ohio Correctional Medical Center, petitioner, *v.* William Lee Moss. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-161. Frank O. Gunter, Jr., Superintendent, Massachusetts Correctional Institution, et al., petitioners, *v.* Alan Lloyd Lussier. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-226. Daniel S. Mitchell, Warden, petitioner, *v.* George H. Healey, Jr. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 76-1371. Seaboard Coastline Railroad Company, petitioner, *v.* Occupational Safety and Health Review Commission et al.; and

No. 76-1400. Southern Pacific Transportation Company, petitioner, *v.* Occupational Safety and Health Review Commission et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Powell took no part in the consideration or decision of these petitions.

No. 76-1675. North Carolina Utilities Commission et al., petitioners, *v.* Federal Communications Commission et al.;

No. 76-1676. United States Independent Telephone Association et al., petitioners, *v.* Federal Communications Commission et al.;

No. 76-1677. American Telephone and Telegraph Company et al., petitioners, *v.* Federal Communications Commission et al.; and

No. 76-1814. United System Service, Inc., et al., petitioners, *v.* Federal Communications Commission et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Powell took no part in the consideration or decision of these petitions.

No. 76-1721. The Atchison, Topeka and Santa Fe Railway Company et al., petitioners, *v.* United States et al.;

No. 76-1795. Anheuser-Busch, Inc., petitioner, *v.* United States et al.;

No. 76-1870. American Bakers Association, petitioner, *v.* United States and Interstate Commerce Commission; and

No. 77-24. The Board of Trade of Kansas City, Missouri, Inc., petitioner, *v.* United States et al. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Powell took no part in the consideration or decision of these petitions.

No. 76-1860. Wesley West et al., petitioners, *v.* Exxon Corporation. Petition for writ of certiorari to the Court of Civil Appeals of Texas,

First Supreme Judicial District, denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 77-22. Ruth H. Bunn, Executrix of the Estate of Clair V. Bunn, petitioner, v. Caterpillar Tractor Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 77-83. Henry W. Meers, petitioner, v. Sundstrand Corporation et al.; and

No. 77-255. Sundstrand Corporation, petitioner, v. Sun Chemical Corporation et al. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Powell took no part in the consideration or decision of these petitions.

No. 76-1380. Louis Arado et al., petitioners, v. United States; and

No. 76-1390. Raymond T. Adams et al., petitioners, v. City of Chicago et al. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Stevens took no part in the consideration or decision of these petitions.

No. 77-5172. Hardemon Jackson, petitioner, v. United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Stevens took no part in the consideration or decision of this petition.

No. 76-1388. Raymond N. Lowe et al., petitioners, v. Eugene Sand & Gravel, Inc., et al. Petition for writ of certiorari to the Supreme Court of Oregon denied. Mr. Justice Brennan would grant certiorari.

No. 76-6506. Harold Bernard Smith, petitioner, v. Washington. Petition for writ of certiorari to the Supreme Court of Washington denied. Mr. Justice Brennan would grant certiorari.

No. 76-1558. C. Marshall Dann, Commissioner of Patents and Trademarks, petitioner, v. A. Michael Noll; and

No. 76-1559. C. Marshall Dann, Commissioner of Patents and Trademarks, petitioner, v. Glen F. Chatfield. Motion of Computer & Business Equipment Manufacturers Association for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals in No. 76-1558 denied. Mr. Justice Blackmun would grant certiorari, vacate judgment and remand case to the United States Court of Customs and Patent Appeals with directions to dismiss the cause as moot. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals in No. 76-1559 denied as untimely filed. 28 U.S.C. 2101(c).

No. 76-1565. Southern Ohio Coal Company and Ohio Power Company, petitioners, *v.* United Mine Workers of America et al. Motion of Bituminous Coal Operator's Association, Inc. for leave to file a brief, as *amicus curiae*, granted. Motion of Chamber of Commerce of the United States for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-1663. Frederick Contractors, Inc., petitioner, *v.* Metropolitan Federal Savings and Loan Association of Bethesda et al. Petition for writ of certiorari to the Court of Appeals of Maryland denied, it appearing that the judgment below rests on adequate state grounds.

No. 76-1678. C. B. Christensen, Director of Food and Agriculture of California, et al., petitioners, *v.* Federal Trade Commission et al.; and

No. 76-1705. California Milk Producers Advisory Board et al., petitioners, *v.* Federal Trade Commission et al. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Stewart would grant certiorari.

No. 77-70. National Labor Relations Board, petitioner, *v.* Alpers' Jobbing Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Stewart would grant certiorari.

No. 76-1694. Mobil Oil Corporation, petitioner, *v.* Harry Lightcap et al. Motion of Northern Distributor Group et al. for leave to file a brief, as *amici curiae*, granted. Order entered by Mr. Justice White on June 15, 1977, staying issuance of mandate of Supreme Court vacated. Petition for writ of certiorari to the Supreme Court of Kansas denied. Mr. Justice Stewart and Mr. Justice Powell took no part in the consideration or decision of this motion, order and petition.

No. 76-1739. Bruce Johnson, a minor, by Earl D. Johnson, his guardian ad litem, et al., petitions, *v.* Huntington Beach Union High School District et al. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied, it appearing that there is no final judgment within the meaning of 28 U.S.C. 1257.

No. 76-1766. Sunset Scavenger Company and Golden Gate Disposal Company, petitioners, *v.* William Roberts et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied as untimely filed. 28 U.S.C. 2101 (c).

No. 76-1801. Lisa Gordon Smith Rivet, Administratrix of the Succession of Era Agnes, Peavy, etc., petitioner, *v.* J. C. Penney Company, Inc. Petition for writ of certiorari to the United States Court of Ap-



peals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. **76-6998**. Irvin Harvey Mason et al., petitioners, *v.* Howard H. Callaway et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. **76-1802**. First National Bank and Trust Company of Fargo, petitioner, *v.* Dakota National Bank and Trust Co. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun would grant certiorari.

No. **77-46**. Kenneth Cory, as State Controller, petitioner, *v.* David Fasken, as Executor, etc. Petition for writ of certiorari to the Supreme Court of California denied. Mr. Justice Blackmun would grant certiorari.

No. **77-207**. Darlene Ruth Bowman, petitioner, *v.* Phyllis Bowman Simpson. Petition for writ of certiorari to the Supreme Court of Texas denied. Mr. Justice Blackmun would grant certiorari.

No. **76-1840**. Sam Polur, petitioner, *v.* Roszel C. Thomsen, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit and for other relief denied.

No. **76-6334**. Frank Middleton, petitioner, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied. Mr. Justice Stewart and Mr. Justice White would grant certiorari.

No. **76-6627**. Vincent Anthony Magda, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Marshall would grant certiorari.

No. **76-6717**. David Livingston Funchess, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied;

No. **76-6756**. Marcus Wayne Chenault, petitioner, *v.* Leroy N. Stynchcombe, Sheriff. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit;

No. **76-6823**. Charles Neal, petitioner, *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied;

No. **76-6933**. Erwin Charles Simants, petitioner, *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied;

No. **77-5021**. Carl Albert Collins, petitioner, *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied;

No. 77-5083. James Adams, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied;

No. 77-5099. Rebecca A. Smith, aka Rebecca A. Machetti, petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court Georgia denied;

No. 77-5155. William Neal Moore, petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied; and

No. 77-5288. Robert A. Sullivan, Gary E. Alvord and Learie L. Alford, petitioners, *v.* Reubin O'D. Askew, etc., et al. Petition for writ of certiorari to the Supreme Court of Florida denied. Mr. Justice Brennan and Mr. Justice Marshall, dissenting:

Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentences in these cases.

No. 76-6738. James F. Heimerle, petitioner, *v.* United States. Motion for leave to file supplement to petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-6802. Leon Carmichael, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied. Mr. Justice Brennan and Mr. Justice Marshall would grant certiorari even though the denial of the petition is without prejudice to the filing of a petition for writ of habeas corpus in the appropriate United States District Court.

No. 76-6834. Melvin J. Blackmon, petitioner, *v.* Louie L. Wainwright, Secretary, Florida Department of Offender Rehabilitation. Petition for writ of certiorari to the Supreme Court of Florida denied. Mr. Justice Brennan and Mr. Justice Marshall would grant certiorari.

No. 77-3. John Gish, petitioner, *v.* The Board of Education of the Borough of Paramus. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied. Mr. Justice Brennan and Mr. Justice Marshall would grant certiorari.

No. 77-91. James M. Gaylord, petitioner, *v.* Tacoma School District No. 10, et al. Petition for writ of certiorari to the Supreme Court of Washington denied. Mr. Justice Brennan and Mr. Justice Marshall would grant certiorari.

No. 76-6872. Edward Sandoval, petitioner, *v.* United States. Motions of Robert Aguilar, Jr.; Frank Tellez; Fernando Gutierrez; Victor Martinez; Sara Tellez; Eugene Martinez; Gilbert Lopez; Dora Martinez; Celina Contreras; Eduardo M. Contreras and Julian Sandoval et al. for leave to join in petition denied. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-81. Richard Nixon, petitioner, *v.* Ronald V. Dellums et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Rehnquist took no part in the consideration or decision of this petition.

No. 77-118. Pacific Engineering & Production Company of Nevada, petitioner, *v.* Kerr-McGee Corporation and Kerr-McGee Chemical Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice White and Mr. Justice Blackmun would grant certiorari. Mr. Justice Stewart took no part in the consideration of decision of this petition.

No. 77-131. Delaware State Board of Education et al., petitioners, *v.* Brenda Evans et al.;

No. 77-223. Claymont School District et al., petitioners, *v.* Brenda Evans et al.;

No. 77-235. Newark School District, petitioner, *v.* Brenda Evans et al.;

No. 77-236. New Castle-Gunning Bedford School District, petitioner, *v.* Brenda Evans et al.; and

No. 77-239. Marshallton-McKean School District, petitioner, *v.* Brenda Evans et al. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied. The Chief Justice, Mr. Justice Powell and Mr. Justice Rehnquist would grant the petitions for writs of certiorari, vacate the judgment and remand cases to the Court of Appeals for further consideration in light of *Dayton Board of Education v. Brinkman*, 433 U.S. — (1977). Mr. Justice Marshall and Mr. Justice Stevens took no part in the consideration or decision of these petitions.

No. 77-136. Aldens, Inc., petitioner, *v.* Bronson C. LaFollette, etc., et al. Motion of Direct Mail/Marketing Association, Inc. for leave to file a brief as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

## LEAVE TO FILE PETITION FOR WRIT OF CERTIORARI DENIED

No. 77-5150. Andrew J. Faison, petitioner, *v.* Washington. Motion for leave to file petition for writ of certiorari denied.

## LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 77-5125. James Bearden, petitioner, *v.* South Carolina et al. Motion for leave to file petition for writ of habeas corpus denied.

No. 77-5143. Kenneth Peterson, petitioner, *v.* Robert H. Moore, Warden. Motion for leave to file petition for writ of habeas corpus denied.

No. 77-5268. Lee Autry Robinson, petitioner, *v.* C. L. Benson, Warden, et al. Motion for leave to file petition for writ of habeas corpus denied.

No. 77-5281. Robert Avant, petitioner, *v.* Robert H. Moore, Warden. Motion for leave to file petition for writ of habeas corpus denied.

No. 77-5327. Jessie D. McDonald, petitioner, *v.* Vinson F. Thompson, Warden. Motion for leave to file petition for writ of habeas corpus denied.

No. 77-5317. Payton Randle, petitioner, *v.* James D. Riggsby, Warden. Motion for leave to file petition for writ of habeas corpus denied. Mr. Justice Stevens took no part in the consideration or decision of this motion.

## LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 76-1651. New Jersey Dental Association et al., petitioners, *v.* Stanley S. Brotman, United States District Judge for the District of New Jersey. Motion for leave to file petition for writ of mandamus denied.

No. 76-1656. Clarence E. Edmond, petitioner, *v.* United States Court of Appeals for the Third Circuit et al. Motion for leave to file petition for writ of mandamus denied.

No. 76-6430. D'Titinius William Frazier, petitioner *v.* Paul Gressman, Deputy Clerk, U.S. Court of Appeals for the Seventh Circuit. Motion for leave to file petition for writ of mandamus denied.

No. 76-6586. Irvin B. Goodspeed, petitioner, *v.* Leo Brewster, Judge. Motion for leave to file petition for writ of mandamus denied.

No. 76-6711. Elroy Lewis, petitioner, *v.* John F. Doyle, Judge of the District of Columbia Superior Court. Motion for leave to file petition for writ of mandamus denied.

No. 76-6763. Robert J. Riddell, petitioner, *v.* Donald S. Voorhees et al. Motion for leave to file petition for writ of mandamus denied.

No. 76-6843. Gene Ham, petitioner, *v.* Robert W. Hemphill, Judge, et al. Motion for leave to file petition for writ of mandamus denied.

No. 76-6894. Allen G. Kaplan, petitioner, *v.* J. Edward Lumbard et al. Motion for leave to file petition for writ of mandamus denied.

No. 76-6897. D. C. Dockery, petitioner, *v.* Joseph T. Sneed, Judge, United States Court of Appeals for the Ninth Circuit. Motion for leave to file petition for writ of mandamus denied.

No. 76-6939. Rene Adolfo Guzman, petitioner, *v.* Clarence Jones et al. Motion for leave to file petition for writ of mandamus denied.

No. 76-6950. Lee Autry Robinson, petitioner, *v.* United States District Court for the District of Kansas. Motion for leave to file petition for writ of mandamus denied.

No. 76-6955. David Robinson, petitioner, *v.* U.S. Court of Appeals for the Ninth Circuit et al. Motion for leave to file petition for writ of mandamus denied.

No. 76-6958. Don Carroll Beachem, petitioner, *v.* United States Court of Appeals for the Third Circuit. Motion for leave to file petition for writ of mandamus denied.

No. 77-5180. Leon Morgan, petitioner, *v.* United States District Court for the Western District of Kentucky et al. Motion for leave to file petition for writ of mandamus denied.

No. 77-38. Annie Mary Timmons, petitioner, *v.* Thomas O. Lawton, Jr., et al. Motion for leave to file petition for writ of mandamus and/or prohibition and for other relief denied.

No. 77-5159. Robert J. Riddell, petitioner, *v.* Charles T. Wright, Chief Justice of the Supreme Court of Washington, et al. Motion for leave to file petition for writ of mandamus and for other relief denied.

#### REHEARINGS DENIED

No. 75-442. John H. Poelker, etc., et al., petitioners, *v.* Jane Doe, etc.;

No. 75-1578. Louie L. Wainwright, Secretary, Florida Department of Offender Rehabilitation, petitioner, *v.* John Sykes;

- No. 75-1805. Garland Jeffers, petitioner, *v.* United States;
- No. 75-1809. Alan Rabinovitch, appellant, *v.* Edwald B. Nyquist, etc., et al.;
- No. 75-1844. United States, petitioner, *v.* Eugene Lovasco, Sr.;
- No. 76-156. Vendo Company, petitioner, *v.* Lektro-Vend Corporation et al.;
- No. 76-220. General Dynamics Corporation, petitioner, *v.* United States;
- No. 76-316. John R. Bates and Van O'Steen, appellants *v.* State Bar of Arizona;
- No. 76-344. Council of Supervisors and Administrators of the City of New York, Local 1, SASOC, AFL-CIO, petitioner, *v.* Boston Chance et al.;
- No. 76-404. Illinois Brick Company et al., petitioners, *v.* Illinois et al.;
- No. 76-984. Robert George Drummond et ux., petitioners, *v.* Fulton County Department of Family and Children's Services et al.;
- No. 76-1079. Jozefa Levc (nee O'Blak), et al., petitioners, *v.* Hollis G. Connors, Treasurer of the State of Montana, et al.;
- No. 76-1113. Joseph A. Califano, Jr., Secretary of Health, Education, and Welfare, appellant, *v.* Cora McRae, etc., et al.;
- No. 76-1116. New York, petitioner, *v.* Robert Earl;
- No. 76-1209. General Motors Corporation, petitioner, *v.* Joe Stewart et al.;
- No. 76-1295. Basil Bernard Finney, petitioner, *v.* United States;
- No. 76-1367. Hyster Company, petitioner, *v.* National Labor Relations Board;
- No. 76-1378. Roger L. Whitesel, petitioner, *v.* United States;
- No. 76-1414. Frances F. Shand, petitioner, *v.* National Labor Relations Board;
- No. 76-1429. Carol L. Bradley and O. M. Bradley, petitioners, *v.* Gladys B. Whitten;
- No. 76-1479. Clara Qualls, petitioner, *v.* Fresno County Board of Supervisors et al.;
- No. 76-1589. Jerry Dawkins, petitioner, *v.* Nabisco, Inc. Bakery and Confectionary Union Local No. 42;



No. 76-1618. William Escarsega Costey, petitioner, *v.* United States;

No. 76-5306. Ernest John Dobbert, Jr., petitioner, *v.* Florida;

No. 76-6221. Benjamin A. Fusco, petitioner, *v.* United States; and

No. 76-6723. Anthony J. Falvo, petitioner, *v.* United States;

No. 76-6238. Louis Wayne Keener, petitioner, *v.* Georgia;

No. 76-6322. Samuel J. Cahnmann, appellant, *v.* Duane Eckerty, City Clerk of City of Urbana, Illinois;

No. 76-6333. Selwynn Barry Gholson and Larry Joe Ross, petitioners, *v.* Texas;

No. 76-6406. Daniel M. Pilla, petitioner, *v.* United States;

No. 76-6407. Kenneth Allen Harris, petitioner, *v.* Georgia;

No. 76-6497. Gary Michael Floyd, petitioner, *v.* Georgia;

No. 76-6518. Leslie E. Knighten, petitioner, *v.* Glenda S. Broderick;

No. 76-6527. Gerald H. Guelker, petitioner, *v.* Missouri;

No. 76-6555. Frederick Griffin, petitioner, *v.* Texas Employment Commission et al.;

No. 76-6569. Addequaye Allotey, petitioner, *v.* United States;

No. 76-6622. R. L. Patterson, petitioner, *v.* Georgia;

No. 76-6623. John Charles Johnston and Ronald Day Plumlee, petitioners, *v.* United States;

No. 76-6642. Harold M. Crowley, Jr., petitioner, *v.* New Jersey;

No. 76-6681. Harold M. Crowley, Jr., petitioner, *v.* New Jersey; and

No. 76-6733. Robert E. Foster, petitioner, *v.* Bechtel Corporation. Petitions for rehearing denied.

No. 75-1882. Larry Glover Carter and Gregory Hall, petitioners, *v.* United States. Motion of petitioner Carter for leave to proceed further herein *in forma pauperis* granted. Petition for rehearing denied.

No. 76-321. Stencil Aero Engineering Corporation, petitioner, *v.* United States. Motion of Textron, Inc., et al. for leave to file a brief, as *amici curiae*, granted. Petition for rehearing denied.

No. 76-710. Board of Education of Jefferson County, Kentucky, and Ernest Grayson, petitioners, *v.* Newburg Area Council, Inc. et al. Motion for leave to file second petition for rehearing denied.

No. 76-960. Richard E. Johnson, petitioner, *v.* Indiana; and  
No. 76-6323. W. Vaughn Ellsworth, petitioner, *v.* United States. Motions for leave to file petitions for rehearing denied.

No. 76-1432. Standard Oil Company of California, petitioner, *v.* Federal Trade Commission;

No. 76-1434. Mobil Oil Corporation, petitioner, *v.* Federal Trade Commission; and

No. 76-1435. Texaco, Inc., et al., petitioners, *v.* Federal Trade Commission. Petition for rehearing denied. Mr. Justice Stewart, Mr. Justice White and Mr. Justice Powell took no part in the consideration or decision of this petition.

#### ADMISSIONS OF ATTORNEYS DURING THE SUMMER RECESS

The following attorneys were admitted to the Bar of this Court by actions of single Justices during the summer recess, pursuant to the Order of this Court entered on the twenty-fourth day of May 1971:

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

July 18, 1977

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Benjamin Cade Abney	Atlanta, Ga.	W. Pitts Carr.
Michael E. Abram	New York, N.Y.	Samuel J. Cohen.
William Perry Adams	Washington, D.C.	Brockman Adams.
Marjorie O'Connell Amey	Washington, D.C.	Martin Sterenbuch.
Robert Gregory Andre	New York, N.Y.	Thomas George Farrell.
Michael A. Angel	Los Angeles, Calif.	John Bernhard Petermann.
George E. Argo	Vidalia, Ga.	Paul W. Callhoun Jr.
John Karl Aurell	Miami, Fla.	Earl B. Hadlow.
William G. Azar	Anchorage, Ak.	Edgar Paul Boyko.
William Ray Baesman	Columbus, Ohio	Bruce Allen Campbell.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Bruce L. Balch	Rock Island, Ill.	Stuart Ronald Lefstein.
R. Curtis Ballantyne	Los Angeles, Calif.	Matthew Horway Witteman.
Scott Young Barnes	Columbia, SC.	John Lawrence Richardson.
Gary A. Barron	San Antonio, Tex.	Herbert D. Kelleher.
Frank Lee Bearden	Portland, Oreg.	Harl H. Haas.
Michael L. Beatty	Houston, Tex.	Daniel Anthony Hyde.
Stephen Corbin Becker	Princeton, NJ.	Herbert L. Jacobson.
Bruce H. Beckmann	New York, NY.	Irving Moldauer.
Delbert T. Been	Chicago, Ill.	Edward P. McNeela.
Omri M. Behr	Edison, NJ.	Arthur Miller.
Robert Holmes Bell	Lansing, Mich.	Jonathan E. Maire.
Walter H. Bennett Jr.	Charlotte, N.C.	George Shackelford Daly Jr.
Anne L. Berger	Winchester, Mass.	Lawrence Michael Murray.
Jerold S. Berschler	Norristown, Pa.	Sidney Joseph Smolinsky.
Dewitt Talmadge Black III	Crossett, Ariz.	Raymond Hoyt Thornton Jr.
James B. Belvins	Oklahoma City, Okla.	Donald Henry Lees.
William Kenneth Blomquist	New York, N.Y.	Louis Loss.
Jared Owen Blum	Pound Ridge, N.Y.	Benjamin A. Gilman.
Thomas Lynn Boeding	Kansas City, Kans.	Nick A. Tomasic.
Larry Allen Boggs	Princeton, W. Va.	Solicitor General Wade H. McCree, Jr.
Christopher W. Bohlen	Cleveland, Ohio	Carl Lyonel Jones.
Michael J. Bowers	Atlanta, Ga.	Arthur K. Bolton.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kenneth E. Bradley	Tulsa, Okla.	Frederick P. Gilbert.
Warren Niles Brakensiek	Los Angeles, Calif.	Gordon Thompson Jeffers.
Richard Ian Brickman	Miami, Fla.	Wilton Sherman Sogg.
Lee Carl Bromberg	Boston, Mass.	Michael Christopher Donahue, Jr.
James Walker Bryant	Louisville, Ky.	Bert T. Combs.
Samuel S. Buchholtz	Brooklyn, N.Y.	Frank A. Gulotta.
Paul Anthony Burnham	Los Angeles, Calif.	Gordon Thompson Jeffers.
Felix A. Ramos Caban	San Juan, P.R.	Eduardo E. Ortiz.
James Cary Laurence Cable	Portland, Oreg.	Ridgway K. Foley, Jr.
John L. Calhoun	Baltimore, Md.	Jess G. Schiffmann.
Robert M. Callagy	New York, N.Y.	James F. Dwyer.
Sarah Trimble Cameron	Washington, D.C.	David L. Rose.
Austin Barton Campbell	Fayetteville, N.C.	Edward D. Sullivan.
Natie P. Caraway	Jackson, Miss.	Thomas Gerald Lilly.
Joseph T. Carney	Manhasset, N.Y.	Louis Schultz.
Phil M. Cartmell, Jr.	Kansas City, Mo.	Paul Scott Kelly, Jr.
Craig Joseph Casey	Portland, Oreg.	Solicitor General Wade H. McCree, Jr.
Rolland Castleman	Manchester, Conn.	John S. G. Rottner.
Stephen Chia-Shing Chen	Los Angeles, Calif.	Albert Sidney Golbert.
L. James Cherry, Jr.	Live Oak, Fla.	Jerry Michael Blair.
William Thomas Chidlaw	Sacramento, Calif.	Archibald Marison Mull, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James Ching	Sacramento, Calif.	Anthony G. Amsterdam.
James Boyd Clayton J. Marshall Coleman	Deland, Fla. Staunton, Va.	Craig T. James. Humes Jefferson Franklin, Jr.
Joseph Charles Collins, Jr. Robert Berry Cook, Jr.	New Orleans, La. Dallas, Tex.	Gillis W. Long. James H. Holmes III.
James Slater Crawford III	Pittsburgh, Pa.	Kenneth Genss Jackson.
Charles Edwin Creager	Hagerstown, Md.	Thomas Munroe Auchincloss, Jr.
James Hendryx Criswell Wade R. Crow	Denver, Colo. Bennettsville, S.C.	Andrew L. Quiat. Clinch Heyward Belser.
Floyd Cornelius Culhane, Jr.	Bethel, Conn.	Martin J. Linsky.
Raymond T. Cullen	Philadelphia, Pa.	John R. McConnell.
Basil J. Davila	San Juan, P.R.	Salvador Antonetti Zequeira.
Frederick S. Dean Robert C. Dean	Tucson, Ariz. Tallahassee, Fla.	D. B. Udall. William L. Camper III.
Salvatore Michael DeBunda	Montgomeryville, Pa.	Arthur William Hankin.
Robert Michael Diamond Charles Conrad Dietrich Richard Nicholas Dinallo	Alexandria, Va. Phoenix, Ariz. San Francisco, Calif.	W. Curtis Sewell. Jordan Green. Paul R. Dean.
Michael Anthony diNunzio Daniel T. Doherty, Jr. Jerry Alan Donley	Denver, Colo. Towson, Md. Colorado Springs, Colo.	John J. Gunther. J. Edward Davis. HayDen W. Kane.
Henry H. Drummonds John Albert Dudeck, Jr.	Eugene, Oreg. Washington, D.C.	Irvin B. Nathan. George Glenn Wolf.
Thomas Lea Dunigan	Sante Fe, N. Mex.	James Bartholomew Ginty.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Timothy J. Dwan	Buffalo, N.Y.	Judith Blake Manzella.
James Harvey Eddleman	Springfield, Ill.	Otis J. Gibson.
George Karl Elbrecht	Austin, Tex.	Mary Joe Carroll.
Jerold Vincent Fennell	Lincoln, Nebr.	Paul L. Douglas.
John D. Field III	Wash, D.C.	Richard Lawrence Braunstein.
Edward Haskell Fine	West Palm Beach, Fl.	Norman Joseph Kapner.
Charles M. Firestone	Washington, D.C.	Henry Geller.
Ronald Neil Fiske	Washington, D.C.	Frank Cleland Devlin, Jr.
Charles Elwin Fitch	Houston, Tx.	Chalmers Mac Hudspeth.
David Brian Follett	Los Angeles, Ca.	Thomas Daniel Clarke.
James Ernest Franklin II	Atlantic City, N.J.	Gerald Myron Eisenstat.
John Clarke Fredenberger	Tulsa, Ok.	Russell M. Porter.
John Edward Freeman	Tampa, Fl.	Emiliano J. Salcines, Jr.
Morley Friedman	Saint Paul, Mn.	Theodore Joseph Collins.
M. Daniel Futch Jr.	Fort Lauderdale, Fl.	John H. Moore, II.
Ollie Lorance Garmon III	Clarksdale, Ms.	Robert F. Wood.
Jeffrey Mark Gechtman	Hillside, N.J.	Mario G. Farina.
Philip A. Geddes	Huntsville, Al.	Patrick W. Richardson
Ernest Gellhorn	Tempe, Az.	William C. Canby, Jr.
Michael J. Gentry	Portland, Or.	Arden E. Shenker.
Clarence William Gerhardt	Shreveport, La.	Henry A. Politz.
Marc H. Glick	Tallahassee, Fl.	Fred O. Dickinson, Jr.
Israel Roldan Gonzalez	Aquadilla, PR.	Eric Milan Muniz.
Marc R. Gordon	Philadelphia, Pa.	Herman Winderman.
Stuart Robert Gordon	Norfolk, Va.	Joe Gray Lawrence, Jr.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Alan Goren	Dallas, Tx.	Judge Irving L. Goldberg.
E. Warren Goss	Lubbock, Tx.	Daniel Harper Benson.
Michael P. Graney	Columbus, Oh.	J. Ralston Werum.
Herbert Leslie Greenberg	Los Angeles, Ca.	Norman Robert Blumenthal.
Melvin Greenberg	Newark, N.J.	Murray Jack Laulicht.
Michael G. Grzeca	Green Bay, Wi.	Philip R. Brehm.
William Michael Hackworth	Arlington, Va.	James Philip Turner.
Charles David Hadley	Scottsdale, Az.	Richard J. Herbert.
Gary J. Hale	Morrison, Co.	John F. Webb Jr.
Daniel B. Hales	Chicago, Il.	Owen Rall.
I. Bernard Halpern	New York, N.Y.	William Preston Palmer.
Thomas E. Hansom	Memphis, Tn.	Leo E. Bearman.
Harley C. Hardesty	San Francisco, Ca.	Michael George Wah Lee.
James Robert Hargis	Boise, Id.	Wayne L. Kidwell.
Hari M. Hariani	Philadelphia, Pa.	Sidney Joseph Smolinsky.
Robert S. Harkey	Atlanta, Ga.	Frank F. Rox.
John F. Harkness Jr	Tallahassee, Fl.	Benjamin F. Overton.
Bert Seth Harp Jr.	Columbus, Ga.	E. Wright Davis.
Harold Carl Harper	Tulsa, Ok.	Ronald Joseph Jacobs.
Elihu Mason Harris	Berkeley, Ca.	Carl J. Chararter.
Donald Stanley Hart Jr.	Tampa, Fl.	H. Lee Moffitt.
Edward H. Herman	East Windsor, N.J.	Allen Jay Simonson.
Alvin J. Hicks	Reno, Nv.	Robert Frank List.
Dewitt T. Hicks Jr.	Columbus, Ms.	Frank O. Crosthwait Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Norman Carter Hile	San Francisco, Calif.	Jack B. Owens.
Earl B. Hoffenberg	Chicago, Ill.	Michael J. Murray.
H. Craig Holoboski	Madera, Calif.	Denslow Brooks Green.
Raghubeer Sharan Honi Chester Douglas Hooper	New York, N.Y. Hastings-on- Hudson, N.Y.	Kevin Concagh. Stephen K. Carr.
Jeffrey D. Ilardi	Jersey City, NJ.	Maurice M. Krivit.
Kenneth F. Ingalls Jonathan Edward Jacobs	Auburn, Wash. New York, N.Y.	Zane B. Johnson. Martin Jay Siegel.
Henry W. Jaeger Dallas Patterson Jankowski	Plainfield, N.J. Decatur, Ga.	Alfred M. Wolin. Arthur K. Bolton.
Joseph Robert John	Greensboro, NC.	L. Richard Preyer.
Kenneth James Jordan	Carson City, Nev.	George V. Allison, Jr.
Peter J. Junkin	Bedford, Ohio	Rodney Holmes Reed.
Abraham Kaplan Neil Alan Kaplan Gilbert Katen	Garden City, N.Y. Washington, D.C. Washington, D.C.	Jerome J. Silver. Oscar Altshuler. Arnold Schlesinger.
Paul K. Kavanaugh	Cleveland, Ohio	Judge John F. Ray, Jr.
Larry H. Keener	Gadsden, Ala.	Henry Becker Sweitzer.
James Edward Keeton, Jr.	Oak Ridge, Tenn.	Joseph H. Hairston.
William A. Kelleher James L. Kellner	Tarrytown, N.Y. Los Angeles, Calif.	Peter J. Mutino. Claude B. Cumming.
Roland Connor Kemp Robert M. Kern	Houston, Tex. Santa, Monica, Calif.	Fred Parks. Marion Eugene Wooley.
George Savage King, Jr.	Columbia, S.C.	Charles W. Knowlton.
Terrence H. Klasky	Washington, D.C.	Milton Welsh Schober.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Donald Lee Korb	Washington, D.C.	Leon M. Plevin.
David Brian Koretzky	Dallas, Tex.	Laurie J. Cusack.
Joseph Anthony Kouba	Los Angeles, Calif.	Patrick Thomas Madden.
John B. Kuhns	Washington, D.C.	Michael E. Tigar.
Leighton W. Lang	Omega, Ga.	John Edward Hogan.
Stephen Robert LaCheen	Philadelphia, Pa.	Edmund B. Spaeth, Jr.
Saul Lerner	Buffalo, N.Y.	Frank R. Bayger.
John Henry Lewin, Jr.	Baltimore, Md.	Edmund P. Dandridge, Jr.
Frank Peter S. Libassi	Washington, D.C.	Daniel Marcus.
James B. Liberman	New York, NY.	Charles Solis Corben.
Victor Librizzi, Jr.	Cedar Grove, N.J.	Charles C. Abut.
George W. Lindberg	Crystal Lake, Ill.	William John Scott.
Melvin Karl Lippe	Chicago, Ill.	Michael Howard King.
Sandra Little	Chicago, Ill.	Marianne Rosenfield Smigelskis.
Robert B. Littleton	Nashville, Tenn.	C. Hayes Cooney.
William Emmons Lloyd, Jr.	Alexandria, Va.	Franklin David Wolffe.
Carl F. Lodes	White Plains, N.Y.	Janet Eleanor Cunard.
Charles L. Lovercheck	Erie, Pa.	Joseph V. Agresti.
Frederick M. Lowther	Washington, D.C.	James Van Roden Springer.
Nelson Samuel Magedman	Van Nuys, Calif.	Norman Felix Montrose.
Philip K. Maloof	Worcester, Mass.	Marvin K. Rasnick.
Jerome Harold Mamber	Beverly Hills, Calif.	Hyman Gold.
Frank S. Manitzas	San Antonio, Tex.	Ben F. Foster, Jr.
Richard Sherman Mannis	Portland, Ore.	Peter A. Schwabe.
Donald Marcus	Brooklyn, NY.	Arthur I. Goldberg.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Michael Allen Marks	Philadelphia, Pa.	Herman Winderman.
Frederick James Martone	Phoenix, Az.	Gary Lester Stuart.
Sheppard Bruce Massar	East Windsor, NJ.	Allen Jay Simonson.
John S. Matthews	Tampa, Fl.	Charles Jay Hardee, Jr.
Crane McClennen	Phoenix, Az.	Bruce E. Babbitt.
Dustin C. McCreary	Seattle, Wa.	M. Bayard Crutcher.
Donald Courtney McDougal, Jr.	San Diego, Ca.	Murry Luftig.
Michael P. Merrill	Santa Rosa, Ca.	George J. Tichy II.
Donald J. Miller	Anchorage, Ak.	David Jeffrey Hirschberg.
William Richard Mills	Jackson, Mi.	Robert H. Hosick.
David J. Minder	New York, NY.	Robert J. Seymour.
M. J. Mintz	Alexandria, Va.	Henry C. Cashen II.
Edmund Benedict Moran, Jr.	Evanston, Il.	Richard Anthony Redmond.
Curtis R. Mosley	Cocoa Beach, Fl.	Joe Teague Caruso.
Vincent J. Mullins	San Francisco, Ca.	John H. Bosche.
Richard E. Mundy	Manchester, Ia.	Christopher Donald Hagen.
Peter Hans Theodore Mytnyk	Roseville, Mi.	Max D. McCullough.
George Nathanson	New York, NY.	Harvey Reich.
James Clay Neil	Los Angeles, Ca.	John C. McHose.
Jon Nelson	Bismarck, ND.	Robert Vogel.
N. Stevens Newcomer	Toledo, Oh.	Merrit W. Green.
Jay J. Newman	East Windsor, NJ.	Allen Jay Simonson.
Edward Stephen Nissman	Los Angeles, Ca.	Emanuel Braude.
John J. Norton Jr.	North Merrick, NY.	Isaac M. Rothenberg.
Thomas David Nurmi	Washington, DC.	Murray H. Bring.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert W. O'Hagan	Allenhurst, N.J.	Clark Crane Vogel.
William J. O'Hagan Jr.	Allenhurst, N.J.	Clark Crane Vogel.
Daniel Patrick O'Hanlon	Washington, DC.	Solicitor General Wade H. McCree, Jr.
Francis J. O'Rourke	Scituate, Ma.	James N. Gabriel.
Vincent F. O'Rourke Jr.	Washington, DC.	Irving L. Goldberg.
Wilfrido E. Panotes Jr.	New York, NY.	Antonio Claudio Martinez.
Victor S. Paola	Cincinnati, Oh.	Stephen William Young.
Stanton Bethay Pemberton	Temple, Tx.	Jim DeWitt Bowmer.
Edgar Allen Peterson IV	Memphis, In.	George LaForrest Bailey.
George Hinton Pierce	Starke, Fl.	Archibald J. Thomas Jr.
Joshua Jocias Pitre	Opelousas, La.	Horace Wheatley.
Annamarie Policriti	New York, NY.	Barry Alan Schwartz.
Lawrence Albert Poltrock	Chicago, Ill.	Wayne B. Giampietro.
Sergio Daniel Ponce	Miami, Fl.	Wm. Snow Frates.
Wilbur D. Preston Jr.	Baltimore, Md.	Richard C. Whiteford.
Harold F. X. Purnell	Tallahassee, Fl.	William Calvin Sherrill Jr.
Henry F. Quill	Winchester, Pa.	Lawrence Michael Murray.
Bernard Rackear	New York, NY.	George T. Vogel.
Nancy B. Reardan	Sacramento, Ca.	Nathaniel S. Colley.
Melencio Red Recana	Los Angeles, Ca.	G. Monty Manibog.
Richard James Reese	Houston, Tx.	Jerry W. Neagle.
Harvey A. Reidel	Brooklyn, NY.	Frank A. Gulotta.
Samuel D. Reidel	Brooklyn, N.Y.	Frank A. Gulotta.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ronald T. Reiling	Waltham, Mass.	Nicholas Prasinios.
Robert R. Reinhart, Jr.	St. Paul, Minn.	Thomas Patrick Kane.
David Bruce Rigney	New York, N.Y.	Arthur H. Dean.
Roger B. Robbins	Tustin, Calif.	Robin D. Thompson.
Gary L. Roberts	Pascagoula, Miss.	C. Trent Lott.
Lawrence Wayne Roberts	Cordele, Ga.	David N. Rainwater.
Paul Edward Robinson	San Diego, Calif.	John W. Witt.
Manuel Juan Rodriguez	Santa Fe, N. Mex.	D. Russell Jones.
James L. Rogers	Des Moines, Iowa	Rolland E. Grefe.
Stanley B. Rohd	Baltimore, Md.	Richard C. Whiteford.
Howard Robert Ronick	Atlanta, Ga.	J. Wallace Adair.
Thomas Edward Root	Denver, Colo.	Andrew L. Quiat.
Sheldon Martin Rosen	Kings Park, N.Y.	Charles J. Heaney.
Seymour Roy	New York, N.Y.	Maurice Albert Bendes.
Kenneth Jeffrey Rubin	Philadelphia, Pa.	Albert Squire.
Richard D. Ruhle, Jr.	Anderson, S.C.	G. Ross Anderson, Jr.
John Hughes Russell	San Francisco, Calif.	Peter J. Donnici.
David Alan Saltman	East Windsor, N.J.	Allen Jay Simonson.
Durvasula Srirama Sastri	Silver Spring, Md.	Sanford E. Wool.
Michael Joseph Satz	Fort Lauderdale, Fla.	Judge John H. Moore II
Richard L. Schwartz	Houston, Tex.	James B. Gambrell.
Robert Hayes Scott	Albuquerque, N. Mex.	Dean S. Clatterbuck.
Kenneth LeRoy Scrogam	Fort Wayne, Ind.	Philip Hiestand Larmore.
M. Brooks Senn	Louisville, Ky.	Bernard H. Barnett.
Brad Sessums	Jackson, Miss.	Patrick Hugh Scanlon.
Earl William Shaffer, Jr.	Colorado Springs, Colo.	HayDen W. Kane.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ralph J. Shapiro	Beverly Hills, Calif.	Bernard David Fischer.
Clifford J. Sheehan	Elizabeth, N.J.	Robert T. Hueston.
Thomas Charles Shields	Chicago, Ill.	Thomas Robert Mulroy.
Ronald E. Shnider	Plantation, Fla.	Hubert G. Roberts.
Jorge Aurelio Sibila	Miami Beach, Fla.	George LaForrest Bailey.
Justin Daniel Simon	Washington D.C.	Judah Best.
Paul Simonson	New York, N.Y.	Harry H. Lipsig.
Thomas Fredrick Simpson, Jr.	North Platte, Nebr.	Joseph L. Fuller.
Russell John Sindt	Golden, Colo.	J. Wm. Kohler.
Jerry Sloan	Cuyahoga Falls, Ohio	Bernard R. Roetzel.
Bernard Patrick Smith	Marblehead, Mass.	John James O'Donnell, Jr.
Ernest E. Smith	Austin, Tex.	Charles Alan Wright.
Thomas Royall Smith	Hartford, Conn.	Robert M. Bourke.
Edward Thomas Smitherman, Jr.	Hot Springs, Ark.	Samuel Lee Anderson.
Harry Lambright Snyder	Charleston, W. Va.	Thomas E. Morgan.
Linnea Snyder	Miami, Fla.	Bennett H. Brummer.
Richard B. Snyder	Miami, Fla.	Richard E. Gerstein.
Charles Arthur Spaetti	Evansville, Ind.	Carl E. Bosecker.
Charles Rickman Stack	Miami, Fla.	Milton M. Ferrell,
Greg P. Steffire	Los Angeles, Calif.	Claude B. Cumming.
Jonathan B. Steiner	Los Angeles, Calif.	Charles M. Sevilla.
Stephen Adair Stitle	Annandale, Va.	C. Harvey Bradley, Jr.
Michael H. Stone	Brooklyn, N.Y.	Charles J. Heaney.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jon Ross Stover	Washington, DC.	Harris Spencer Wood.
Emmet Gael Sullivan	Washington, DC.	William Courtleigh Gardner.
Curtis E. Tatar	Houston, Tx.	Ronald Harvey Tonkin.
Edwin Earl Taylor Jr.	Las Vegas, Nv.	Herbert Frederick Ahlswede.
James E. Taylor Jr.	Orlando, Fl.	Edward A. Nagel.
Carl Robin Teague	San Antonio, Tx.	Herbert D. Kelleher.
Dominic J. Terranova	Buffalo, NY.	Judith Blake Manzella.
James D. Thompson	Houston, Tx.	Robert Jayne Northway Jr.
Edward Thompson Jr.	New York, NY.	David Gershon Trager.
John J. Thornton	Boston, Ma.	James P. Murray.
James N. Travis	Colorado Springs, Co.	Hayden W. Kane.
David L. Vaughan	Washington, D.C.	John W. Simpson.
Pelayo Rafael Lorie Velasco	San Juan, PR.	Miguel A. Gimenez Munoz.
Douglas Paul Wachholz	Washington, D.C.	Elizabeth Giavani Verville.
Arthur Winslow Walenta Jr.	El Cerrito, Ca.	John B. Clausen.
William Haskell Walker	St. Petersburg, Fl.	Susan F. Schaeffer.
David R. Wall	New York, NY.	Isaac M. Rothenberg.
Jesse W. Walters	Albany, Ga.	H. H. Perry Jr.
Marq J. Warner	Denver, Co.	Andrew L. Quiat.
Charles Lindsay Warren	Houston, Tx.	Daniel Mordecai Joseph.
Henry A. Waxman	Los Angeles, Ca.	Jerry M. Patterson.
Michael Simon Weiden	Madison, Wi.	Richard L. Cates.
Alan L. Weisberg	Miami, Fl.	Philip Theodore Weinstein.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David B. Weisfuse	White Plains, NY.	Robert W. Stieve.
Stephen Allan Weitzman	Washington, DC.	Daniel F. O'Keefe Jr.
Michael Stanley Welzien	Berkeley, Il.	Dean S. Clatterbuck.
Steven Eric Wermerantz	Kansas City, Mo.	Albert Abraham Reed.
Philip F. Westbrook	Los Angeles, Ca.	Homer I. Mitchell.
Richard M. Whiston	Manhasset, NY.	Theodore Pearson.
Frederick E. Williams Walter Williamson	Detroit, Mi. New York, NY.	John D. O'Hair. Werner Weinstock.
Lee Wills	Colorado Springs, Co.	HayDen W. Kane.
Max Addison Wilson	Sterling, Co.	Howard K. Phillips.
Thomas Jay Wilson David R. Winger	Tucson, Az. Atlanta, Ga.	Mark B. Raven. William Lee Skinner.
John C. Wolfe	St. Petersburg, Fl.	Carl R. Linn.
William McBrayer Wood	Greer, SC.	Johnnie McKeiver Walters.
Ronald Garner Woodruff	Fayetteville, Ar.	Charles Thomas Pearson Jr.
James T. Wright	Houston, Tx.	Dennis M. Dylewski.
Herbert William Yanowitz	San Francisco, Ca.	Lewis A. Engman.
June H. Zeitlin	New York, NY.	Eric Leonard Hirschhorn.
Miles Franklin Alban Jr.	Baltimore, Md.	David Levon Terzian.
Peter Paul Alpi	New York, N.Y.	Marc Elliot Grossman.
Dynda L. Andrews G. Philip Arnold	New York, N.Y. Memphis, Tn.	Robert Kasanof. Louis R. Lucas.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Claude Burt Arrington	Tallahassee, Fla.	Douglass Bourne Shivers.
John A. Artz	Birmingham, Mich.	John A. Blair.
Jesse R. Bacalis	Detroit, Mich.	Ivan E. Barris.
Jerome R. Balka	Philadelphia, Pa.	Leonard L. Ettinger.
George Franklin Ball	Alexandria, Va.	William McWhorter Cochrane.
Arthur L. Ballin	New Orleans, La.	Frank C. Dudenhefer, Jr.
John J. Barry	Trenton, N.J.	Arthur D. McTighe.
Joseph W. Bartunek	Cleveland, Oh.	Catherine M. Durkin.
Leonard P. Baum	Beverly Hills, Calif.	Arthur Jarvis Cohen.
James Clyde Beadles	Silver Spring, Md.	James Alexander Crooks.
Griffin B. Bell	Atlanta, Ga.	Solicitor General Wade H. McCree, Jr.
Mary Ellen Berke	Los Angeles, Calif.	Kevin Gary Lynch.
Robert S. Bickerstaff, Jr.	Austin, Tex.	John L. Hill.
William Thompson Bisset	Los Angeles, Calif.	Norbert A. Schlei.
Edward Blackmon, Jr.	Canton, Miss.	John Andrew Nichols.
W. Joel Blass	Gulfport, Miss.	Webb M. Mize.
William K. Block, Jr.	Washington, D.C.	William S. Moorhead.
John Angus Blue	Pasadena, Calif.	Norbert A. Schlei.
Gerald A. Bodner	New York, N.Y.	Daniel Riesel.
Jack Boggust	Brawley, Calif.	James H. Carter.
Laurence J. Bolon	Chicago, Ill.	James S. Veldman.
Alan Bart Bookman	Pensacola, Fla.	Patrick G. Emmanuel.
James Bopp, Jr.	Indianapolis, Ind.	Darrel K. Diamond.
John Albert Borsari	Washington, D.C.	Leonard Stephen Joyce.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard C. Brautigam	San Francisco, Calif.	John R. Reese.
Thomas Chris Brissey	Greenville, S.C.	Clifford Henry Darrow.
Jonathan J. Broome, Jr.	McLean, Va.	C. Moxley Featherston.
Andrew Coy Brown	Houston, Tex.	Donald R. Bradshaw.
Barry Allan Brown	Houston, Tex.	William M. Jensen.
S. Phillip Brown	Macon, Ga.	Manley F. Brown.
Anthony M. Bruce	Buffalo, N.Y.	Stephen M. Miller.
Jorge Ortiz Brunet	San Juan, P.R.	Melvin Belli.
Ralph Scott Bunn	Winter Haven, Fla.	Robert R. Crittenden.
Richard E. Burke	New Canaan, Conn.	Max Taylor.
James A. Burstein	Chicago, Ill.	James E. Hastings.
Michael Ryan Butler	Portland, Oreg.	Robert G. Douglass.
William Michael Byrd, Jr.	Dallas, Tex.	John L. Hauer.
Thomas Wm. Cain	Los Gatos, Calif.	Richard P. Caputo.
Paul M. Caldwell	Benton, Ill.	Glenn E. Moore.
Thomas H. Cantrill	Dallas, Tex.	Herbert Spencer Kendrick.
John Thomas Carr	New Berlin, Wis.	Kenneth J. Ehlenbach.
Joseph E. Casson	Washington, D.C.	Earl W. Kintner.
A. Thomas Cavanaugh	Portland, Oreg.	Theodore B. Jensen.
W. Michael Celestre	Window Rock, Ariz.	Alan Robert Taradash.
James R. Claunch	Fort Worth, Tex.	Roy C. Basham.
Keith Marc Clemens	Beverly Hills, Calif.	Bernard B. Cohen.
Bill Clinton	Little Rock, Ark.	Robert Alston Newcomb.
Robert J. Cohen	Los Angeles, Calif.	Robert B. Gillan.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kevin A. Coles	Bridgeport, Ct.	James J. O'Connell.
William E. Collins	Dallas, Tx.	John W. Rutland, Jr.
Allan Herbert Coon Daniel Robert Coquillette	St. Helens, Or. Boston, Ma.	Robert A. Lucas. Henry Paul Monaghan.
Andrew Corselli	New York, NY.	Jeffrey Mark Schwartz.
Janet L. Covey	Greensboro, NC.	William Marcus Short.
Patrick J. Cunningham Thomas Percy Curtis	New York, NY. Harlingen, Tx.	Marc S. Krieg. Randolph Kimble Whittington.
Donald Joseph Dahlmann Norbert A. Daleiden Peter F. Davey Jr.	Belleville, Il. Chicago, Il. New York, NY.	Ralph D. Walker. Charles Cannon. Terence J. Gallagher.
Clarice M. Davis	Dallas, Tx.	Mayo J. Thompson.
Richard Paul Decker Robert Devine George Duane Dewey Jr. Donald Joseph DeSalvo Theodore Craig Diller	Atlanta, Ga. New York, NY. Jacksonville, Fl. Youngstown, Oh. Chicago, Il.	Joseph Szczecko. Abraham J. Brill. John E. Norris. Joseph E. Vouros. William H. Hillier.
William Smith Dixon	Albuquerque, NM.	Richard M. Sharp.
Thomas F. Dorian Ronald Wm. Drathman	Washington, DC. Anchorage, Ak.	Robert L. Wald. Peter J. Kalamarides.
Leo B. Dubler James W. Durham Neil Andre DuChez	Woodbury, NJ. Salem, Or. Cleveland, Oh.	Albert J. Zamal. James A. Redden. Alan Douglas Childs.
Jack Thomas Edmund	Bartow, Fl.	Clinton Austin Curtis.
Stephen Francis Eilperin	Washington, DC.	Howard Alan Glickstein.
Jack Alfred Engles Joseph Erlichman	Denver, Co. Phoenix, Az.	William Karr. John J. Flynn.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John H. Ernester Jr.	Los Angeles, Ca.	Thomas Allan Lance.
George P. Eshoo	Redwood City, Ca.	Norman George Meadows.
Richard Scott Ewing	Washington, DC.	Gerald Mann Stern.
Bruce Elliott Fein	Washington, DC.	Irwin A. Seibel.
Henry Robert Fenton	Los Angeles, Ca.	Abe F. Levy.
Eugene M. Fife III	Indianapolis, In.	Darrel K. Diamond.
John R. Fiore	Norwalk, Ct.	T. F. Gilroy Daly.
Peter S. Fleitman	Miami, Fl.	John J. Sticks.
Albert B. Fletcher Jr.	Junction City, Ks.	Arthur J. Goldberg.
Charles H. Foster	Denver, Co.	William J. Madden.
Lynn G. Foster	Salt Lake City, Utah	Roger F. Cutler.
Victor Fox	Corinth, Ky.	James M. Ringo.
Deborah Chase Franczek	Chicago, Ill.	R. R. McMahan.
Douglas Y. Freeman	Hardin, Mt.	James Reist Stoner.
Bruce J. Friedman	Arcata, Ca.	Lee J. Sclar.
Thomas J. Gagliardo	Washington, DC.	Ronald Rosenberg.
Ronald George Galip	Youngstown, Oh.	Joseph E. Vouros.
Jonathan S. Gaynin	New York, NY.	Samuel N. Greenspoon.
John Joseph George	Chicago, Ill.	Raymond F. Simon
Robert M. George	Seattle, Wa.	Richard R. Albrecht.
Henry Gerhardt	St. Charles, Mo.	Dale L. Rollings.
Albin H. Gess	Tustin, Ca.	Harold L. Jackson.
Thomas Mac Gibbs	Heflin, Al.	James Carver Farrington.
Richard Irwin Gilchrist	Los Angeles, Ca.	Michael King Inglis.
Gary S. Gill	Des Moines, Ia.	John V. Donnelly.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Neil M. Gingold	Syracuse, N.Y.	Peter A. A. Berle.
Louis Edward Goldberg	Los Angeles, Calif.	Joseph Amato.
Kenneth Lamar Gordon	Hogansville, Ga.	James Earl Weldon, Jr.
Herman I. Graber	New York, N.Y.	Louis R. Aidala.
Albert E. Grady	Brockton, Mass.	Bernard Cohen.
Dennis Claude Graves	Walnut Creek, Calif.	Victor J. Westman.
Richard Owen Gray, Jr.	Chicago, Ill.	Charles Cannon.
David Greenbaum	Little Rock, Ark.	James Guy Tucker, Jr.
Jeffrey Allen Grossman	Columbus, Ohio	Paul Allen Scott.
Stuart Z. Grossman	Miami, Fla.	J. B. Spence.
Eugene Dickey Gulland	Washington, D.C.	Howard C. Westwood.
Max G. Gulo	Streator, Ill.	Frank Xavier Yackley.
Bertram N. Hack	Springfield, Ohio	Walter V. Hines.
Michael P. Hambsch	La Habra, Calif.	Steven E. Briggs.
Stephen Hankin	Atlantic City, N.J.	Samuel Epstein.
Larry A. Harman	Houston, Tex.	William James Mays.
James Hedrick Harmon	El Centro, Calif.	Raymond Treat Sullivan, Jr.
William Oliver Harrison, Jr.	Corpus Christi, Tex.	Cecil E. Burney.
Paul M. Haygood	New Orleans, La.	Sumter D. Marks, Jr.
Max Herman	Los Angeles, Calif.	Richard I. McCann.
Arnold Alvin Herzog	Cleveland, Ohio	Gordon Thomas. Canning, Jr.
Theodore William Herzog	Vero Beach, Fla.	William Louis Earl.
Neal L. Hirshfeld	New City, N.Y.	Leonard J. Birbrower.
William Louis Hoese	San Diego, Calif.	Gerald S. Davee.
Kenneth R. Hoffman	Houston, Tex.	William James Mays.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
George W. Holz	Shamokin, Pa.	Michael William Sheehy.
Jimmy Leo Hooper	Texarkana, Tex.	Lynn Cooksey.
Loren Thomas Hora	Davenport, Iowa	David P. Miller.
Gerald D. Hosier	Chicago, Ill.	Charles Cannon.
John L. Hudgins	Indianapolis, Ind.	Virginia Dill McCarty.
William Hughes	Baltimore, Md.	James B. Murphy.
Nathaniel A. Humphries	Washington, D.C.	Boynton P. Livingston.
Richard H. Ihfe	San Antonio, Tex.	Barry Snell.
Atilla S. Ilkson	Washington, D.C.	Susan Parker Starling.
Susan Yyonne Illston	San Mateo, Calif.	Joseph W. Cotchett.
John Lansing Isaac	Chicago, Ill.	Charles Cannon.
Robert Thomas Jarrard	Gainesville, Ga.	Joseph Henry Blackshear.
James D. Jeffries	Madison, Wis.	Richard A. Victor.
Bentley Pearce Jenkins	Fallbrook, Calif.	James Edward Switzer, Jr.
Rafford Eugene Jones	Raleigh, N.C.	Rufus L. Edmisten.
Rhonda Lee Jordan	Norristown, Pa.	Stephen Romeo Signore, Jr.
Irving K. Kaler	Atlanta, Ga.	Joseph Mordecai Kittner.
Joseph S. Kaming	New York, N.Y.	Marc S. Krieg
George M. Karam	Houston, Tex.	John F. Nichols.
Herbert Bruce Keil	Chicago, Ill.	William E. Anderson.
Jacob C. Kellem	Wilmington, Del.	Rudolf Edward Hutz.
Leo C. Kelly	Albuquerque, N. Mex.	Peter Gallagher.
John J. Kennedy, Jr.	Pittsburgh, Pa.	John E. Evans, Jr.
Thomas M. Kenney	Omaha, Nebr.	J. William Gallup.
Eugene M. Kimmet	Norwalk, Conn.	T. F. Gilroy Daly.
Daniel Edward Kinane, Jr.	Cincinnati, Ohio	Thomas A. Schaffer.
William F. Kirsch, Jr.	Memphis, Tenn.	A. Longstreet Heiskell.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard Lee Klauer	Phoenix, Az.	Warren L. McCarthy.
Charles C. Kline	Miami, Fl.	William J. Dunaj.
Donald D. Koons	Dallas, Tx.	John A. Willoughby III.
Martin M. Krimsky	Philadelphia, Pa.	I. Raymond Kremer.
David A. Kruse	Auburn, In.	Winslow Van Horne.
Henry Laffer	Fort Lauderdale, Fl.	Alan Demar.
Richard M. Lannen	Dallas, Tx.	John L. Hauer.
Ronald Frederick Larson	Falls Church, Va.	Steven James McAuliffe.
Edward E. Lawson Jr.	Washington, DC.	John James Powers III.
Kristena Ann LaMar	Portland, Or.	Jean Lagerquist Lewis.
Stephen Peters Lee III	Miami, Fl.	Stuart L. Simon.
Charles Leeds	New York, NY.	Jack H. Weiner.
Nathan Leventhal	New York, NY.	Peyton Howard Moss.
Dennis Perry Levine	Phoenix, Az.	Michael Eugene Blount.
Mark Stephen Levy	Philadelphia, Pa.	Steven E. Angstreich.
Daniel Martin Lewis	Washington, DC.	Stephen M. Sacks.
Stephen M. Little	Metairie, La.	Ernest E. Barrow II.
Patricia Gail Littlefield	Washington, DC.	James Philip Turner.
John J. Long Jr.	Norwich, Vt.	Daniel Joseph Connolly.
Donald John MacNeil	San Diego, Ca.	Terry J. Knoepp.
Lawrence C. Maisel	Washington, DC.	Abraham Krash.
Robert Thomas Maison	Toledo, Oh.	Reginald Sherma Jackson, Jr.
Jonathan Aaron Mason	Villa Hills, Ky.	Richard Stanley Nelson.
Stephen Kenneth Matson	Los Angeles, Ca.	John Hassel Larson.
Joseph I. McCabe, Jr.	Phoenix, Az.	Donald R. Kunz.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Paul Julian McConnell, III	Houston, Tex.	Charles Elwin Fitch.
Charles Joseph McEvily	New York, N.Y.	David K. Kadane.
Robert F. McGinnis	New York, N.Y.	Charles F. Kazlauskas, Jr.
Darrell McGowen	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Brooks McLemore	Nashville, Tenn.	C. Hayes Cooney.
Martin Earl McVey	Houston, Tex.	John F. Nichols.
Steven Lee Meltzer	Washington, D.C.	Fred Drasner.
Harry Merson	Oklahoma City, Okla.	William F. Shdeed.
Mark A. Meyer	New York, N.Y.	Leonard Walter Wagman.
George P. Michaely Jr.	Washington, D.C.	Joseph Bernard Levin.
Jerry Jack Miller	Amarillo, Tex.	Jack Ritchie.
Marvin David Miller	Alexandria, Va.	Terrence Allan Sidley.
Kensel Ross Minshall	Cleveland, Ohio	James A. Chiara.
Randall D. Mock	Oklahoma City, Okla.	Lewis Eldean Stringer.
John R. Monnich	Troy, Mi.	Howard S. Arnkoff.
William Adam Montgomery	Chicago, Ill.	Milton Howard Cohen.
Robert Edward Morris	Tampa, Fla.	William Osborne Mehrtens, Jr.
David John Muchow	Arlington, Va.	Roy Tesler.
Jerome P. Mullins	San Jose, Calif.	Sheldon Portman.
Charles Osborne Murray III	Los Angeles, Calif.	Jesse P. Luton, Jr.
Richard Gregory Nadler	St. Paul, Minn.	Gene Thomas Ecker.
David Enne Newhouse	San Francisco, Calif.	George B. White.
Ronald D. Nickum	Amarillo, Tex.	Howard F. Saunders.
Raymond P. Niro	Chicago, Ill.	Charles Cannon.
John Michael Nolan	Austin, Tex.	Arthur J. Goldberg.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas Joseph Nolan Jr.	Menlo Park, Ca.	Ramon Seraphin Lelli.
R. Keith Nolley	Columbus, Oh.	John R. Louden.
Wayne A. Norman Jr.	Dubuque, Ia.	Barry A. Lindahl.
Joan Offner	New York, NY.	Helen R. Cassidy.
Joseph Edward Owens	Rockville, Md.	Melvin M. Feldman.
Emily A. Parker	Dallas, Tx.	John W. Rutland Jr.
James Duvall Patrick Jr.	Columbus, Ga.	Samuel Walton Worthington III.
Dallas Melvin Patterson	Roanoke, Va.	F. Rodney Fitzpatric.
Edward Behnke Peel	Memphis, Tn.	George Herbert Patrick Bursley.
Eugene Locke Pieper	Omaha, Nb.	Robert J. Murray.
Robert Frank Pietrowski Jr.	Washington, D.C.	Northcutt Ely.
Charles F. Pigott Jr.	Chicago, Il.	George H. Gerstman.
Mark Stephen Pitt	Louisville, Ky.	Thomas H. Henderson Jr.
Ross David Pollack	Ardsley, NY.	Judge Charles Fahy.
Benjamin Erwin Pool	Montgomery, Al.	William L. Dickinson.
William G. Porter Jr.	Columbus, Oh.	Frederick T. Searls.
Lewis A. Posekany Jr.	Houston, Tx.	David L. Zuber.
Richard B. Posey	Lititz, Pa.	Ronald L. Buckwalter.
Scott Cannon Pugsley	Salt Lake City, Ut.	John Boyden.
Frank A. Purcell	Union City, NJ.	James J. Romano Jr.
Francis D. Quigley Jr.	Rockville Centre, NY.	Denis E. Dillon.
Raymond R. Randall	Holyoke, Ma.	Robert J. Curley.
Paul Theodore Rephen	Brooklyn, NY.	Leonard J. Koerner.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Timothy J. Reuland	Aurora, Il.	Lambert M. Ochsenschlager.
Gerdes Waldron Rice	Dallas, Tx.	Henry Wade.
Carmen Vincent Roberto	Cuyahoga Falls, Oh.	Bernard R. Roetzel.
Robert Roberts III	Shreveport, La.	Clarence L. Yancey.
John Edwards Robins Jr.	Hampton, Va.	Percy Carmel.
Patrick M. Roby	Cedar Rapids, Ia.	Ralph Warren Gearhart Jr.
John M. Roche	Detroit, Mi.	Bert Burgoyne.
Kathryn Jane Rodgers	New York, NY.	Peyton Howard Moss.
Adrian D. Rosen	Detroit, Mi.	Alan Dodd Rosen.
David A. Rosenfeld	San Francisco, Ca.	David E. Feller.
Marvin Alan Rous	San Francisco, Ca.	Michael Allen Harris.
Benjamin T. Rowe	Mobile, Al.	Paul W. Brock.
Isidore Philip Saal Jr.	Gueydan, La.	Charles Mixer Thompson Jr.
Mark F. Saker	Freehold, NJ.	Richard T. O'Connor.
Lawrence Hanna Samaha	Tampa, Fl.	Peter J. T. Taylor.
Thomas G. Scavone	Chicago, Il.	Charles Cannon.
William B. Schatz	Cleveland, Oh.	Nicholas Mario DeVito.
Jan Schneider	Washington, D.C.	James Creighton McKay.
Robert Schwartz	New York, NY.	Harold Borg.
William R. Sharpe	Orlando, Fl.	J. Robert Eagan III.
Myron Siedorf	Los Angeles, Ca.	Matthew S. Rae Jr.
Richard A. Slottee	Portland, Or.	Michael H. Marcus.
Gregory James Smith	Denver, Co.	Michael Douglas White.
Robert B. Smith	Boston, Ma.	David B. Kaplan.
John Joseph Smith Jr.	Birmingham, Al.	John Joseph Smith.
Edward J. Soma	Pontiac, Mi.	Michael Batchik.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert H. Somerton	Pittsburgh, Pa.	Robert Joseph Trageser.
Charles Jeffrey Sprigman Jr.	Woodbury, N.J.	Glenn W. Kindle.
Kenneth M. Stachurski	San Antonio, Tx.	Barry Snell. Garland P.
Earl H. Stockdale Jr.	Falls Church, Va.	Thompson. Leonard L.
Edward N. Stoner II	Pittsburgh, Pa.	Scheinholtz.
Tom W. Tannehill	Tulsa, Ok.	Louis Levy.
Luther M. Taylor	North Palm Beach, Fl.	Francis T. Ryan.
Robert Louis Taylor	Hutchinson, Ks.	Richard J. Rome.
Roger W. Taylor	Tucson, Az.	John McCormick.
William Emmett Taylor III	Philadelphia, Pa.	Edwin P. Rome.
Aaron Teitelbaum	New York, N.Y.	Robert E. Smith.
J. Michael Tesar	Omaha, Nebr.	Gary P. Bucchino.
Gerald Allan Thompson	Ogden, Utah	Thomas C. Alfsen.
Roscoe M. Thompson	Columbus, Ga.	Jack Thomas Brinkley.
E. David Tyner	Dade City, Fla.	George C. Dayton.
Robert Allen Vaughn	Springfield, Ohio	Oscar T. Martin II.
John A. Vigilante	Norwalk, Conn.	Paul J. Pacifico.
Gilberto Vila-Navarrete	San Juan, P.R.	Raymond Rivera-Martino.
Lonnie Charles Von Renner	Washington, D.C.	Bruce J. Terris.
William C. Vose	Orlando, Fla.	J. Robert Egan III.
Christopher Wetmore Walker	Washington, D.C.	Robert H. Shorb.
Ralph O. Wallace	Miami, Fla.	Joseph P. Manners.
David Michael Waltz	San Diego, Calif.	Robert E. Noel.
Marshall Word Watkins	Houston, Tex.	Edward John Landry.
Richard D. Watt	Houston, Tex.	William James Mays.
C. David Weed	Miami, Fla.	Bennett H. Brummer.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Phillip Paul Weidner	Anchorage, Alaska	R. Collin Middleton.
Gerald B. Weiner	San Francisco, Calif.	Bernard B. Blatte.
Stewart M. Weintraub	Philadelphia, Pa.	Samuel Regen Ginsburg.
Edward S. Weiss	Silver Spring, Md.	Marvin M. Waldman.
David J. Wellman	Troy, Minn.	Donald E. McGinnis, Jr.
Melvin Reed Whipple	Las Vegas, Nev.	James Michael Bartley.
John Bryant Whitley	Charlotte, N.C.	Robert Gregg Sanders.
Douglas Frank Whitman	Lawrence, Kans.	Charles Edward Whitman.
Christopher Webb Wickersham	Daytona Beach, Fla.	Berrien H. Becks, Sr.
Harvey Earl Wilbekin	Cincinnati, Ohio	Peter J. Randolph, Sr.
Galen Harvey Wilkes	Phoenix, Ariz.	William J. Schafer III.
John Burwell Wilkes	Nashville, Tenn.	Charles Allen High.
Andrew Gregg Wilson II	Boise, Ind.	David John Knowlton.
Charles C. Winchester Jr.	Boston, Mass.	William R. Hulbert.
William Wiswall	Springfield, Oreg.	Laurence E. Thorp.
Richard Edward Wolverton	St. Petersburg, Fla.	William John Anderson.
Lynn Carter Woods Jr.	Houston, Tex.	William James Mays.
Edd Kenneth Wright	Dover, Ohio	James R. Thomas.
Joseph L. Youngblood Jr.	Atlantic City, N.J.	Michael R. Connor.
Douglas L. Ziech	Joliet, Ill.	George Lorton Grumley.
Charles A. Zielinski	Buffalo, N.Y.	Edward Berlin.

SEPTEMBER 9, 1977

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kenneth E. Aaron	Havertown, Pa.	S. Pay Sklar.
Bruce David Alper	Phoenix, Ariz.	Jack E. Evans.
Donn Paul Alspaugh	Chicago, Ill.	Joseph N. DuCanto.
Michael John Appel	San Francisco, Calif.	George H. Hauerken.
Frank Armstrong	Dallas, Tex.	Arthur Philip Wilson Jr.
Thomas Drummond Bagwell	Richmond, Va.	James E. Kulp.
Coleman T. Bahn	Boston, Mass.	Joseph Kruger.
Gerald A. Banks	Dallas, Tex.	Henry Wade.
Peter Louis Banks	Barnesville, Ga.	John James Flynt Jr.
Lawrence Abraham Barkett	Vero Beach, Fla.	Byron Thomas Cooksey.
John Gordon Barksdale III	Decatur, Ga.	Victoria Duncan Little.
Edward J. Bellen	Scranton, Pa.	Charles W. Schiesser.
Barry Allen Berger	Manalapan, N.J.	Roger L. Toner.
Harry A. Blackmun	Arlington, Va.	Henry Putzel Jr.
Robert Smith Blanc III	New York, N.Y.	Robert F. Dobbin.
Carl Thomas Bogus	Philadelphia, Pa.	Morton Steven Gorelick.
Randall Stanton Boyd	Denton, Tex.	Michael Joseph Whitten.
Paul Joseph Brake	San Antonio, Tex.	Lucien Benton Campbell.
Robert Paul Bramnik	New York, N.Y.	Robert P. Stein.
Howard J. Bressler	Los Angeles, Calif.	Don G. Kircher.
Douglas B. Brockhouse	St. Louis, Mo.	John M. Goodwin.
Juan G. Burciaga	Albuquerque, N. Mex.	Albert T. Ussery.
Steven Charles Burtnett	Bellflower, Calif. West Hartford, Conn.	James E. Pearce. Gerald J. Randall.
Douglas Bennett Clark	Laguna Beach, Calif.	Keith L. Gow.
James Lissant Conkey		

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ronald M. Couillard	Whittier, Calif.	Max Carleton Garrick.
Thomas Wofford Craddock	Dallas, Tex.	Henry C. Coke Jr.
Gregory Bestor Craig	Washington, D.C.	Edward Bennett Williams.
Richard Thomas Cremin	Baltimore, Md.	Thomas J. Bollinger.
Matt P. Cushner	Chicago, Ill.	George L. Plumb.
Patrick Francis Daly	Chicago, Ill.	Martin Anthony Russo.
Lee Statton Damsker	Tampa, Fla.	John I. Van Voris.
Karen K. Davidson	Washington, D.C.	James L. Magavern.
Arden G. Doss Jr.	Miami, Fla.	Jerry Bruce Crockett.
Elliott L. Du Bois	Chicago, Ill.	Harry S. Wender.
Thomas Joseph Duncan	Syosset, N.Y.	Denis E. Dillon.
Peter G. Estes Jr.	Fayetteville, Ark.	W. B. Putman.
Dorothy R. Fait	Washington, D.C.	Solicitor General Wade H. McCree Jr.
Michael William Farrell	Rockville, Md.	Sidney M. Glazer.
Craig E. Fenech	San Diego, Calif.	John Joseph Cleary.
Aimee Frances Fisher	Tulsa, Okla.	Albert James Fitzwilliam.
Mary Elizabeth Fisher	St. Louis, Mo.	Sheldon D. Grand.
Robert F. Flinn	Fairfax, Va.	A. Robert Cherin.
Donald K. Franklin	Seattle, Wash.	D. Gordon Willhite.
Michael Lewis Freilich	Baltimore, Md.	Howard J. Needle.
Andrew Emery Garson	Fairfield, Conn.	T. F. Gilroy Daly.
Michael Scott Gatzke	San Diego, Calif.	Jack W. Crumley.
Lawrence K. Ginsberg	Baltimore, Md.	Michael H. Mannes.
William John Giuffre	Baltimore, Md.	Robert R. Cohen.
Louis Edwin Goebel	San Diego, Calif.	Jack W. Crumley.
William Abilio Gomes	Brooklyn, N.Y.	Steven M. Bernstein.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Raul E. Gonzalez Diaz	San Juan, P.R.	Edward M. Borges.
Marvin O. Granath	Minneapolis, Minn.	Lawrence Michael Jolliffe.
John B. Gunn	Belleville, Ill.	Ralph D. Walker.
Victor Benjamin Harris	San Diego, Calif.	Charles Wolfinger.
Richard Allen Hayhurst	Parkersburg, W. Va.	Wm. W. Bishop Jr.
Fred I. Heller	New York, N.Y.	Stuart M. Speiser.
B. Boyd Hight	Los Angeles, Calif.	Richard E. Sherwood.
Bruce James Hinkle	Tucson, Ariz.	Frank Mitchell Tuerkmeimer.
Robert William Homan	Manhattan Beach, Calif.	James F. Healey Jr.
Samuel Edward Hooper	Houston, Tex.	Richard R. Brann.
Thomas Charles Campbell Humick	Morristown, N.J.	Dickinson R. Debevoise.
Francis Gerard Janson	Philadelphia, Pa.	James A. Burgess Jr.
Robert L. Johnson	Lewistown, Mont.	Thomas H. Mahan.
Ned N. Julian Jr.	Sanford, Fla.	William Leslie Colbert.
James A. Kaehler	Minneapolis, Minn.	Lawrence Michael Jolliffe.
Robert S. Katz	Honolulu, Hawaii	Theodore J. St. Antoine.
Phyllis C. Kelberg	New York, N.Y.	Eugene P. McGreal.
John Brooke Kelly	Upper Marlboro, Md.	Stanley Arnold Racoosin.
Donald Kennicott	Atlanta, Ga.	Irving M. Pollack.
Arthur R. Kingery	Peoria, Ill.	Robert C. Strodel.
Allan Edward Kirstein	New York, N.Y.	Howard Bernard Holt.
Marvin M. Klein	Washington, D.C.	Leon Morris Shinberg.
Michael John Kovach	Upper Marlboro, Md.	Cheryl Lynn Palkovitz Hepfer.
Derald D. Kruse	Auburn, Ind.	Winslow Van Horne.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Warwick C. Lamoreaux	Salt Lake City, Utah	Peter Watson; Billings.
John S. Lancy	Phoenix, Ariz.	Joe Sims.
Edwin Key Livingston	Montgomery, Ala.	Drayton N. Hamilton.
John Kenneth Lucas	Chicago, Ill.	William E. Lucas.
Jerald Benson Lurie	Baltimore, Md.	Norman W. Polovoy.
Charles Philip Mackin Jr.	Washington, D.C.	Engene A. Ritti.
Clyde H. MacIver	Seattle, Wash.	D. Gordon Willhite.
Ralph Gerome Marcarelli	Fountain Valley, Calif.	Henry Schultz.
Lee Anthony Marinaccio	Wheaton, Ill.	Aldo E. Botti.
S. Ralph Martin Jr.	Atlanta, Ga.	Charles Long- street Weltner.
Alvin Bill Maupin	Las Vegas, Nv.	John L. Thorndal.
Ronald W. Maxwell	Jacksonville, Fl.	Stanley Bernard Gelman.
Homer Lee McCormick Jr.	Santa Ana, Ca.	Milford Willits Dahl.
Mike McCurley	Irving, Tx.	John E. Collins.
Kenneth Eugene Mead	Portland, Or.	Laurence Lewis Janke.
Paul August Meissner Jr.	Clearwater, Fl.	James T. Russell.
Thomas John Michels	Baltimore, Md.	James F. McCadden.
Steven Miller	Washington, D.C.	William Walter Maywhort.
Ebb B. Mobley III	Longview, Tx.	Fred Raymond Erisman Jr.
Michael John Morrissey	Columbus, Oh.	Clarence Swearingen Jr.
Rene V. Murai	Miami, Fl.	Burton A. Landy.
Charles Edward Myers	Beaumont, Tx.	Michael D. Matheny.
Noel H. Nation	Miami, Fl.	Jerry Bruce Crockett.
Bernard John O'Brien	Boston, Ma.	Arthur E. Flynn.
Hugh G. Oliver	Westwego, La.	William V. Dunne.
Jack Bob Packar	Hollywood, Fl.	J. Leonard Fleet.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Alan M. Parker	Knoxville, Tn.	Beauchamp Evans Brogan.
L. Lamar Parrish	Albuquerque, NM.	Albert T. Ussery.
John Rezin Perkins	Des Moines, Ia.	Richard C. Turner.
Lawrence M. Philips	New York, NY.	Stanley William Kallman.
Ronald L. Phillips	Thomaston, Me.	Edward Joseph Bishop.
Edward Charles Prado	San Antonio, Tx.	Lucien Benton Campbell.
Michael W. Rathsack	Chicago, Il.	Dom J. Rizzi.
Joseph Michael Reibman	Easton, Pa.	Nathan L. Reibman.
John Micheal Reidenbach	San Francisco, Ca.	Howard Victor Golub.
Michael A. Resnick	Washington, DC.	Thomas A. Shannon.
Steven Paul Resnick	Baltimore, Md.	George A. Nilson.
James Kenneth Robinson	Detroit, MI.	Solicitor General Wade H. McCree, Jr.
Paul B. Rodbell	Riverdale, Md.	Michael Owen Connaughton.
Carl H. Rolewick	Chicago, IL.	Lester Asher.
Robert M. Roller	Dallas, Tx.	Henry C. Coke Jr.
Lawrence Robert Rothstein	Southfield, MI.	Claude Romain.
Hyman Rubin	Silver Spring, Md.	Albert Ginsberg.
Lawrence Edward Rubin	Potomac, Md.	Albert Ginsberg.
Robert Mack Rudisill Jr.	Miami, FL.	Jerry Bruce Crockett.
James T. Russell	Belton, Tx.	Arthur Coleman Eads.
Lawrence J. Sabatino	New York, NY.	Eugene C. Wohlhorn.
Peter S. Sachs	Fort Lauderdale, FL.	Fred N. Kellner.
Raymond Joseph Salassi Jr.	New Orleans, La.	Arthur J. Waechter Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Bruce Dennis Sales	Lincoln, Nb.	Allan Ashman.
Michael J. Samuels	Miami, FL.	Max D. Puyanic.
Steven Jay Schwartz	Akron, OH.	Frederic L. Zuch.
Robert A. Sebastian	Miami, FL.	David H. Zoberg.
Russell Neal Sewell Jr.	Atlanta, Ga.	Arthur K. Bolton.
Alan Richard Shane	Miami, FL.	Jerry Bruce Crockett.
John Edgar Sherman	Houston, Tx.	Karl Archer Maley.
Mark Canon Sholander	Columbus, OH.	Marvin I. Resnik.
Frank Sinatra III	Los Angeles, Ca.	Thomas Flood Sanford.
Ronald R. Stempien	Southgate, Mi.	Robert E. Butcher.
Stanley Anthony Strzelecki Jr.	Chicago, IL.	Martin Anthony Russo.
James Michael Stuart	Simi Valley, Ca.	Stephen Payne Wiman.
Gary Hugh Swanson	Des Moines, Ia.	Richard C. Turner.
LaVerne Sweeney	Grafton, WV.	Franklin D. Cleckley.
William Floyd Taylor	Nashville, Tn.	David Sullivan Zinn.
Edwin K. Theus Jr.	Monroe, LA.	Thomas W. Leigh.
Keith C. Thompson	Chevy Chase, Md.	Donald T. MacNaughton.
Alan S. Tilchen	Southfield, Mich.	Adam J. Dadaou.
Mason Jeremy Toles	Phoenix, Ariz.	Ronald W. Carmichael.
Eric Alberto Tulla	San Juan, P.R.	Edward M. Borges.
Arnold W. Umbach, Jr.	Opelika, Ala.	James T. Gullage.
James Stephen Usich	Miami, Fla.	Robert Orseck.
Richard Bruce Wagner	Rockville, Md.	Alfred V. J. Prather.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kenneth Robert West	Chevy Chase, Md.	M. Michael Cramer.
Daniel John Westerbeck	Troy, Mich.	Stuart E. Siegel.
Edward R. White, Jr.	Potomac, Md.	Clyde C. Randolph, Jr.
Jesse Parrish Williams	Orlando, Fla.	David Lloyd Zook.
Robert L. Williams	Dade City, Fla.	George C. Dayton.
James Stephen Wilson	Rockville, Md.	George Paul Haldeman.
William A. Wise	El Paso, Tex.	Raymond Ward Bergan.
Ronald C. Wong	San Francisco, Calif.	Robert Nicco.
William T. Wood	Rockville, Md.	B. F. Wood.
Merle William Wood II	Los Angeles, Calif.	Gordon Thompson Jeffers.
Gary A. Woodfield	New York, N.Y.	Samuel N. Greenspoon.
Joseph Glenn Young	Gainesville, Fla.	William D. Pridgeon.
Michael E. Zadan	San Diego, Calif.	Robert E. Noel.

## SEPTEMBER 14, 1977

Theodore Arthur Adler	Harrisburg, Pa.	J. Justin Blewitt, Jr.
William V. Altenberger	Peoria, Ill.	Joseph Z. Sudow.
Patrick James Arnall	St. Louis, Mo.	Richard Gordon Dahlen.
Michael Charles Axelrod	Roslyn, N.Y.	Richard Hartman.
Jack Douglas Bachman	Salt Lake City, Utah	David Keith Watkiss.
Andrew M. Balanda	Arlington, Va.	Scott Paul Crampton.
Nicholas A. Barna	Honesdale, Pa.	Cody Hamilton Brooks.
John William Beasley	Nashville, Tenn.	C. Hayes Cooney.
Joan Bradbury Bennett	Sarasota, Fla.	Lawrence J. Robinson.
Rynn Berry	New York, N.Y.	William K. Kerr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Theodore Boese	Washington, D.C.	Milton Eisenberg.
Robert S. Bomar	Atlanta, Ga.	Don A. Langham.
Minor Thomas Bond, Jr.	Ocala, Fla.	John Bush Fuller.
William Marion Bowen, Jr.	Montgomery, Ala.	Joseph George Lana Marston III.
Matthew P. Boylan	Newark, N.J.	Arnold Fisher.
David M. Brodsky	New York, N.Y.	Irving Brodsky.
Ronald Franklin Brot	Los Angeles, Calif.	Robert D. Raven.
Donald Coleman Brown	Shreveport, La.	John A. Richardson.
W. Hayes Brown III	Columbia, Md.	Jon Franklin Oster.
William Purnell Bryson	Anchorage, Alaska	Peter J. Kalamaridies.
Malcolm L. Burdine	Brookline, Maine	Philip Charles Mills.
Robert K. Burgess	Los Angeles, Calif.	James H. Wallace, Jr.
Charlyn Jean Buss	Arlington, Va.	Marian Halley.
James Craig Carman	Salt Lake City, Utah	Judge Dean E. Conder.
Gary Lynn Case	Portland, Oreg.	James B. Griswold.
Patrick Jon Casey	Oklahoma City, Okla.	Thomas F. McIntyre.
Thomas Edward Cauthorn III	Marietta, Ga.	Richard Lanier Moore.
Betty Jane Clark	Washington, D.C.	Samuel Jay Levine.
Richard C. Conover	New York, N.Y.	Bert Arnold Collison.
Samuel W. Cooper	Omaha, Nebr.	Paul L. Douglas.
William Louis Corbin	Severna Park, Md.	Carl Anderson Durkee.
Terry B. Cosgrove	Helena, Mont.	Walter S. Murfitt.
Earl Gene Covington	Houston, Tex.	Richard James Reese.
James Fletcher Covington, Jr.	Jacksonville, Fla.	Robert William Peacock, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Byron M. Crippin, Jr.	Austin, MN.	Robert J. Johnson.
Ronald Dean Davis	Milwaukee, Wis.	Lloyd A. Barbee.
William J. Deupree, Jr.	Covington, Ky.	John R. Elfers.
Earl Robert Donaldson	Oklahoma City, Okla.	Andrew M. Coats.
Richard J. Duffy	Yorktown Heights, N.Y.	Charles E. Dennison.
Arthur L. Dyer, Jr.	Oklahoma City, Okla.	Riley Brock.
Osborne J. Dykes III	Houston, Tex.	John D. Gilpin.
H. Michael Easley	West Palm Beach, Fla.	Charles A. Nugent, Jr.
Peter M. Edelstein	Briarcliff Manor, N.Y.	Charles E. Dennison.
Robert L. Edwards	Chicago, Ill.	Howard Thornton Savage.
Stephan Avery Elman	Denver, Colo.	Howard Irving Rosenberg.
Joseph S. Englert, Jr.	San Francisco, Calif.	Howard V. Golub.
Octavio Estrella-Blanco	Austin, Tex.	Cameron M. Cunningham.
John C. Filippini	Washington, D.C.	Earl W. Kintner.
Stuart Martin Fischman	Brooklyn, N.Y.	Harvey Alan Strickon.
Graydon W. Florence, Jr.	Atlanta, Ga.	Jay Elliott Loeb.
Duane Sherman Fulkes	Mexico, Mo.	John Moncure.
Tim Futrell	Louisville, Ky.	Edgar A. Zingman.
Luis Cesareo Garcia	Columbus, Ga.	Malcolm A. Hoffmann.
Melvin C. Garner	New York, N.Y.	William E. Pelton.
Joseph G. Garza	Corpus Christi, Tex.	Daniel V. Alfaro.
Emily B. Gassenheimer	Montgomery, Ala.	Walter L. Allen.
Robert Mellor Gault	Boston, Mass.	Patrick J. King.
Fred W. Gilbert	Spokane, Wash.	E. Glenn Harmon.
Larry O. Gildea	Eugene, Oreg.	Howard E. Speer.
Thomas J. Ginger	Jackson, Miss.	Frank R. Parker.
Ellis H. Goodman	Baltimore, Md.	Robert Charles Verderaime.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kenneth Richard Gordon A. Sheldon Gould	Fort Worth, Tex. Syracuse, N.Y.	Charles O. Dobbs. Kenneth D. Whitelaw.
Warren A. Gower	Marlborough, Conn.	John F. Mulcahy Jr.
David Allen Grabham	Minneapolis, Minn.	LeRoy M. Rice.
Richard A. Graddock	Newark, N.J.	Stephen E. Klausner.
Jack Richard Graf Jr. Thomas H. Graham	Columbus, Ohio Minneapolis, Minn.	Wilmore Brown. Joseph T. Burkard.
John A Grambling	El Paso, Tex.	William J. Mounce.
Robert J. Grayson	Marietta, Ga.	Richard Lanier Moore.
David Greene Douglas Donald Gross	New York, N.Y. Los Angeles, Calif.	Peter Paul Alpi. James H. Ackerman.
Gordon E. Hartwig David T. Hedges Jr.	Portland, Oreg. Houston, Tex.	Charles P. Duffy. John Leroy Jeffers.
Charles Diederick Heidgerd	Raleigh, N.C.	Leslie Bruce McDaniel.
William Edward Heitkamp	Houston, Tex.	Richard James Reese.
David Saul Heller Tiffany M. Henderson	New York, N.Y. Glen Cove, N.Y.	Lester E. Fetell. John J. Sutter.
William Charles Hendricks III	McLean, Va.	John C. Keeney.
D. Duffy Herman	Baltimore, Md.	Robert Charles Verderaime.
Harold Thomas Hermansen Jr.	Corpus Christi, Tex.	James W. Wray Jr.
John Charles Herrold	York, Pa.	Lewis Harrison Markowitz.
William M. Hesson Jr. John Parks Hopkins	Baltimore, Md. Columbus, Ohio	James D. Nolan. Robert Frederick Howarth Jr.
Julian Victor Horwitz	El Paso, Tex.	Richard T. Marshall.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David Joseph Hossler	Yuma, Ariz.	Douglas Snyder Stanley.
Robert Harlan House F. Boyd Hovde	Ava, Mo. Indianapolis, Ind.	John D. Ashcroft. Earl C. Townsend, Jr.
William M. Huddles	Baltimore, Md.	Glenn Ephraim Bushel.
Robert K. Huffman	Washington, D.C.	Aloysius B. McCabe.
William Rollins Hurt	Houston, Tex.	Robert M. Bass, Jr.
William Thetford Ingram	Roswell, Ga.	Richard David Giles, Jr.
Robert E. Isner	New York, N.Y.	Bert Arnold Collison.
Barney Iuppa	Colorado Springs, Colo.	Rollie R. Rogers.
Ralph W. Johnson Stanley R. Jones	Seattle, Wash. Tustin, Calif.	Cornelius J. Peck. Harold L. Jackson.
William C. Kelly, Jr.	Washington, D.C.	Richard A. Whiting.
William R. King Helen S. Kohlman	Des Moines, Iowa New Orleans, La.	Donald A. Wine. Marvin C. Grotsky.
Herman S. Kohlman	New Orleans, La.	Marvin C. Grotsky.
Richard Michael Kovak Thomas M. Lamberti	Seattle, Wash. Garden City, N.Y.	Clay Nixon. George L. Hubbell, Jr.
George Edward Lane	Indianapolis, Fla.	Erwin N. Griswold.
Patrick Lanier	Austin, Tex.	Roy William Mouer, III.
Alvin M. Lapidus	Baltimore, Md.	Henry Isaac Louis.
Lois Francine Lapidus	Baltimore, Md.	Joel Joseph Rabin.
Samuel Phillips Lavine	Philadelphia, Pa.	Morton Steven Gorelick.
Ralph Ivy Lawson	Dyersburg, Tenn.	John Barret Ashley.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James Elwyn Leak	Ocala, Fla.	John Bush Fuller.
Lawrence W. Leak	Chicago, Ill.	Camillo F. Volini.
J. Kenny Lewis	San Francisco, Calif.	Philip H. Angell, Jr.
Noel Charles Lindenmuth	Chicago, Ill.	Nat P. Ozmon.
Jules Boswell Lloyd	Washington, D.C.	Irving Starr.
Franklin Alexander Luna	Fort Walton Beach, Fla.	Harold R. Vague.
H. J. Luxan	Helena, Mont.	Walter S. Murfitt.
John B. Magee	Washington, D.C.	Raphael Sherfy.
Ralph B. Maher	Akron, Ohio	Merryl F. Sicherman.
Michael A. Marra	Niagara Falls, N.Y.	James Hartman Watz.
Clyde P. Martin Jr.	New Orleans, La.	Fred Clegg Strong.
Frank Ebaugh Mason Jr.	Easton, Md.	John Cannon North.
Peter James Mastaglio	Garden City, N.Y.	George L. Hubbell, Jr.
John L. McConn Jr.	Houston, Tex.	Frank Joseph Knapp.
Richard Frank McDivitt	Oklahoma City, Okla.	Thomas F. Mc- Intyre.
Max Daniel McGinn	Greensboro, N.C.	Thornton H. Brooks.
James Gavin McKeon	New York, N.Y.	John C. Jaqua, Jr.
Thomas Ira McKnew Jr.	Los Angeles, Calif.	Matthew Horway Witteman.
Alan Martin Medof	Miami, Fla.	Howard J. Hollander.
Dennis John Melofchik	New Brunswick, N.J.	C. Judson Hamlin.
Walter McNab Miller III	Houston, Tex.	Thomas G. Bousquet.
John F. Mills	Phoenix, Ariz.	Ralph B. Sievwright.
Charles Gardner Mills IV	New York, N.Y.	Samuel N. Greenspoon.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Bruce Hal Miner	Amarillo, Tex.	James D. Durham Jr.
E. Lynn Mitchell	Atlanta, Ga.	Andrew Louis Stanfield.
Kenneth M. Morris	Houston, Tex.	Rhett G. Campbell.
John Gary Morrison	Kensington, Calif.	Donald L. Reidhaar.
David Barton Moseley Jr.	Dallas, Tex.	N. Alex Bickley.
Andrew Trowbridge Hall Munroe	Washington, D.C.	Charles N. Brower.
Joseph Patrick Murray	Newark, N.J.	Annamay T. Sheppard.
Albert W. Murry	Oklahoma City, Okla.	Riley Brock.
Victor Joseph Musleh	Ocala, Fla.	John Bush Fuller.
Charles Paul Neuffer III	Charlotte Amalie, V.I.	Victor George Schneider.
Gerald Wee Ngon Yee	Honolulu, Hawaii	Hiram Leong Fong.
John-Clarence North	Easton, Md.	John Cannon North.
T. Peter O'Callaghan, Jr.	Cedartown, Ga.	James I. Parker.
James F. O'Hara	Little Rock, Ariz.	William P. Hamilton, Jr.
Alan A. Olshan	Milwaukee, Wi.	Charles L. Rustin.
Gary Curtis Papeic	Jacksonville, Fl.	T. Edward Austin Jr.
Stephen John Pajcic III	Jacksonville, Fl.	T. Edward Austin Jr.
William Fanghsiung Pan	New York, NY.	John J. Reilly.
Marjorie Patmon	Oklahoma City, Ok.	Fred Melville Black.
Robert Jon Paugh	Washington, DC.	Edward W. Warren.
Gregory Michael Perry	Commerce, Ga.	Edwin Lewis Hansen.
Christopher Lee Pickrell	Tucson, Az.	Judge Robert W. Pickrell.
Donald J. Post	Miami, Fl.	Duane Anderson.
William C. Potter	Melbourne, Fl.	Frank J. Griffith Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles Raymond Purcell	Chicago, Il.	William Andrew Barnett.
Paul Ramos-Morales	San Juan, PR.	Jesus M. Hernandez-Sanchez.
Russell J. Ramsey	Houston, Tx.	John A. Murray.
Edward D. Riebman	Allentown, Pa.	Nathan L. Reibman.
Frank H. Reimers	Newark, NJ.	Robert D. Hodes.
Bert W. Rein	Washington, DC.	Frederick M. Rowe.
H. Gerald Reynolds	Tampa, Fl.	Jos. F. Johnston.
William Lawrence Rikard Jr.	Charlotte, NC.	Joseph W. Grier Jr.
Dale John Roberts	Madison, Wi.	Joseph A. Sole.
William O. Rockwood	Briarcliff Manor, NY.	Charles E. Dennison.
Judith Anne Ronzio	St. Louis, Mo.	Eugene P. Freeman.
Philip Rudnick	Bakersfield, Ca.	Thomas R. Davis.
Steven Paul Russo	Toms River, NJ.	James W. Holzapfel.
Robert Allen Sapero	Baltimore, Md.	Robert S. Rody.
Thomas Lucky Sauberli	Portland, Or.	Walter H. Sweek.
Robert W. Sayre	Philadelphia, Pa.	Thomas Squires Weary.
David J. Schmit	Washington, DC.	Harold Bernard Peek.
George Lawrence Schraer	Berkeley, Ca.	Michael J. Keady.
John Andrew Schrufer Jr.	Baltimore, Md.	Claude Leon Callegary.
Amitai Schwartz	San Francisco, Calif.	Anthony G. Amsterdam.
Michael Scott	Washington, D.C.	John Lansdale Jr.
John Edward Seeley	Washington, D.C.	William P. Rogers.
Robert Paul Selya	New York, N.Y.	Francis Bernard Conrad.
Curtis Stoughton Shaw	New York, N.Y.	Philip James Bergan.
Ronald L. Sheiman	Philadelphia, Pa.	Eugene Jay Wien.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Erwin A. Sherman	Louisville, Ky.	S. Arnold Lynch.
Allen Edward Shoenberger	Chicago, Ill.	Norman Carey Amaker.
Jerry Shuford	Indio, Calif.	Edward Kenneth Madruga.
Wendell Gene Sigmon	Newton, N.C.	Bailey Patrick.
Jesse C. Sigmon Jr.	Newton, N.C.	Bailey Patrick.
Frank Stanton Simons Jr.	Colorado Springs, Colo.	Rollie R. Rogers.
Roger Joseph Stalowicz	Clastonbury, Conn.	Gerald J. Randall.
William Benson Stewart	Houston, Tex.	Daniel Robert Kirshbaum.
Jeffrey E. Streitfeld	Fort Lauderdale, Fla.	Fred N. Kellner.
Joseph B. Sturgis	Philadelphia, Pa.	Thomas Squires Weary.
Thomas H. Sutton	Carmi, Ill.	Bruce D. Irish.
Regis L. Toomey	Houston, Tex.	Gerald Barry Leavey.
Richard J. Urowsky	New York, N.Y.	Marvin Schwartz.
Sheldon B. Vance	Washington, D.C.	William R. Joyce Jr.
Edward Michael VanMorlan	Lawrence, Kans.	Robert J. Dole.
Richard M. Vega	Atlanta, Ga.	Floyd Clifford Hale.
Duane Vergeer	Portland, Oreg.	Walter H. Sweek.
Henry L. Vinyard	Salisbury, Md.	K. King Burnett.
William Warren Weber	New Britain, Conn.	Thomas Charles Marshall.
Lowell R. Wedemeyer	Los Angeles, Calif.	Maurice C. Inman Jr.
Fred B. Weil	San Francisco, Calif.	Michael N. Khourie.
G. Duane Welsh	Columbus, Ohio	William J. Brown.
Jeffrey Mark Winnick	South Windsor, Conn.	Gerald J. Randall.
Charles Joseph Wiseman III	Portland, Oreg.	Edward Brekke,

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert H. Witkop	Traverse City, Mich.	Michael D. Lewis.
James Skelly Wright, Jr.	Washington, D.C.	Judge J. Skelly Wright.
Kenneth Zommick	Los Alamitos, Calif.	Carlton Eugene Russell.

## OCTOBER 3, 1977

Alfred Harris Adams	Marietta, Ga.	G. Conley Ingram.
Robert Agostinelli	Ottawa, Ill.	Theodore Alex- ander Gottfried.
Robert Donald McKinney Allen	San Antonio, Tex.	Michael J. Barrett Jr.
Robert L. Armijo	Las Vegas, N. Mex.	Owen M. Lopez.
Frank Sisto Astroth	Baltimore, Md.	Harris James George.
Edna Ruth Atkins	Omaha, Nebr.	David L. Herzog.
R. David Ayers Jr.	Orlando, Fla.	Holmes Russell Troutman.
LeLand James Badger	Chicago, Ill.	Albert E. Jenner Jr.
Robert Cahill Barry	Kansas City, Mo.	Rodger John Walsh.
Daniel J. Bartolini	Baltimore, Md.	Walker W. Evans.
Ray Austin Bass III	Houston, Tex.	Randolph L. Schaffer Jr.
Brian Beckwith	San Francisco, Calif.	Harold E. McDermid.
John Stevens Berry	Lincoln, Nebr.	Martin J. Linsky.
William Brown Bircher	Severna Park, Md.	William Peyton George Jr.
Joel M. Birken	McLean, Va.	James Eddy Burk.
Robert Keith Bost	San Antonio, Tex.	Peter D. Newhouse.
Harris Clemon Bostic	Atlanta, Ga.	Antonio LaVere Thomas.
Paul M. Bowman	Chestertown, Md.	Harry Thomas Sisk Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Herbert L. Braverman	Cleveland, Ohio	Michael Allan Shore.
William Joseph Brennan Jr.	Omaha, Nebr.	Lyle E. Strom.
Dennis S. Brotman	Trenton, N.J.	Alice Ashley Costello.
William Kinsman Broudy	New York, N.Y.	Howard G. Leventhal.
Charles R. Brown	Salt Lake City, Utah	Hardin Austin Whitney Jr.
Michael Christopher Brown	Great Bend, Kans.	Judge Lawrence Herbert Rohleder.
Brice Edward Buehler	Phoenix, Ariz.	John Frederick Foreman.
Thomas Norman Burnham	Detroit, Mich.	Thomas Hammond Adams.
George C. Bush	Saginaw, Mich.	Robert E. Bright.
Cheryl Ann Powell Calloway	Washington, D.C.	Marjorie O'Connell Amey.
Thomas A. Cupelle	San Francisco, Calif.	Charles Jay Hardee Jr.
George Michael Carnahan	Galveston, Tex.	James Edwin Smith.
William Randolph Carpenter	Topeka, Kans.	Philip H. Lewis.
C. Joseph Cavanagh	Springfield, Ill.	Benjamin Kurt Miller.
Susan Ruth Chalker	Washington, D.C.	Robert Steven Catz.
Ernest S. Christian Jr.	Austin, Tex.	Betty Jo Christian.
George F. Christie	Fort Worth, Tex.	Howard Gray Barker.
Alan J. Ciklin	West Palm Beach, Fla.	Thomas Joseph Yeager.
Henry S. Clay Jr.	Springfield, Va.	Frank Livingston Ball Jr.
Jeffrey N. Clayton	Salt Lake City, Utah	Hardin Austin Whitney Jr.
Gary S. Clem	Peoria, Ill.	John E. Cassidy, Jr.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Arnold S. Cohen	Wanaque, N.J.	Gerald M. Freundlich.
Steven David Cohn	Brooklyn, N.Y.	Herman Mark Harris.
Brady Coleman	Austin, Tex.	Cameron M. Cunningham.
Lucy Cooper	Washington, D.C.	Robert Henry Blondis.
Robert Worth Corcoran	Helena, Mont.	Walter S. Murfitt.
Mark A. Cymrot	Washington, D.C.	Alan Mark Silbergeld.
Harlon L. Dalton	New York, N.Y.	Robert L. Carter.
Elise Davis	Tilghman, Md.	Maitland Guy Freed.
Gary L. Davis	Helena, Mont.	Walter S. Murfitt.
Monroe R. Davis	Monticello, N.Y.	Alfred M. Gerstman.
James M. Deimen	Ann Arbor, Minn.	Richard F. Fellrath.
John R. Devitt	Milwaukee, Wis.	Robert Patrick Russell.
Francis Dominic DeFrancis	Dayton, Ohio	David C. Greer.
Terrance H. Dittmer	Orlando, Fla.	V. Keith Young.
Allen P. Dodd III	Louisville, Ky.	Allen P. Dodd Jr.
Timothy W. J. Dunn	Minneapolis, Minn.	Richard E. Leonard.
Miriam Rachel Eisenstein	Washington, D.C.	Walter Whitney Barnett.
Donald P. Ellis Jr.	Dallas, Tex.	Maitland Guy Freed.
Larry A. Elms	Lubbock, Tex.	Jim Kimmel.
Donald Burnham Ensenat	New Orleans, La.	Thomas Hale Boggs Jr.
Ronald Walker Eubanks	Salt Lake City, Utah	Phil L. Hansen.
H. Bradley Evans Jr.	Alexandria, Va.	Stephen S. Boynton.
James Mitchell Fallman Jr.	Sparks, Nev.	William Macdonald.
Daniel James Farrell	Chicago, Ill.	Stanley Anthony Strzelecki Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John R. Ferguson	Cleveland, Ohio	Alan S. Ward.
Fred E. Ferguson Jr.	Phoenix, Ariz.	Newman Rush Porter.
Thomas J. Fineman	Los Angeles, Calif.	Richard Douglas Brew.
Timothy M. Finnical	Dallas, Tex.	Michael Naughton Buckley.
Michael Fischer	Washington, D.C.	Marcus A. Hollabaugh.
Dewey Hays Foster	Oklahoma City, Okla.	Joe Cannon.
Stephen A. Friedman	Washington, D.C.	William L. Kaplan.
Olin Fayrell Furr Jr.	Columbia, S.C.	Kermit S. King.
Clifford Newton Gamble Jr.	Sacramento, Calif.	Patrick Robert Moya.
Daniel J. Gamino	Oklahoma City, Okla.	Larry Derryberry.
Thomas A. Gennusa II	New Orleans, La.	Adolph J. Levy.
Michael Anthony Glean	Atlanta, Ga.	Michael J. Kovacich.
John Everett Greenbacker Jr.	Washington, D.C.	John Hungerford Gullett.
John Alan Greene	New York, N.Y.	Andrew Corselli.
Jerome Seymour Gutkin	Phoenix, Ariz.	Jerry Levin.
Michael D. Haas	Bay St. Louis, Mo.	Joseph Ruble Griffin.
E. Bruce Hadden	Columbus, Ohio	Earl Leeper Hamilton.
Paul Orville Harrison	Rochester, N.Y.	Albert H. Pinsky.
Robert Barker Harrison III	Baltimore, Md.	Jon Franklin Oster.
Jonathan B. Hill	Chevy Chase, Md.	Donald W. Markham.
Stuart H. Hirsh	Beverly Hills, Calif.	Otto Frank Swanson.
Alan Craig Hoffman	Chicago, Ill.	B. J. Tennery.
Thomas Franklin Hooker Jr.	Albuquerque, N. Mex.	Malcolm L. Shannon Jr.
T. Wilson Hotze Jr.	Richmond, Va.	Joseph Samuel Bambacus.
Lewis Alfred Huddle Jr.	Portsmouth, Va.	Robert A. Leflar.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Eugene Huggins	Bennettsville, S.C.	S. Norwood Gasque.
Louis A. Huskins	Los Angeles, Calif.	Ronald L. Blanc.
Henry L. Jesserer III	Rochester, N.Y.	Joseph Daniel Valentino.
Marion Luyken Jetton	Washington, D.C.	Solicitor General Wade H. McCree Jr.
Mary-Ella Johnson	Miami, Fla.	Irving M. Wolff.
Stanley Royce Juhnke	Hutchinson, Kans.	Robert Louis Taylor.
Malcolm Sharp Kamin	Chicago, Ill.	Sidney R. Zatz.
Bernard Kanstoroom	Chevy Chase, Md.	Paul H. Weinstein.
Roman S. Karwowski	Detroit, Mich.	Raymond A. Macdonald.
Richard Ernest Keithley	Kansas City, Mo.	Donald E. Martin.
Ronald Kevitz	Flanders, N.J.	Nicholas N. Kittrie.
James A. Kiernan	New York, N.Y.	George J. Strauch.
Warren Henry Kintzinger	Richardson, Tex.	Roger Weldon Kraus.
James B. Kobak Jr.	New York, N.Y.	John A. Donovan.
Gordon Eugene Krischer	Los Angeles, Calif.	Charles George Bakaly Jr.
Oscar Buren Ladner	Gulfport, Miss.	Leonard Adam Blackwell II.
Harvey Latney Jr.	Richmond, Va.	Waller H. Horsley.
Gerald Eugene Lester	Nashua, N.H.	Nicholas Prasinos.
Joseph L. Liegl	Bowie, Md.	Gilbert E. Andrews Jr.
John Keith Light	Washington, D.C.	Jacob I. Karro.
Wendell S. Loomis	Houston, Tex.	Vincent William Rehmet.
Bruce C. Lubeck	Salt Lake City, Utah	John D. O'Connell.
Robert W. Lynch	Philadelphia, Pa.	William J. Hagan.
Milton H. Mares	San Francisco, Calif.	Thomas Martin O'Connor.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Arthur Laurence Martin	San Francisco, Calif.	Bartholomew Lee.
John R. McCarroll, Jr.	Memphis, Tenn.	Lucius E. Burch, Jr.
Robert J. McDowell	Sioux Falls, S.D.	William F. Clayton.
Sheila M. McEntee	Washington, D.C.	Robert Henry Blondis.
Daniel A. McKeever, Jr.	St. Petersburg, Fla.	Edward Dean Foreman.
William Gerard McMurtrie	Bethesda, Md.	David G. Gartner.
John Albert Meyer	Chicago, Ill.	Judge Joel Martin Flaum.
Spencer Norman Miller	Jersey City, N.J.	Maurice M. Krivit.
Barry Montrose	New York, N.Y.	Morton J. Heckerling.
Dan R. Morris	Phoenix, Ariz.	William Durrell Nielsen, II.
John Joseph Murphy	San Francisco, Calif.	Thomas Carpenter Nagle.
Joseph W. Murphy	Forestdale, Mass.	John J. Bohan.
Dan Henry Myers, III	Manhattan, Kans.	Charles Daniel Green.
Nicholas J. Nastasi	Philadelphia, Pa.	Raymond J. Bradley.
Maurice Joseph Nelson	San Francisco, Calif.	James Grove Seely, Jr.
Mitchell Jay Nelson	New York, N.Y.	Martin D. Newman.
David Stuart Niss	Duluth, Minn.	Frederick L. Miller, Jr.
Robert A. Obler	Trenton, N.J.	Thomas J. McGann.
Joseph J. Palmer	Salt Lake City, Utah	Hardin Austin Whitney, Jr.
Mary Avgerin Pappas	Chicago, Ill.	Robert McClory.
William D. Peltz	Annandale, Va.	John Cochran Calhoun.
David I. Pincus	New York, N.Y.	Peter L. Zimroth.
Homer Sterlin Pointer, III	Dallas, Tex.	Nicholas Peter DeCarlo.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Douglas Poling Shepherd Green Pryor, III	Alexandria, Va. Atlanta, Ga.	Charles D. Doyle. Abraham Goldfarb.
Robert Ray Rainer	Baton Rouge, La.	David, L. Dawson, Jr.
James M. Rees Braxton Dorsett Reid Robert R. Retke	McLean, Va. Abilene, Tex. Chicago, Ill.	James Eddy Burk. Bryan Bradbury. Earl Langdon Neal.
Dennis J. Riley	New York, N.Y.	Frederick Sass, Jr.
Proctor Dixon Hile Robison Jerrald Joseph Roehl	Milwaukee, Wis. Albuquerque, N. Mex.	Edward A. Dudek. William A. Sloan.
Ronald B. Rose	Washington, D.C.	Stuart Evan Seigel.
Melvin Rossman Ronald B. Rossman J. Quinton Rumph Barbara Dailey Ruud	Denver, Colo. Denver, Colo. Jacksonville, Fla. Washington, D.C.	Leo T. Zuckerman. Leo T. Zuckerman. Albert J. Datz. Sandy McCormack.
Stephen Schultz Thomas G. Shapiro	Boston, Mass. Boston, Mass.	Thomas R. Kiley. Harvey Allen Silverglate.
Lawrence Kevin Sheridan	New York, N.Y.	Leonard J. Koerner.
Michael Sierra	Tampa, Fla.	Charles Jay Hardee, Jr.
Richard Paul Sills	Washington, D.C.	Michael I. Sanders.
Stefan Rogers Skipp	Chestertown, Md.	Alexander Parks Rasin, III.
Alexander Skopetz	Bowie, Md.	Paul Richard Nathan.
Daniel Upham Smith	Los Angeles, Calif.	Burt S. Pines.
Peter Robert Sonderby Paul Norman Stein	Chicago, Ill. Cleveland, Ohio	Robert F. Ward. John W. Gallagher.
Charles Raymond Stepter, Jr.	Orlando, Fla.	Charles E. Davis.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas M. Stringer	Minneapolis, Minn.	Floyd Edmund Boline.
Norton F. Tennille, Jr. Kelly Thompson, Jr.	Washington, D.C. Bowling Green, Ky.	Murray H. Bring. Phillip Irl Huddleston.
Michael Thornell	Houston, Tex.	John Guest Patterson.
Frances Josephine Cockrell Thornton Robert Powell Trout	Washington, D.C. Baltimore, Md.	Mary Lilla Browne. Jervis Spencer Finney.
Thomas Leo Twyford Frank P. Tyson Jr.	Columbus, Ohio Fort Lauderdale, Fla.	James C. Britt. Robert Stanley McConnaughey.
Harold Lee Vaughn	Boston, Mass.	Enoch O'D. Woodhouse II.
Stuart M. Vaughn Jr.	Greenville, S.C.	Hoyt Lane Dennard Jr.
Laurence Duncan Vaughn Jr. Michael R. Walker	Birmingham, Ala. Phoenix, Ariz.	James B. Allen. Timothy Allen Ingraham.
John Andrew Walsh Jr.	Boston, Mass.	John J. Desmond III.
J. Jeffrey Weisenfeld	New York, N.Y.	Frederick Harvey Cohn.
David Barnard Whitehill	Tulsa, Okla.	William Henery Bell.
M. Howard Williams	Tallahassee, Fla.	John Lynwood Pearce.
Robert Lee Williams Thomas H. Williams Jr.	Santa Ana, Calif. Nashville, Tenn.	William Sheffield. Robert William Weismueller, Jr.
Randolph Carson Wiseman Thomas Homer Wolfsen Howard G. Woodward	Columbus, Ohio Santa Ana, Calif. Clarksdale, Miss.	Paul Allen Scott. Cecil Hicks. William Henry Maynard.
Marvin Eldridge Wright	Columbia, Mo.	Jackson A. Wright.
Charles E. Yates	Seattle, Wash.	Douglas M. Fryer.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ben F. Williams Jr.	Douglas, Ariz.	Solicitor General Wade H. McCree Jr.
Sandra Lynn Beber	Washington, D.C.	Solicitor General Wade H. McCree Jr.
Robert Melvyn Meisner	Birmingham, Ala.	Solicitor General Wade H. McCree Jr.
Naomi Ella White	Washington, D.C.	Solicitor General Wade H. McCree Jr.
Richard W. Burke	Chicago, Ill.	Richard Allen Kleine.
Frank C. McKibben	Denver, Colo.	Richard Edmund Minor Ely.
Charles Jesse Baron	Washington, D.C.	Winfred Raymond Mundle Sr.
Alfred Jude D'Auria	Avon By the Sea, N.J.	Daniel H. Krivit.

## ORAL ARGUMENT

No. 76-5344. James Raymond Moore, petitioner, *v.* Illinois, Argued by Mr. Patrick J. Hughes, Jr., for the petitioner and by Mr. Charles H. Levad for the respondent.

No. 76-835. United States, petitioner *v.* New York Telephone Company. Argued by Mr. Lawrence G. Wallace for the petitioner and by Mr. George E. Ashley for the respondent.

No. 76-398. Citizens and Southern National Bank, petitioner *v.* Nick Bougas. Argued by Mr. William C. Humphreys, Jr., for the petitioner and by Mr. Michael J. Kovacich for the respondent.

No. 76-616. New York, appellant, *v.* Cathedral Academy. Argued by Mrs. Jean M. Coon for the appellant and by Mr. Richard E. Nolan for the appellee.

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Adjourned until tomorrow at 10 o'clock.





## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Paul Charles Hemmer	Menomonee Falls, Wisc.	Frank Edward Devine
James A. Rupard	Dallas, Tex.	Frank Edward Devine
Douglas Donald Keller	Walnut Creek, Calif.	Donald Kaye Smith
Evan Charles Braude	Los Angeles, Calif.	David A. Brody

### ORAL ARGUMENT

No. **76-860**. Joseph A. Califano, Jr., Secretary of Health, Education and Welfare, appellant, *v.* John A. Jobst. Argued by Mr. Stephen L. Urbanczyk for the appellant, *pro hac vice*, by special leave of Court and by Mr. Jerome D. Riffel for the appellee.

No. **76-906**. United Air Lines, Inc., petitioner, *v.* Harris S. McMann. Argued by Mr. Arnold T. Aikens for the petitioner and by Mr. Francis G. McBride for the respondent.

No. **76-879**. Thomas E. Zablocki, Milwaukee County Clerk, etc., appellant, *v.* Roger C. Redhail, etc. Argued by Mr. Ward L. Johnson, Jr., for the appellant and by Mr. Robert H. Blondis for the appellee. Memoranda to come.

No. **76-864**. City of Lafayette, Louisiana, and City of Plaquemine Louisiana, petitioners, *v.* Louisiana Power & Light Company. Argued by Mr. Jerome A. Hochberg for the petitioners, by Mr. Andrew P. Carter for the respondent, by Mr. William T. Crisp for the National Rural Electric Cooperative Association et al., as *amici curiae*, by special leave of Court.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice White, Mr. Justice Stewart, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSION TO BAR ON ORAL MOTION

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Benjamin Jerome Cayetano	Honolulu, Hawaii	Daniel K. Inouye.

### ORAL ARGUMENT

No. 76-1150. Lester Baldwin et al., appellant, *v.* Fish and Game Commission of Montana et al. Argued by Mr. James H. Goetz for the appellants and by Mr. Paul A. Lenzini for the appellees.

No. 75-536. Nashville Gas Company, petitioner, *v.* Nora D. Satty. Argued by Mr. Charles K. Wray for the petitioner and by Mr. Robert W. Weismueller, Jr. for the respondent.

No. 75-1069. Richmond Unified School District et al., petitioner, *v.* Sonja Lynn Berg, etc. Argued by Mr. Arthur W. Walenta for the petitioners and by Miss Mary C. Dunlap for the respondent.

No. 76-1057. John W. Key et al., appellant, *v.* Michael M. Doyle et al. Argued by Mr. Floyd Willis III, for the appellants and by Mr. Carl F. Bauersfeld for the appellees.

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Adjourned until Tuesday, October 11, 1977, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

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Mr. Solicitor General McCree presented the Honorable Griffin B. Bell, Attorney General of the United States.

The Chief Justice said:

“Mr. Attorney General, the Court welcomes you to the performance of the important duties which devolve upon you as the chief law officer of the Government, and as an officer of this Court. Your commission will be recorded by the Clerk.”

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The Chief Justice said:

“Today’s orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally.”

### OPINIONS PER CURIAM

**No. 76-1418.** County Board of Arlington County, Virginia, et al., petitioners, *v.* Rudolph A. Richards et al. On petition for writ of certiorari to the Supreme Court of Virginia. Motion of D.C. Federation of Civic Associations et al. for leave to file a brief, as *amici curiae*, granted. Petition for writ of certiorari granted, judgment set aside and case remanded to the Supreme Court of Virginia for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*. Mr. Justice Marshall would grant certiorari and set case for oral argument.

**No. 76-1526.** Southern & Northern Overlying Carrier Chapters of the California Dump Truck Owners Association, appellant, *v.* Public Utilities Commission of California. Appeal from the Supreme Court of California. The appeal is dismissed without prejudice to appellant’s raising of any appropriate federal claims following the completion of the additional proceedings. See *Boston & Maine Railroad v. United States*, 358 U.S. 68 (1958). Opinion *per curiam*. Dissenting opinion by Mr. Justice Rehnquist.

### APPEALS—SUMMARY DISPOSITION

**No. 76-265.** Massachusetts et al., appellants, *v.* Helen B. Feeney. Appeal from the United States District Court for the District of

Massachusetts. Motion of John R. Buckley, Secretary of Administration and Finance of Massachusetts, for leave to file a brief, as *amicus curiae*, granted. Judgment vacated and case remanded to the United States District Court for the District of Massachusetts for further consideration in light of *Washington v. Davis*, 426 U.S. 229 (1976). Mr. Justice Brennan, Mr. Justice Marshall and Mr. Justice Powell would note probable jurisdiction and set case for oral argument.

No. 76-1828. H. D. Gross, dba Valley Rock and Sand Corporation, appellant, *v.* Court of Appeal of California, Fourth Appellate District. Appeal from Supreme Court of California. The appeal is dismissed for want of a substantial federal question.

No. 76-6962. Valerie A. Witzkowski, appellant, *v.* Illinois. Appeal from the Supreme Court of Illinois. The appeal is dismissed for want of a substantial federal question.

No. 77-5145. Gladys Royal, appellant, *v.* Bob Bergland et al. Appeal from the United States District Court for the District of Columbia. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

#### CERTIORARI—SUMMARY DISPOSITION

No. 77-292. United States Postal Service, petitioner, *v.* Associated Third Class Mail Users. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of the March 1977 amended provisions of the Board of Governors' internal operating procedures.

#### ORDERS IN PENDING CASES

No. D-69. In the Matter of Disbarment of Rayfield Lundy. Disbarment entered.

No. D-81. In the Matter of Disbarment of Charles M. Darrow. Disbarment entered.

No. D-101. In the Matter of Disbarment of John E. Walker. Disbarment entered.

No. D-103. In the Matter of Disbarment of Gerald R. Clay. Disbarment entered.

No. D-106. In the Matter of Disbarment of William H. Abbott. Disbarment entered.



No. **D-109**. In the Matter of Disbarment of George Raymond Speckman. Disbarment entered.

No. **D-115**. In the Matter of Disbarment of Oliver J. McCarron. It is ordered that Oliver J. McCarron, of Philadelphia, Pennsylvania, be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. **D-116**. In the Matter of Disbarment of Richard William Butler. It is ordered that Richard William Butler, of Glenarm, Maryland, be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. **D-117**. In the Matter of Disbarment of Robert A. Eisenberg. It is ordered that Robert A. Eisenberg, of Beverly Hills, California, be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. **D-118**. In the Matter of Disbarment of Marshall Jack Ruttenberg. It is ordered that Marshall Jack Ruttenberg, of Wilmette, Illinois, be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. **76-558**. Raymond Motor Transportation, Inc., et al., appellants, *v.* Zel S. Rice et al. Motion of Association of American Railroads for leave to file a brief, as *amicus curiae*, granted. Mr. Justice Stevens took no part in the consideration or decision of this motion.

No. **76-678**. Shell Oil Company, petitioner, *v.* Anne M. Dartt. Motion of Solicitor General for leave to file a brief, as *amicus curiae*, denied.

No. **76-682**. Santa Clara Pueblo et al., petitioners, *v.* Julia Martinez et al. Motion of Pueblo de Cochiti et al. for leave to file a brief, as *amici curiae*, granted.

No. **76-695**. Board of Curators of the University of Missouri et al., petitioners, *v.* Charlotte Horowitz. Motion of American Civil Liberties Union et al. for leave to file a brief, as *amici curiae*, granted.

No. **76-749**. Pfizer, Inc., et al., petitioners, *v.* Government of India et al. Motion of Federal Republic of Germany for leave to file a brief as *amicus curiae*, granted. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. 76-811. Regents of the University of California, petitioner, *v.* Allan Bakke. Motion of The Polish American Congress et al. for leave to participate in oral argument, as *amici curiae*, denied. Motion of The Committee on Academic Nondiscrimination and Integrity et al. for leave to participate in oral argument, as *amici curiae*, denied.

No. 76-839. Edmund Foley, etc., appellant, *v.* William G. Connelie, etc., et al. Motion of Mexican American Legal Defense and Educational Fund et al. for leave to file a brief, as *amici curiae*, granted.

No. 76-930. Dixy Lee Ray, Governor of Washington, et al., appellants *v.* Atlantic Richfield Company and Seatrain Lines, Incorporated. Motion of Mid-America Legal Foundation for leave to file a brief, as *amicus curiae*, granted. Motion of Maritime Law Association of the United States for leave to file a brief, as *amicus curiae*, granted.

No. 76-1114. California et al., petitioners, *v.* Southland Royalty Company et al.;

No. 76-1133. El Paso Natural Gas Company, petitioner, *v.* Southland Royalty Company et al.; and

No. 76-1587. Federal Power Commission, petitioner, *v.* Southland Royalty Company et al. Motion of Associated Gas Distributors for leave to file a brief, as *amicus curiae*, granted. Motion of Public Service Commission of State of New York for leave to file a brief, as *amicus curiae*, granted. Mr. Justice Stewart and Mr. Justice Powell took no part in the consideration or decision of these motions.

No. 76-1359. Bankers Trust Company, petitioner, *v.* Samuel Mallis and Franklyn Kupferman. Motion of New York Clearing House Association for leave to file a brief, as *amicus curiae*, granted.

No. 76-1427. Paul A. McDaniel, appellant, *v.* Selma Cash Paty et al. Motion of American Civil Liberties Union et al., for leave to file a brief, as *amici curiae*, granted.

No. 76-1450. Landmark Communications, Inc., appellant, *v.* Virginia. Motion of American Civil Liberties Union et al., for leave to file a brief, as *amici curiae*, granted.

No. 76-6372. Leon Webster Quilloin, appellant, *v.* Ardell Williams Walcott et al. Motion of appellees to permit Thomas F. Jones, Esquire, to present oral argument, *pro hac vice*, granted.

No. 76-6513. Willie Lee Bell, petitioner, *v.* Ohio. Motion of American Civil Liberties Union of Ohio Foundation, Inc. for leave to file a brief, as *amicus curiae*, granted.

No. **76-6528**. David Wayne Burks, petitioner, *v.* United States. Application for bail, presented to Mr. Justice Brennan and by him referred to the Court, denied.

No. **76-6617**. Richard Austin Greene, petitioner, *v.* Raymond D. Massey, Superintendent, Union Correctional Institution. Motion of Donald C. Peters, Esquire, to permit John T. Chandler, Esquire, to argue *pro hac vice*, on behalf of petitioner, granted. Motion of Basil S. Diamond, Esquire, to permit Harry M. Hipler, Esquire, to argue *pro hac vice*, on behalf of respondent granted.

#### CERTIORARI GRANTED

No. **76-1621**. John L. McClellan et al., petitioners, *v.* Alan McSurely et ux. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. **77-117**. National Broiler Marketing Association, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. **77-154**. Wilson H. Elkins, President, University of Maryland, petitioner, *v.* Juan Carlos Moreno et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted.

No. **76-1382**. United States, petitioner, *v.* John Arthur Scott. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

No. **76-6767**. Frank R. Scott, etc. and Bernis L. Thurmon, etc., petitioners, *v.* United States. Motion of petitioners for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted limited to Question 1 presented by the petition. The parties are also directed to brief and argue the question of standing.

No. **76-6942**. Ensio Ruben Lakeside, petitioner, *v.* Oregon. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Oregon granted.

No. **76-6997**. Sandra Lockett, petitioner, *v.* Ohio. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Ohio granted.

No. **77-5176**. Jerome Franks, petitioner, *v.* Delaware. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari to Supreme Court of Delaware granted.

## CERTIORARI DENIED

No. 76-1653. American Institute for Shippers' Associations, Inc., et al., petitioners, *v.* Interstate Commerce Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 76-1661. J. L. Simmons Company, Inc., et al., petitioners, *v.* Illinois et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No 76-1710. Texas, petitioner, *v.* United States Steel Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1723. Kermit G. Heise, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department, Superior Court of California, County of San Diego, denied.

No. 76-1727. Clyde J. Malley, Warden, petitioner, *v.* Johnny James. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 76-1768. Fred C. Tallant, Sr. and William M. Womack, Jr., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6850. Charles Albert Crespo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-6873. Joseph T. McDermott, Sr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-6946. Marilyn Jean Buck, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-6959. Clyde Henry Hayes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 76-6973. In the Matter of Disbarment Proceedings: Kelsey D. Bartlett, Petitioner. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-6979. Henry Van Buren, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-6988. Irving Haimson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-7. Jo C. Deal, etc., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-17. Clarence M. Smaldone et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-43. Ray Melvin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-99. Utah State University of Agriculture and Applied Science, petitioner, *v.* Bear, Stearns & Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-103. Leo Foundation, petitioner, *v.* New Hampshire. Petition for writ of certiorari to the Supreme Court of New Hampshire denied.

No. 77-127. David Walker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-138. David P. Weinberger, petitioner, *v.* Florida Department of Commerce; David P. Weinberger, petitioner, *v.* Edward J. Trombetta et al.; David P. Weinberger, Petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-150. Lena Rosa K. Conley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 77-196. General Finance Corporation, petitioner, *v.* John C. Pollock et ux. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-208. Amalgamated Transit Union, Local 788, petitioner, *v.* Ben Allen et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-212. Philip D. Rogers, petitioner, *v.* Nick P. Chilivis, Commissioner, Department of Revenue. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 77-213. Glenn E. Bandelin, petitioner, *v.* L. E Pietsch et al. Petition for writ of certiorari to the Supreme Court of Idaho denied.

No. 77-230. Geraldine C. Medina, petitioner, *v.* Warren B. Rudman et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-245. North Shore Travel Service, Inc., petitioner, *v.* Joseph F. Hintersehr, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-247. Helen Foley, petitioner *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 77-253. John A. DeCarlo, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Western District, denied.

No. 77-261. Bernard Francis, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 77-268. Flota Mercante Grancolombiana, S.A., petitioner, *v.* Vana Trading Co., Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit, denied.

No. 77-273. Rosalyn A. Colodny and Jean Feldman, petitioners, *v.* R. A. Krause, etc. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 77-276. Tunnel Barrel & Drum Co. et al., petitioners, *v.* Hackensack Meadowlands Development Commission et al. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 77-297. Bernard Kershman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit, denied.

No. 77-298. Peter James, petitioner, *v.* Wilmington News Journal Co. et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied.

No. 77-302. Frank L. Rizzo et al., petitioners, *v.* Harold Rosenthal. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-305. Doris M. Bauer, Lou Ann Murphy and Bruce G. Murphy, petitioners, *v.* Thomas W. Gilliam, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.



No. 77-315. Peter Variano, petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-345. One 1974 Cadillac Eldorado, VIN 6L47S4Q428834, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-349. Richard Denton et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-360. Louis Rotondo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-364. John David Lind, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5001. George Bell Heath, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 77-5014. Burnett Hayes Burgess, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5028. Manuel Lee Runnels, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 77-5084. Edwin Milton Ward, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5092. Lawrence Brandon, petitioner, *v.* United States; and

No. 77-5105. Robert Lee Willis, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5138. Cecilia Reynolds, petitioner, *v.* Department of Health, Education and Welfare et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5168. William H. Lyons, petitioner, *v.* Maurice J. Cullinane et al. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.



No. 77-5191. Joe Truman Boyd, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5192. John C. Bennett, petitioner, *v.* Director of Internal Revenue for North Carolina et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5219. Linwood Lee Shields, petitioner, *v.* Delaware. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 77-5223. W. John Conley, petitioner, *v.* Ted Engle, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5226. Willie Hightower, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 77-5234. Henry Lee Giles, petitioner, *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 77-5239. Victor Mature Johnson, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 77-5241. James Edward Clayton, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5247. Bert Ellis Jones, petitioner, *v.* Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5260. Robert Felton, Jr., petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 77-5277. George M. Wetherington, petitioner, *v.* James C. Putnam, Magistrate, et al. Petition for the writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5284. Jerry King, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 77-5292. Sandra Atchison, petitioner, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 77-5298. Frank Severa, petitioner, *v.* Unemployment Compensation Board of Review of Pennsylvania. Petition for writ of cer-

tiorari to the Commonwealth Court of Pennsylvania, Eastern District, denied.

No. 77-5320. Stephen Friedberg, petitioner, *v.* Merrill Lynch, Pierce, Fenner & Smith, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5374. Carla Greedy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5385. Scott D. Sor-Lokken, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5400. Larry J. Jenkins, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-5421. Kenneth Raymond Krohn and Margaret Ann Krohn, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 76-1827. Alan Haim, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Brennan, Mr. Justice Stewart and Mr. Justice Marshall would grant certiorari.

No. 76-6743. David Culp, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Marshall joins.

No. 76-6774. Franklin David Kirk, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Brennan, Mr. Justice White and Mr. Justice Marshall would grant certiorari.

No. 76-6981. Joseph John Butler, petitioner, *v.* Walter Fogg, Superintendent, Green Haven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Marshall joins.

No. 77-185. Morton P. Rome and Marjorie T. Rome, etc., petitioners, *v.* Indian Head, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5095. Jesus Ortiz, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Stewart would grant certiorari.

No. 77-5111. Jonathan Townsend, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Brennan and Mr. Justice Powell would grant certiorari.

#### LEAVE TO FILE PETITION FOR WRIT OF CERTIORARI DENIED

No. 77-5278. Sam Maldonado, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Motion for leave to file petition for writ of certiorari denied.

#### LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 76-6924. Truman Talk, petitioner, *v.* United States Court of Appeals for the Tenth Circuit;

No. 77-165. James Douglas McMillen, petitioner, *v.* Louis J. Lefkowitz, Attorney General of New York; and

No. 77-5262. Robert Earl Hines, petitioner, *v.* Joseph T. Sneed, Judge of the United States Court of Appeals for the Ninth Circuit. Motions for leave to file petitions for writs of mandamus denied.

#### RECESS ORDER

The Court will take a recess from Monday, October 17, 1977, until Monday, October 31, 1977.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Samuel Alba	Phoenix, Ariz.	Thomas William O'Toole.
Brian C. Baker	New York, N.Y.	Jay Goldberg.
Donald David Baron	Evanston, Ill.	Marvin O. Granath.
Charles H. Blair	Birmingham, Mich.	Don K. Harness.
Harris Theodore Bock	Philadelphia, Pa.	M. Mark Mendel.
George Webster Braly	Stonewall, Okla.	Bob Eugene Bennett.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David Bryson Byrne, Jr.	Montgomery, Ala.	Albert Preston Brewer.
I. T. Cohen	Atlanta, Ga.	John A. Blackmon.
Robert Campbell Cummings	Salt Lake City, Utah	Gordon A. Madsen.
Jefferson James Davis	Atlanta, Ga.	Arthur K. Bolton.
James H. Doores	Amarillo, Tex.	S. Thomas Morris.
Benjamin Stanley Eastburn	Farmington, N. Mex.	William Jack Cooley.
Scott S. Edwards, Jr.	Marietta, Ga.	Thomas Edward Cauthorn III.
Guy C. Evans	Thousand Oaks, Calif.	Raymond C. Clayton.
Walter P. Faber, Jr.	Salt Lake City, Utah	Clarence Richard Henriksen, Sr.
John Edward Fitzpatrick, Jr.	New Brunswick, N.J.	C. Judson Hamlin.
C. Edward Fowler, Jr.	Dallas, Tex.	Patrick Errol Higginbotham.
James Erwin Fox	Knoxville, Tenn.	Herbert S. Sanger, Jr.
J. Fletcher Freeman	Dallas, Tex.	David Caldwell.
Peter A. Galante	Philadelphia, Pa.	Isadore Gottlieb.
James M. Garlock	San Francisco, Calif.	Melvin Belli.
Sondra Gamow Goldenfarb	Clearwater, Fla.	Joseph G. Donahey, Jr.
Douglas William Greene	Springfield, Mo.	O. J. Taylor.
Paul Greenfield	New York, N.Y.	Jay Goldberg.
Julius S. Grush	Los Angeles, Calif.	David S. Weisman.
Stephen W. Hanks	Houston, Tex.	Robert Hayden Burns.
John Dean Harris	Houston, Tex.	Stewart J. Alexander.
Paul Ballance Haseman	Arlington, Va.	Richard J. Bednar.
Edward C. Hintz	Clementon, N.J.	Maitland Guy Freed.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Guy C. Hurlbutt	Boise, Idaho	Gordon Stanley Nielson.
Alvaro L. Iglesias	Union City, N.J.	Ariel Antonio Rodriguez.
Charles Daniel Karnes	Washington, D.C.	Isabelle R. Cappello.
Karl Gregory Keever	Fairfax, Va.	Judge David Schwartz.
Alfred H. Knight	Nashville, Tenn.	Gilbert Stroud Merritt.
Judson L. Levin	Newark, N.J.	Abraham I. Mayer.
Warren Bricken Lightfoot	Birmingham, Ala.	John James Coleman, Jr.
David Lloyd	Salt Lake City, Utah	Clarence Richard Henriksen, Sr.
J. Ross Macbeth	Washington, D.C.	Paul James Schaeffer.
John Heath Marshall	St. Louis, Mo.	Robert H. Burns.
Robert Edward Masur	Chicago, Ill.	Sheldon Howard Roodman.
Francis P. Matthews	Elkhorn, Nebr.	Edward M. Shea.
Richard Hobert May	Jacksonville, Fla.	Homer Hudson Humphries, Jr.
William Lee Maynard	Houston, Tex.	Leon Jaworski.
James Monroe McHaney, Jr.	Washington, D.C.	James M. McHaney.
John J. McLean, Jr.	Pittsburgh, Pa.	Clayton A. Sweeney.
Arnold P. Messing	Boston, Mass.	Harold R. Medina, Jr.
W. Franklin Muret, Jr.	Oklahoma City, Okla.	Larry Derryberry.
James Farmer Ponsoldt	Washington, D.C.	Robert B. Nicholson.
David Louis Raybin	Nashville, Tenn.	William Conway Koch, Jr.
Douglas Neel Richardson	Baytown, Tex.	Jon Charles Pfennig.
Barnett Rosenberg	Chevy Chase, Md.	Stephen H. Sachs.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jerry Leonard Saporito	New Orleans, La.	Peter L. Bernard, Jr.
Gary Bruce Schneider	Lincoln, Nebr.	Paul L. Douglas.
Eddie Spitzer	Hot Springs, Ark.	Edward Thomas Smitherman, Jr.
James Lewis Tennant	High Point, N.C.	Walter Wray Baker, Jr.
Joan Berna Tumpson	Cleveland, Ohio	Jane M. Picker.
John Alfred Turner, Jr.	Washington, D.C.	Judge Hubert B. Pair.
Fermon T. Walton	Houston, Tex.	Abe Gollob.
Nicholas Bennett Waranoff	San Francisco, Calif.	Sanford Jay Rosen.
David William Watt, Jr.	Murphysboro, Ill.	Richard E. White.
John Birney Weldon, Jr.	Phoenix, Ariz.	Frederick James Martone.
William A. White	Washington, D.C.	Arthur W. Leibold, Jr.
John Edward Williams	Washington, D.C.	Judge Charles R. Richey.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kathleen McCree Lewis	Detroit, Mich.	Solicitor General Wade H. McCree, Jr.
David Baker Lewis	Detroit, Mich.	Solicitor General Wade H. McCree, Jr.
Eric Lee Clay	Detroit, Mich.	Solicitor General Wade H. McCree, Jr.
Richard Thomas White	Detroit, Mich.	Solicitor General Wade H. McCree, Jr.
Guy Rickard Loftman	Bloomington, Ind.	Birch Evan Bayh, Jr.
Corey H. Surett	Framingham, Mass.	Stuart A. Mopsick.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Beth-Ann Fischer Gentile	Washington, D.C.	Henry G. Fischer.
Frank G. Garavaglia	Detroit, Mich.	Stanley M. Lipnick.
Daniel L. Stack	Los Angeles, Calif.	Allyn O. Kreps.
Ronald T. Mitchell	St. Thomas, V.I.	Erwin N. Griswold.
James E. Dow, Jr.	St. Thomas, V.I.	Erwin N. Griswold.

#### ORAL ARGUMENT

No. **76-1662**. United States, appellant, *v.* Board of Commissioners of Sheffield, Alabama, et al. Argued by Mr. Drew S. Days, III, for the appellant and by Mr. Vincent J. McAlister, Jr., for the appellees.

No. **76-446**. Raymond K. Procunier et al., petitioners, *v.* Apolinar Navarette, Jr. Argued by Mr. Sanford Svetcov for the petitioners and by Mr. Michael E. Adams for the respondent.

No. **76-911**. Adamo Wrecking Co., petitioner, *v.* United States. Argued by Mr. Stanley M. Lipnick for the petitioner and by Mr. Frank H. Easterbrook for the respondent, *pro hac vice*, by special leave of Court.

No. **76-635**. United States Steel Corporation et al., appellants, *v.* Multistate Tax Commission et al. Argued by Mr. Erwin N. Griswold for the appellants and by Mr. William D. Dexter for the appellees.

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Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

## ORAL ARGUMENT

No. **76-811**. Regents of the University of California, petitioner, *v.* Allan Bakke. One hour and forty-five minutes allowed for oral argument. Argued by Mr. Archibald Cox for the petitioner, by Mr. Solicitor General Wade H. McCree, Jr. for the United States, as *amicus curiae*, by special leave of Court, and by Mr. Reynold H. Colvin for the respondent.

No. **76-1095**. Commissioner of Internal Revenue, petitioner, *v.* Robert J. Kowalski et ux. Argued by Mr. Stuart A. Smith for the petitioner and by Mr. Carl B. Cordes for the respondents.

No. **76-1058**. Central Illinois Public Service Company, petitioner, *v.* United States. Argued by Miss Sharon L. King for the petitioner and by Mr. Stuart A. Smith for the respondent.

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Adjourned until Monday, October 17, 1977, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

## ORDER IN PENDING CASE

No. **A-331**. Russell C. Means, applicant, *v.* South Dakota. Application for stay of the order of the Supreme Court of South Dakota (No. 11826), dated September 9, 1977, presented to Mr. Justice Blackmun and by him referred to the Court, granted, pending receipt of a response from the respondent which is to be filed before the close of business October 21, 1977, and until further action of this Court.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

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The Chief Justice said:

“Today’s orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally.”

## APPEALS—SUMMARY DISPOSITION

No. **76-1349**. Edward W. Maher, etc., et al., appellants, *v.* Mary Buckner et al. Appeal from the United States District Court for the District of Connecticut. Motion of appellees for leave to proceed *in forma pauperis* granted. Judgment affirmed.

No. **76-1519**. Alfred O. Kuhnle, appellant, *v.* John T. O’Hagan, as Commissioner of the Fire Department of the City of New York, et al. Appeal from the Court of Appeals of New York. The appeal is dismissed for want of a substantial federal question.

No. **76-1813**. Linda Marie Thompson, appellant, *v.* Washington. Appeal from the Supreme Court of Washington. The appeal is dismissed for want of a substantial federal question.

No. **77-280**. Paul Koch Volkswagen, Inc., appellant, *v.* William Wisherd. Appeal from the Court of Appeals of Oregon. The appeal is dismissed for want of a substantial federal question.

No. **77-295**. Eileen Rafferty et al., appellants, *v.* John Marcin. Appeal from the Appellate Court of Illinois, First District. The appeal is dismissed for want of a substantial federal question.

## ORDERS IN PENDING CASES

No. **A-147**. Rafael Olivera et al., applicants, *v.* South Carolina. Application for reduction of bond, presented to Mr. Justice Marshall and by him referred to the Court, denied.

No. **A-327**. The Port Authority of New York and New Jersey et al., applicants, *v.* British Airways Board et al. Application for stay, presented to Mr. Justice Marshall and by him referred to the Court, denied.

No. **D-64**. In the Matter of Disbarment of Jack Seymour Wasserman. Disbarment entered.

No. **D-103**. In the Matter of Disbarment of Charles D. Zeigler. Disbarment entered.

No. **D-110**. In the Matter of Disbarment of Chester Thomas Cruze. Disbarment entered.

No. **D-112**. In the Matter of Disbarment of Kenneth R. Cain. Disbarment entered.

No. **D-113**. In the Matter of Disbarment of Burton A. Librach. Disbarment entered.

No. **D-114**. In the Matter of Disbarment of Anthony V. Consoldane. It is ordered that Anthony V. Consoldane, of Warren, Ohio, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. **D-119**. In the Matter of Disbarment of Manuel Jerome Sugar. It is ordered that Manuel Jerome Sugar, of Olympia Fields, Illinois, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. **D-120**. In the Matter of Disbarment of Peter William Boznos. It is ordered that Peter William Boznos, of Pompano Beach, Florida, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. **75-1771**. Commissioner of Internal Revenue, petitioner, *v.* Standard Life & Accident Insurance Company. Motion to retax costs granted. Mr. Justice Stewart took no part in the consideration or decision of this motion.

No. **76-811**. Regents of the University of California, petitioner, *v.* Allan Bakke. Motion of Members of The Congressional Black Caucus et al. for leave to file a brief, as *amici curiae*, denied. Each party to this cause is directed to file within 30 days a supplemental brief discussing Title VI of the Civil Rights Act of 1964 as it applies to this case.

No. **76-1143**. Ray Marshall, Secretary of Labor, et al., appellants, *v.* Barlow's, Inc. Motion of The Mountain States Legal Foundation for leave to file a brief, as *amicus curiae*, granted.

No. **76-1159**. Arthur F. Quern, etc., et al., petitioners, *v.* Venus Mandley et al.;

No. **76-1416**. Joseph A. Califano, Jr., Secretary of Health, Education, and Welfare, petitioner, *v.* Venus Mandley et al. Motion of

United Way of Metropolitan Chicago et al. for leave to file a brief, as *amici curiae*, granted. Joint motion of petitioners for additional time for oral argument granted and fifteen additional minutes allotted for that purpose. Respondents allotted fifteen additional minutes for oral argument.

No. 77-318. Carmen Shang, Acting Commissioner of New York State Department of Social Services, petitioner, *v.* Gayle McQuoid Holley et al. Solicitor General invited to file a brief in this case expressing the views of the United States.

No. 77-471. Donald C. McDougal, appellant, *v.* County of Imperial. Application for stay and supersedeas on appeal, presented to Mr. Justice Rehnquist and by him referred to the Court, denied.

No. 77-5174. James Wayne Murry, petitioner, *v.* United States. Motion of petitioner to consolidate with Nos. 76-5761 and 76-5796, *Simpson et al. v. United States*, for oral argument denied.

#### CERTIORARI GRANTED

No. 76-1410. Joseph V. Agosto, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 76-1607. Securities and Exchange Commission, petitioner, *v.* Samuel H. Sloan. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted. In addition to the questions presented by the petition the parties are requested to brief and argue the question of the possibility of mootness.

No. 76-1660. Terrell Don Hutto et al., petitioners, *v.* Robert Finney et al. Motion of respondents for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 77-5353. Rufus Junior Mincey, petitioner, *v.* Arizona. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Arizona granted.

#### CERTIORARI DENIED

No. 76-1440. Alex Goldstein, petitioner, *v.* United States;

No. 76-6561. Leonard Nikoloric, petitioner, *v.* United States; and

No. 76-6579. Miles Dearden, Jr., petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-1718. Abraham Beame et al., petitioners, *v.* Friends of the Earth et al.; and



No. 76-1737. Hugh L. Carey et al., petitioners, *v.* Friends of the Earth et al. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-1719. Washington Medical Center, Inc., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 76-1783. William Ledee, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6744. Carl Howard Tillotson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeals of California, First Appellate District, denied.

No. 76-6768. Hollis Earl Woods, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States of Appeals for the Fifth Circuit denied.

No. 76-6779. Lester E. Niehaus, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 76-6806. Clifford G. Olson, petitioner, *v.* Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6875. Mary Ann Himmelwright, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6941. J. W. Gamble, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-34. Edward Grady Partin et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-67. William Robinson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-93. Masonic Home of Delaware, Incorporated, petitioner, *v.* United States District Court for the District of Delaware et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-106. Rick E. Trudo, petitioner, *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 77-115. Western Union Telegraph Company, petitioner, *v.* Western Union International, Inc., et al. Petition for writ of certi-

orari to the United States Court of Appeals for the Second Circuit denied.

No. 77-134. Regular Common Carrier Conference of the American Trucking Associations, Inc., petitioner, *v.* Interstate Commerce Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-163. Alabama Dry Dock and Shipbuilding Co., petitioner, *v.* Frank Kininess et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-183. Asphalt Materials, Incorporated and Charles Hall, petitioners *v.* United States and Dennis J. Herzog, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-218. Expert Electric, Inc., et al., petitioners, *v.* Louis L. Levine, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-220. Fairfax Auto Parts, Inc., and Fairfax Auto Parts of Northern Virginia, Inc., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-228. Annie Laurie Keyes, petitioner, *v.* Lenoir Rhyne College et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-260. Robert O. Naegele and Roger A. Peterson, Trustees, etc., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-299. Chicago and North Western Transportation Company, petitioner, *v.* Brandt Elevator, Inc., et al. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 77-304. Paul Richter, dba The Body Shop, petitioner, *v.* Baxter Rice, etc., et al. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 77-323. Theodore L. Anderson and Dora C. Anderson, petitioners, *v.* City of DeKalb et al. Petitioner for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 77-325. Nashville Gas Company, petitioner, *v.* Tennessee Public Service Commission et al. Petition for writ of certiorari to the Supreme Court of Tennessee, Middle Division, denied.

No. 77-330. Columbia Research Corporation et al., petitioners, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 77-347. Charles Wallace Nolan, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-355. Norman J. Bernstein, petitioner, *v.* Florida et al.; Eldad W. Brophy, petitioner, *v.* New Hampshire et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-412. Bruce Compton and D. W. Godfrey, petitioners, *v.* McCook County National Bank. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5016. Vance E. Robinson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-5066. Frank Carl Morgan, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Eastern Division, denied.

No. 77-5081. Nicholas Chiola, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5090. William Randolph, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5177. Ronald Lee Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5183. Louis Edward Pitts, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5184. Leslie N. Prather, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-5188. Charles R. Groft, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 77-5189. Eileen Anderson et al., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5194. Francisco Machado, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 77-5224. Robert Jaramillo, petitioner, *v.* Juan Tenorio et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5229. John Lunsford, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5244. Ellis Tyrone Hart, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5303. Robert V. Wright, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Western District, denied.

No. 77-5309. Robert Campbell, petitioner, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 77-5326. Edward Eugene Craddock, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 77-5330. Bobby Wayne Collins, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 77-5331. Nels Gene Holmquist, petitioner, *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 77-5344. Frederick Hunter and Anna Hunter, petitioners, *v.* Indiana. Petition for writ of certiorari to the Court of Appeals of Indiana denied.

No. 77-5345. David Patno, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 77-5346. Robert John O'Connor, petitioner *v.* Gisele Germaine O'Connor. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 77-5350. Virgil Cochran, petitioner, *v.* Frank J. Bayer. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5351. Peter H. Arceneaux, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fifth Appellate District, denied.

No. 77-5352. Leo Charles Pulley, petitioner, *v.* Vinson Thompson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5354. Robert Julian Pierce, Jr., petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 77-5359. Stuart A. Holmes, petitioner, *v.* Thomas R. Israel, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5370. Jacqueline Carr, petitioner, *v.* Ruth Freiday Grace et al. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 77-5402. Jerome Hall and Hampton A. Porter, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5415. Gary Mark Booth, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5440. William B. Smith, petitioner, *v.* Vinson Thompson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5443. Ernest James Collins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1625. James K. Mayes et al., petitioners, *v.* Jon Tom Staton. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Blackmun would grant certiorari.

No. 76-1638. Samih K. Masri, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting opinion by Mr. Justice White with whom Mr. Justice Marshall joins.

No. 76-1838. Jerry Paul, petitioner, *v.* Robert Pleasants, Sheriff, Wake County, Raleigh, North Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Brennan and Mr. Justice Marshall would grant certiorari.

No. 76-6261. John Elbert Ransom, petitioner, *v.* United States. Petitioner for writ of certiorari to the United States of Appeals for the Fifth Circuit denied. Dissenting opinion by Mr. Justice White.

No. **76-6612**. LaQuain Larry Scott, petitioner, *v.* Bill Williams et al.; and

No. **76-6858**. Michael Loice Lay, petitioner, *v.* Bill Williams et al. Petitions for writs of certiorari to the Court of Criminal Appeals of Oklahoma denied. Dissenting opinion by Mr. Justice White with whom Mr. Justice Brennan joins.

No. **76-6916**. Roy Schuster, petitioner, *v.* New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Brennan, dissenting:

This suit is brought by a New York Citizen against New York officials. In that circumstance it is my view that New York may not invoke the Eleventh Amendment, since that amendment in terms bars only federal court suits against states by citizens of other states. *Edelman v. Jordan*, 415 U.S. 651, 687 (1974) (Brennan, J., dissenting). I would grant petition and reverse judgment.

Mr. Justice Marshall would grant certiorari.

No. **77-119**. Sophie Ruskay et al., petitioners, *v.* Chauncey L. Waddell et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **77-128**. Clarence O. Dupuy, Jr., petitioner, *v.* Milton E. Dupuy. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting opinion by Mr. Justice White.

No. **77-348**. Richard T. Tracy, Sr., petitioner, *v.* Rodger A. Golston et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit and for other relief denied.

No. **77-5257**. John Edward Rust, petitioner, *v.* Nebraska; Richard D. Holtan, petitioner, *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied. Mr. Justice Brennan and Mr. Justice Marshall, dissenting:

Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentences in this case.

#### LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. **77-373**. Alan Ernest, petitioner, *v.* United States Court of Appeals for the District of Columbia Circuit; and



No. 77-5349. Albert H. Carter, petitioner, *v.* Carl O. Bue, Jr., Judge, United States District Court for the Southern District of Texas. Motions for leave to file petitions for writs of mandamus denied.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Manny M. Aragon	Albuquerque, N. Mex.	Antonio Anaya.
Thomas A. Bergstrom	Philadelphia, Pa.	Lester J. Schaffer.
E. Joseph Bleich	Ruston, La.	Ben Richard Hanchey.
Norman D. Bloom, Jr.	Alamogordo, N. Mex.	George E. Fettinger.
Charles J. Bowser, Jr.	Boston, Mass.	David H. Lee.
William Ronald Brashear	Bloomfield Hills, Mich.	Charles G. Tangora.
James Ervin Brazell	Tulsa, Okla.	Alfred C. DeCrane, Jr.
William Franklin Brewton	Dade City, Fla.	Ander Platt Gibbs.
Crawford Wray Brinkley	Conyers, Ga.	Darvin Ray Purdy.
David Kress Brooks	Midland, Tex.	John Harrell Feldt.
William McIver Cameron, Jr.	Jacksonville, N.C.	Earl C. Collins.
David F. Carlamere	Camden, N.J.	John Francis Gerry.
Gerald S. Carlin	Framingham, Mass.	Alvin Sheldon Tobias.
T. J. Carnes	Albertville, Ala.	Maurice Fugh Bishop.
Charles Samuel Carter	Washington, D.C.	John J. Adams.
Joseph V. Cavanagh	Providence, R.I.	Harold E. Adams, Jr.
John Lloyd Cromartie, Jr.	Gainesville, Ga.	Aaron L. Buchsbaum.
Roger Curran	Pittsburgh, Pa.	Harold R. Schmidt.
John William Dickinson	Tucson, Ariz.	Dennis DeConcini.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Drinkwater	Virginia Beach, Va.	Andre Jennings Evans.
Susan Anne Ehrlich	Phoenix, Ariz.	Jack D. H. Hays.
Carol Anne Emory	Washington, D.C.	James O. Ball.
Alberto Ferrer	San Juan, Puerto Rico	Robert Michael Diamond.
Clifford Forstadt	Syracuse, N.Y.	Faith A. Seidenberg.
Bryan N. Freeman	Los Angeles, Calif.	Richard Bertrand Wilks.
William A. Friedlander	Kensington, Md.	Solicitor General Wade H. McCree, Jr.
Arthur K. Fuhrer	New York, N.Y.	John R. Fernbach.
Wendell H. Gauthier	New Orleans, La.	Jack A. Grant.
George M. Geoghegan, Jr.	Louisville, Ky.	James M. Ringo.
Joseph Martin Gindhart	Philadelphia, Pa.	David Shotel.
William Harris Green	Tallahassee, Fla.	Robert Alexis Green, Jr.
Carrol Hament	Baltimore, Md.	Earle K. Shawe.
Joseph David Hanson	Los Angeles, Calif.	Gilbert W. Lee.
Halfred Martin Hofherr	Minneapolis, Minn.	Howard Michael Levin.
Gerald Earnest Howe	Clovis, Calif.	LeRoy Jacob Reinhardt.
Paul C. Hurdle III	Washington, D.C.	George Louis Christopher.
James P. Hurley	Rapid City, S. Dak.	Thomas E. Simmons.
Jeffrey Isralsky	Washington, D.C.	Arthur J. Reid, Jr.
Julian Karpoff	Alexandria, Va.	Linus H. Deeny.
Ben Kirbo III	Bainbridge, Ga.	Judge Robert Edward Cul- pepper, Jr.
Michael Harold Krausnick	Modesto, Calif.	Fred C. Canant, Jr.
William Mills Krieger	Newport News, Va.	Edward Dwight David.
Willis Evan Kuhn II	Dallas, Tex.	Tom Jeffery Stollenwerck.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Arthur T. Lennon	Joliet, Ill.	Michael H. Lyons.
Richard M. Leonard	Schenectady, N.Y.	Harold Richard Lewis.
Robert Craig Littrell	Manhattan, Kans.	Andrew Jacobs, Jr.
Donald Bruce Mackay	Chicago, Ill.	William John Scott.
James S. Martin	Schenectady, N.Y.	Max Harry Hershkowitz.
Lee Marshall McLean	Washington, D.C.	Judge Hubert B. Pair.
James A. McPherson	New Orleans, La.	Peter J. Abadie, Jr.
Robert M. Murphy	New Orleans, La.	Jack A. Grant.
H. T. O'Neal, Jr.	Macon, Ga.	Attorney General Griffin B. Bell.
William Lawson Osteen, Jr.	Knoxville, Tenn.	Charles A. Wagner III.
Quentin Coit Pair	Washington, D.C.	Judge Hubert B. Pair.
James Calvin Peck	Oklahoma City, Okla.	Larry Derryberry.
Loretta A. Preska	New York, N.Y.	Thomas J. Kavaler.
Robert Alexander Price IV	San Antonio, Tex.	Gerald Harris Goldstein.
Robert Simon Reger	New Haven, Conn.	Gerald Maxwell Still.
Robert Norris Reynolds	Miami, Fla.	Leon David Black, Jr.
Peter Stapleton Ridley, Jr.	Washington, D.C.	Judge Hubert B. Pair.
Gary L. Robinson	Cedar Rapids, Iowa	Jerald William Kinnamon.
Donald Theodore Rocen	Alexandria, Va.	Stuart Evan Seigel.
James E. Rogers	Las Vegas, Nev.	Morton R. Galane.
Sanford Sagalkin	Washington, D.C.	Edmund Berrigan Clark.
Arthur R. Scott, Jr.	New York, N.Y.	Barry Y. Piels.
Shields Sims	Columbus, Miss.	John Cornelius Stennis.
Lamar Wheeler	Macon, Ga.	Attorney General Griffin B. Bell.
Sizemore, Jr.		

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Peter Denis Solymos	York, Pa.	Morton H. Kagen.
Randall Cedric Sorenson	Macon, Ga.	Attorney General Griffin B. Bell.
Virgil C. Spence	Kennesaw, Ga.	George W. Darden.
Christopher Jon Stark	Springfield, Mo.	Donald W. Jones.
Joe W. Steelman	Houston, Tex.	Royal Walker Moore.
Kice H. Stone	Macon, Ga.	Attorney General Griffin B. Bell.
Roger Morris Sublett	San Jose, Calif.	Paul Bruce Kemp.
Peter Torres, Jr.	San Antonio, Tex.	Maury Maverick, Jr.
Robert L. Uhlig	Kansas City, Kans.	John J. Blake.
Jonathan Vipond III	Philadelphia, Pa.	William Emmet Zeiter.
George Christopher Walthall	Halvern, Ark.	Bill Clinton.
James Peter Watson	Los Angeles, Calif.	George Mintern Cox.
Andrew Millar White	Los Angeles, Calif.	Frank Rothman.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

Charles Scalera	Washington, D.C.	Dennis DeConcini.
A. Howard Colvin	Lakewood, Ohio	Allan A. Ryan Jr.
J. Stephen Clifford	Atlanta, Ga.	A. DeJongh Franklin.
Mildred L. Kingloff	Atlanta, Ga.	A. DeJongh Franklin.
William Kenneth Travis	Atlanta, Ga.	A. DeJongh Franklin.
Douglas Michael Carnival	Washington, D.C.	Hope Schwarz Foster.
Arthur Moritz Meyer Jr.	Houston, Tex.	William Vincent DePaulo.
Barry Marc Winograd	Oakland, Calif.	Abe W. Weissbrodt.
Michael John Hogan	Burlington, N.J.	Martin Jefferson Davis.
Theodore B. Hertel, Jr.	Milwaukee, Wis.	Donald Edward Schwartz.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Larry John Albert	Baltimore, Md.	Judge John Printz Corderman.
Philip L. Asplen, Jr.	Baltimore, Md.	Judge John Printz Corderman.
John C. Axel	Baltimore, Md.	Judge John Printz Corderman.
Elizabeth Statuta Baker	Baltimore, Md.	Judge John Printz Corderman.
John Robert Bashaar	Towson, Md.	Judge John Printz Corderman.
Bruce Gordon Bellin	Towson, Md.	Judge John Printz Corderman.
Richard V. Boswell	Westminster, Md.	Judge John Printz Corderman.
Stephen Peter Bourexis	Westminster, Md.	Judge John Printz Corderman.
Alexander Breuer	Marlow Heights, Md.	Judge John Printz Corderman.
Ronald Claude Brigerman	Frederick, Md.	Judge John Printz Corderman.
Christopher Orlando Bryan	Brandywine, Md.	Judge John Printz Corderman.
William Herman Buck	Annapolis, Md.	Judge John Printz Corderman.
William Joseph Byrnes	Baltimore, Md.	Judge John Printz Corderman.
Thomas Robert Callahan	Crofton, Md.	Judge John Printz Corderman.
Sidney S. Campen, Jr.	Easton, Md.	Judge John Printz Corderman.
Patrick Cavanaugh	Baltimore, Md.	Judge John Printz Corderman.
Harry L. Chase	Baltimore, Md.	Judge John Printz Corderman.
Thomas Hindman Clark	Baltimore, Md.	Judge John Printz Corderman.
Robert David Courtland	Chevy Chase, Md.	Judge John Printz Corderman.
Roy Briand Cowdrey, Jr.	Easton, Md.	Judge John Printz Corderman.
Philip A. Dales III	Annapolis, Md.	Judge John Printz Corderman.
Barry J. Dalenkoff	Baltimore, Md.	Judge John Printz Corderman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Lawrence Robert Daniels	Baltimore, Md.	Judge John Printz Corderman.
Frederick T. DeKuyper	Baltimore, Md.	Judge John Printz Corderman.
Robert Allan Eaton	Salisbury, Md.	Judge John Printz Corderman.
Charles Russell Fields	Baltimore, Md.	Judge John Printz Corderman.
James L. Fisher	Baltimore, Md.	Judge John Printz Corderman.
Conrad L. Fleck	Hyattsville, Md.	Judge John Printz Corderman.
Philip Carey Foster	Easton, Md.	Judge John Printz Corderman.
M. Kathleen O'Ferrall Friedman	Baltimore, Md.	Judge John Printz Corderman.
Edward Patrick Gallagher	Bethesda, Md.	Judge John Printz Corderman.
Peter Vincent Gargano	Baltimore, Md.	Judge John Printz Corderman.
Edward Kenneth Gerner, Jr.	Baltimore, Md.	Judge John Printz Corderman.
Abraham Allan Gertner	Baltimore, Md.	Judge John Printz Corderman.
Barbara Gold	Ellicott City, Md.	Judge John Printz Corderman.
Brian A. Goldman	Baltimore, Md.	Judge John Printz Corderman.
Lowell Jay Gordon	Chevy Chase, Md.	Judge John Printz Corderman.
Carlton M. Green	Hyattsville, Md.	Judge John Printz Corderman.
Terry Frederick Hall	Baltimore, Md.	Judge John Printz Corderman.
Jeffrey Hannon	Silver Spring, Md.	Judge John Printz Corderman.
John Earle Harris	Baltimore, Md.	Judge John Printz Corderman.
Peter R. Hartogensis	Silver Spring, Md.	Judge John Printz Corderman.
William Leo Haugh, Jr.	Frederick, Md.	Judge John Printz Corderman.
Robert E. Hedeman	Baltimore, Md.	Judge John Printz Corderman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Stanley Howard Hellman	Baltimore, Md.	Judge John Printz Corderman.
Edwin Maurice Henry, Jr.	Ellicott City, Md.	Judge John Printz Corderman.
Thomas Edward Hickman	Westminster, Md.	Judge John Printz Corderman.
George Timothy Horman	Frederick, Md.	Judge John Printz Corderman.
William Scott Horne	Easton, Md.	Judge John Printz Corderman.
John Thomas Horton	Rockville, Md.	Judge John Printz Corderman.
John Addison Howard	Baltimore, Md.	Judge John Printz Corderman.
William Herman Hurst	Laurel, Md.	Judge John Printz Corderman.
Michael Isaacson	Baltimore, Md.	Judge John Printz Corderman.
Laurence Fleming Johnson	Silver Spring, Md.	Judge John Printz Corderman.
John Joseph Kates	Annapolis, Md.	Judge John Printz Corderman.
Joel L. Katz	Baltimore, Md.	Judge John Printz Corderman.
Neil Barry Katz	Chevy Chase, Md.	Judge John Printz Corderman.
John Earl King	Snow Hill, Md.	Judge John Printz Corderman.
Philip Irvin Klein	Baltimore, Md.	Judge John Printz Corderman.
Thomas Klein	Baltimore, Md.	Judge John Printz Corderman.
Thomas Edward Klug	Baltimore, Md.	Judge John Printz Corderman.
David M. Kochanski	Chevy Chase, Md.	Judge John Printz Corderman.
Neal E. Melnick	Baltimore, Md.	Judge John Printz Corderman.
Terence Michael Brady	Harrisburg, Pa.	Judge John Printz Corderman.
Thomas Joseph Cholis, Jr.	Washington, D.C.	Judge John Printz Corderman.
Joseph W. Pitterich	Washington, D.C.	Judge John Printz Corderman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Marcus Edgar Rindal	Washington, D.C.	Judge John Printz Corderman.
George C. Leight	Baltimore, Md.	Judge John Printz Corderman.
Alan Bennett Lipson	Baltimore, Md.	Judge John Printz Corderman.
Andrew Joseph Long III	Baltimore, Md.	Judge John Printz Corderman.
Marilyn Rachel Lowney	Upper Marlboro, Md.	Judge John Printz Corderman.
Charlynn Carol Maniatis	Baltimore, Md.	Judge John Printz Corderman.
Jeffrey R. Miller	Columbia, Md.	Judge John Printz Corderman.
David Francis Mister	Towson, Md.	Judge John Printz Corderman.
Phillip Mizrach	Baltimore, Md.	Judge John Printz Corderman.
William H. Morstein	Ellicott City, Md.	Judge John Printz Corderman.
Joseph R. Muffolett	Monkton, Md.	Judge John Printz Corderman.
William LeRoy Murphy	Columbia, Md.	Judge John Printz Corderman.
John G. Noppinger	Baltimore, Md.	Judge John Printz Corderman.
John Patrick Nugent, Jr.	Baltimore, Md.	Judge John Printz Corderman.
W. Jerome Offutt	Frederick, Md.	Judge John Printz Corderman.
Rudolph Martin Palmer, Jr.	Hagerstown, Md.	Judge John Printz Corderman.
Robert Caterson Park, Jr.	Silver Spring, Md.	Judge John Printz Corderman.
Quentin Gudger Parker	Baltimore, Md.	Judge John Printz Corderman.
Karel C. Petraitis	College Park, Md.	Judge John Printz Corderman.
G. Arnold Pfaffenbach	Havre de Grace, Md.	Judge John Printz Corderman.
Mary Anne Stepler	Frederick, Md.	Judge John Printz Corderman.
James Kenneth Robinson	Annapolis, Md.	Judge John Printz Corderman.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Franklin Delano Stillrich	Frederick, Md.	Judge John Printz Corderman.
Benjamin Sugar	Baltimore, Md.	Judge John Printz Corderman.
Emanuel Pete Summerfield, Jr.	Baltimore, Md.	Judge John Printz Corderman.
William R. Sutton	Baltimore, Md.	Judge John Printz Corderman.
Atwood Barrett Tate	Glen Burnie, Md.	Judge John Printz Corderman.
John Terziu III	Baltimore, Md.	Judge John Printz Corderman.
James Lee Thompson	Rockville, Md.	Judge John Printz Corderman.
David Michael Tralins	Baltimore, Md.	Judge John Printz Corderman.
Daniel M. Twomey	Baltimore, Md.	Judge John Printz Corderman.
George Rodney Walls	Columbia, Md.	Judge John Printz Corderman.
Melvyn J. Weinstock	Baltimore, Md.	Judge John Printz Corderman.
Edwin Oliver Wenck	Baltimore, Md.	Judge John Printz Corderman.
Noel Gabriel Wilkinson	Annapolis, Md.	Judge John Printz Corderman.
Mark T. Willen	Baltimore, Md.	Judge John Printz Corderman.
Robert Bell Williams	Ellicott City, Md.	Judge John Printz Corderman.
Alexander Williams, Jr.	Hyattsville, Md.	Judge John Printz Corderman.
David Arthur Wilson	Baltimore, Md.	Judge John Printz Corderman.
I. David Wolfson	Baltimore, Md.	Judge John Printz Corderman.
Lance Ira Yateman	Baltimore, Md.	Judge John Printz Corderman.
Otho Brown Zimmer, Jr.	Towson, Md.	Judge John Printz Corderman.
Robert Lawrence Pillote	Bethesda, Md.	Judge John Printz Corderman.
Gordon Webb Priest, Jr.	Baltimore, Md.	Judge John Printz Corderman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kenneth E. Pruden	Upper Marlboro, Md.	Judge John Printz Corderman.
Gerald Marvin Rachanow	Baltimore, Md.	Judge John Printz Corderman.
M. Stanley Radcliffe	Towson, Md.	Judge John Printz Corderman.
Michael Jeffrey Ragland	Annapolis, Md.	Judge John Printz Corderman.
Edward M. Ranier	Baltimore, Md.	Judge John Printz Corderman.
Michael R. Roblyer	Annapolis, Md.	Judge John Printz Corderman.
Stanley Carl Rogosin	Baltimore, Md.	Judge John Printz Corderman.
Joseph H. Rouse	Glen Burnie, Md.	Judge John Printz Corderman.
Charles Albert Ruppersberger III	Towson, Md.	Judge John Printz Corderman.
M. Farook Sait	Upper Marlboro, Md.	Judge John Printz Corderman.
David Lawrence Schaeffer	Baltimore, Md.	Judge John Printz Corderman.
Robert Purnell Schlenger	Baltimore, Md.	Judge John Printz Corderman.
Donald Harry Sheffy	Bel Air, Md.	Judge John Printz Corderman.
Charles Conaway Shelton	Baltimore, Md.	Judge John Printz Corderman.
Gary Siegel	Gaithersburg, Md.	Judge John Printz Corderman.
Edward Thomas Smith	Rockville, Md.	Judge John Printz Corderman.
Martin John Smith	Reisterstown, Md.	Judge John Printz Corderman.
Harold Calmes Smith, Jr.	Rockville, Md.	Judge John Printz Corderman.
William J. Smith, Jr.	Annapolis, Md.	Judge John Printz Corderman.
Suzanne Marie Snedegar	Chevy Chase, Md.	Judge John Printz Corderman.

Adjourned until Monday, October 31, 1977, at 10 o'clock.



## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Stevens.

## ORDER IN PENDING CASES

No. 77-452. Mobil Alaska Pipeline Company, petitioner, *v.* United States et al.;

No. 77-457. Exxon Pipeline Company, petitioner, *v.* United States et al.; and

No. 77-551. BP Pipelines Inc., petitioner, *v.* United States et al. Applications for stay, presented to Mr. Justice Powell and by him referred to the Court, granted. Order of the Interstate Commerce Commission served June 28, 1977, in its Investigation and Suspension Docket No. 9164, Trans-Alaska Pipeline System (Rate Filings) hereby stayed pending final disposition of the petitions for certiorari by this Court. Stays conditioned upon applicants'-petitioners' agreement to keep account of the amounts collected under the proposed rates, as that term is used in the order in this matter issued by the Interstate Commerce Commission on June 28, 1977, and their agreement to refund any portion of the amounts collected under such rates by virtue of the stay which it is ultimately determined that they were not lawfully entitled to collect. Parties shall submit a proposed order embodying this undertaking to the Clerk of this Court within five days. Mr. Justice Stewart and Mr. Justice Powell took no part in the consideration or decision of this order.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

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The Chief Justice said:

“Today’s orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally.”

### OPINION FOR CURIAM

**No. 76-1640.** General Atomic Company, petitioner, *v.* Edwin L. Felter, etc., et al. On petition for writ of certiorari to the Supreme Court of New Mexico. Petition for writ of certiorari granted, judgment reversed, and case remanded to the Supreme Court of New Mexico for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*. Mr. Justice Blackmun would not dispose of this case summarily but would grant certiorari and hear argument. Dissenting opinion by Mr. Justice Rehnquist.

### APPEALS—SUMMARY DISPOSITION

**No. 76-1809.** John L. Scott, appellant, *v.* John D. Benn, Jr., et al. Appeal from the Supreme Court of Virginia. The appeal is dismissed for want of a substantial federal question.

**No. 77-395.** John E. Bullion, appellant, *v.* City of Philadelphia. Appeal from the Commonwealth Court of Pennsylvania. The appeal is dismissed for want of a substantial federal question.

**No. 77-5009.** Shirley E. Hall, appellant, *v.* Russell F. Hall. Appeal from the Court of Appeals of New York. The appeal is dismissed for want of a substantial federal question.

**No. 77-5055.** D, a minor child, appellant, *v.* Juvenile Department of Multnomah County. Appeal from the Court of Appeals of Oregon. The appeal is dismissed for want of a substantial federal question.

**No. 76-1834.** Milton G. Klein, Director of Idaho Department of Health and Welfare, et al., appellants, *v.* Jane Doe et al. Appeal from the United States District Court for the District of Idaho. Motion of appellees for leave to proceed *in forma pauperis* granted. Judgment vacated and case remanded to the United States District Court for the District of Idaho for further consideration in light of *Beal v. Doe*, 431

U.S. ——— (1977) and *Maher v. Roe*, 432 U.S. ——— (1977). Separate opinion by Mr. Justice Blackmun with whom Mr. Justice Brennan and Mr. Justice Marshall join.

No. 76-1855. Spencer Press, Inc., appellant, *v. Jerome Kurtz*, Commissioner of Internal Revenue of the United States. Appeal from the United States District Court for the District of Massachusetts. Judgment affirmed. Mr. Justice Stevens took no part in the consideration or decision of this case.

No. 76-6870. Harold A. Schneider et al., appellants, *v. Harlan McNutt, etc., et al.* Appeal from the United States District Court for the Western District of Washington. Judgment affirmed.

No. 77-18. Guy Osceola, appellant, *v. Jerome K. Kuykendall et al.* Appeal from the United States District Court for the District of Columbia. The appeal is dismissed for want of jurisdiction. Mr. Justice Stewart, Mr. Justice White, Mr. Justice Powell and Mr. Justice Rehnquist concur. See *MTM Inc. v. Baxley*, 420 U.S. 799 (1975) and *Gonzalez v. Automatic Employees Credit Union* 419 U.S. 90 (1974). The Chief Justice, Mr. Justice Brennan and Mr. Justice Stevens would affirm judgment.

No. 77-69. Robert A. Panora, Registrar of Motor Vehicle of Massachusetts, appellant, *v. Donald E. Montrym et al.* Appeal from the United States District Court for the District of Massachusetts. Judgment vacated and case remanded to the United States District Court for the District of Massachusetts for further consideration in light of *Dixon v. Love*, 431 U.S. 105 (1977).

No. 77-359. FLR Corporation, appellant, *v. Bill Blodgett et al.* Appeal from the Court of Civil Appeals of Texas, Eighth Supreme Judicial District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

#### CERTIORARI—SUMMARY DISPOSITION

No. 77-336. Delta Air Lines, Inc., petitioner, *v. James McBride*. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *East Texas Motor Freight System, Inc. v. Rodriguez*, 431 U.S. 395 (1977).



## ORDERS IN PENDING CASES

**A-331.** Russell C. Means, applicant, *v.* South Dakota. Order heretofore entered on October 14, 1977, vacated and application for stay of order of Supreme Court of South Dakota, dated September 9, 1977, denied. Mr. Justice Blackmun, joined by Mr. Justice Brennan and Mr. Justice Marshall, being concerned about the First Amendment implications of the vacation of stay, dissents and would continue the stay pending plenary consideration of the South Dakota Supreme Court's revocation of the applicant's bail.

**No. D-45.** In the Matter of Disbarment of John Newton Mitchell. Disbarment entered.

**No. D-48.** In the Matter of Disbarment of John Daniel Ehrlichman. Disbarment entered.

**No. 74,** Original. State of Georgia, plaintiff, *v.* State of South Carolina. Motion for leave to file bill of complaint granted and defendant shall have 60 days to answer.

**No. 75-1870.** E. I. duPont de Nemours and Company et al., petitioners, *v.* Richard J. Collins et al.; and

**No. 75-1872.** Securities and Exchange Commission, petitioner, *v.* Richard J. Collins, Jr., et al. Motion to retax costs denied. Mr. Justice Rehnquist took no part in the consideration or decision of this motion.

**No. 76-749.** Pfizer, Inc., et al., petitioners, *v.* Government of India et al. Motion of Federal Republic of Germany for leave to participate in oral argument, as *amicus curiae*, denied. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

**No. 76-938.** Federal Maritime Commission et al., petitioners, *v.* Pacific Maritime Association et al. Motion of respondents for divided argument granted.

**No. 76-944.** Richard Nixon, petitioner, *v.* Warner Communications, Inc., et al. Motion of respondents for divided argument granted.

**No. 76-1114.** California et al., petitioners, *v.* Southland Royalty Company et al.;

**No. 76-1133.** El Paso Natural Gas Company, petitioner, *v.* Southland Royalty Company et al.; and

**No. 76-1587.** Federal Power Commission, petitioner, *v.* Southland Royalty Company et al. Motion of Federal Power Commission for additional time for oral argument granted and fifteen additional minutes allotted for that purpose. Respondents allotted fifteen additional minutes for oral argument. Mr. Justice Stewart and Mr. Justice Powell took no part in the consideration or decision of this motion.

No. 76-1168. Arizona, Richard Boykin, Sheriff, Pima County, petitioner, *v.* George Washington, Jr. Motion of respondent for appointment of counsel granted and it is ordered that Ed Bolding, Esquire, of Tucson, Arizona, is appointed to serve as counsel for respondent in this case.

No. 76-1310. Thomas L. Houchins, Sheriff of the County of Alameda, California, petitioner, *v.* KQED, Inc., et al. Motion of The Reporters Committee for Freedom of the Press Legal Defense and Research Fund, et al., for leave to file a brief, as *amici curiae*, denied. Mr. Justice Marshall took no part in the consideration or decision of this motion.

No. 76-1596. United States, petitioner, *v.* John Mauro and John Fusco. Motion of respondent John Mauro for leave to proceed further herein *in forma pauperis* granted.

No. 76-1800. United States, petitioner, *v.* Onofre J. Sotelo and Naomi Sotelo. Motion of petitioner for leave to dispense with printing appendix granted.

No. 76-6942. Ensio Ruben Lakeside, petitioner, *v.* Oregon. Motion of petitioner for appointment of counsel granted, it is ordered that Phillip M. Margolin, Esquire, of Portland, Oregon, is appointed to serve as counsel for the petitioner in this case.

#### APPEAL—JURISDICTION NOTED

No. 77-324. Sidney S. Hicklin et al., appellants, *v.* Edmund Orbeck, Commissioner of the Department of Labor of Alaska, et al. Appeal from the Supreme Court of Alaska. In this case probable jurisdiction noted.

#### CERTIORARI GRANTED

No. 77-39. William Pinkus, dba "Rosslyn News Company" and "Kamera", petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 77-240. St. Paul Fire & Marine Insurance Company et al., petitioners, *v.* David M. Barry et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit granted.

No. 77-335. Oppenheimer Fund, Inc., et al., petitioners, *v.* Irving Sanders et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

## CERTIORARI DENIED

No. 76-1789. Robert Rucker, petitioner, *v.* Griffin B. Bell, Attorney General of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-1822. Matthew Madonna, petitioner, *v.* United States; and

No. 76-1859. Salvatore Larca, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-6801. David Hoover, petitioner, *v.* Harold Smith, Superintendent, Attica Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-6830. Ed Law, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 76-6961. Frank Dudley, petitioner, *v.* Walter Fogg, Superintendent, Green Haven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 76-6987. Francis J. Smith, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Term of the Supreme Court of New York, Ninth and Tenth Judicial Districts, denied.

No. 76-6989. Benjamin F. Huckaby, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 77-30. Rodney F. Stich, petitioner, *v.* United States and Federal Aviation Administration. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-74. Daniel B. Cofer et al., petitioners, *v.* C. Marshall Dann, Commissioner, Patents and Trademarks. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 77-94. M & H Produce Co., Inc., petitioner, *v.* Robert Bergland, Secretary of Agriculture, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-146. Nekoosa Papers, Inc., petitioner, *v.* Equal Employment Opportunity Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-162. Warren J. Weitzel, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-176. Mineral Ventures, Limited, petitioner, *v.* Cecil D. Andrus, Secretary of the Interior. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-182. Albert S. Hart, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-187. Kallir, Philips, Ross, Incorporated, petitioner, *v.* Equal Employment Opportunity Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-190. Maria Aguilar et al., petitioners, *v.* Griffin B. Bell, Attorney General of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-193. Homer R. Adcock, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-194. Basil W. Vespe, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-200. David Kaye, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-215. State of New York, petitioner, *v.* William Abruzzi. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 77-221. Phillips Petroleum Company, petitioner, *v.* Ashland Oil, Inc., and United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-222. Joseph Christovao, dba Mercantum Trading Company, petitioner, *v.* Unisul-Uniao De Coop. Transf. De Tomate Do Sul Do Tejo, S.C.R.L. et al. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 77-225. Bartholomew Mandel & Harry Thomas, petitioners, *v.* Clifford L. Alexander, Jr., Secretary of the Army, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-229. Anthony Pace, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-264. Bradford Brown, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-265. David B. Higginbottom, petitioner, *v.* W. Michael Blumenthal, Secretary of the Treasury. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-272. Puget Sound Truck Lines, Inc., petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-274. Timberland Packing Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-283. International Longshoremen's and Warehousemen's Union, Local No. 13, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-284. Stanley Sheikowitz, petitioner, *v.* Board of Regents of the University of the State of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Third Judicial Department, denied.

No. 77-286. United States, petitioner, *v.* Harriet McGarry et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-327. Edgar I. Shott, Jr., petitioner, *v.* Thomas L. Startzman, Clerk, Supreme Court of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 77-328. Henry Trafficante, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-331. Elmer E. Mills, petitioner, *v.* The Electric Auto-Lite Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-339. Ruth Ann Reed, etc., et al., petitioners, *v.* Forwood Cloud Wisner, Jr., and Richard E. Neuman. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-340. William Bolte et al., petitioners, *v.* Virgil F. Siders et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 77-341. Paul F. Perati, petitioner, *v.* Robert O. Battaion et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 77-342. William B. Orkin and Bobby Charles Bowen, petitioners, *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 77-350. Wilson O'Brien, petitioner, *v.* Dutchie, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-353. Bill P. Cogdell, petitioner, *v.* David Martin Cogdell, Jr., et al. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Eleventh Supreme Judicial District, denied.

No. 77-354. Jack P. Quinn, petitioner, *v.* Dondlinger & Sons Construction Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-356. Call Carl, Inc., et al., petitioners, *v.* BP Oil Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-358. National Maritime Union of America, AFL-CIO, petitioner, *v.* Commerce Tankers Corporation et al.;

No. 77-376. Commerce Tankers Corporation, et al., petitioners, *v.* National Maritime Union of America, AFL-CIO; Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-362. Randall Robinson, petitioner, *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 77-366. Blinder Robinson & Co., Inc., petitioner, *v.* Halpert Oberst & Co. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-367. Ford Motor Company, petitioner, *v.* Edward C. Rea et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-370. Joseph F. Kenny, et al., petitioners, *v.* City of Philadelphia; Gordon MacDonald et al., petitioners, *v.* City of Philadelphia. Petition for writ of certiorari to the Commonwealth Court of Pennsylvania denied.



No. 77-374. Samuel H. Sloan, petitioner, *v.* Gertrude J. Bonime et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-377. New Jersey Manufacturers Insurance Company, petitioner, *v.* Motor Club Fire & Casualty Company et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 77-378. Bank of New Jersey, petitioner, *v.* Northwestern National Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-379. Harold George Furr, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 77-384. Steven A. Taterka, petitioner, *v.* Wisconsin Telephone Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-387. Richard B. Williams et al., petitioners, *v.* City of Chicago et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 77-389. Carl E. Person, petitioner, *v.* Association of the Bar of the City of New York et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-403. Amalgamated Development Co., Inc., etc., et al., petitioners, *v.* Committee on Unauthorized Practice, District of Columbia Court of Appeals. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-409. Roger L. Goodwin, petitioner, *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 77-411. Benjamin Franklin Bennett et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-415. James E. Salyers, petitioner, *v.* Board of Governors of State Colleges and Universities of Illinois et al. Petition for writ of certiorari to the Circuit Court of Coles County, Illinois, denied.

No. 77-437. Rogelio Martinez et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-441. Jimmy Carroll Dick, petitioner, *v.* United States; and



No. 77-442. Robert Lee Dick, Jr., petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-461. Grayson Diggs, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-462. John M. King, petitioner, *v.* United States; and

No. 77-463. A. Rowland Boucher, petitioner, *v.* United States; Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-469. Rocco Ferrera & Co., petitioner, *v.* Harold Morrison, etc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5002. Peter Hrynkow, petitioner, *v.* William F. Butler, Chairman, Board of Probation and Parole, Commonwealth of Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5004. Ricky A. Salyer, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Third District, denied.

No. 77-5011. Charles Reed Dorris and Samuel Watts, petitioners, *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 77-5018. Jose G. Velasquez, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5025. John E. Morgan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-5029. James Hughes, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 77-5031. Nolan Ray Williamson, petitioner, *v.* United States; and

No. 77-5033. Boyce Mitchell, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5034. Louis C. Pote, petitioner, *v.* Illinois. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5046. Herbert S. Cooper, petitioner, *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5065. Jerald Lee Evers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5070. Benjamin Leal, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5074. Carrell Dennis Ford, petitioner, *v.* Louie L. Wainwright, Secretary, Florida Department of Offender Rehabilitation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5097. Marcus Sheffey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5101. Severiano Olivarez Gonzalez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5118. Gregory D. Pederson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5120. Boyd Griffin Gray, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5124. Edward McCray, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5134. James Craft, petitioner, *v.* Texas Board of Pardons and Paroles et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5165. Kenneth Ray Jumper, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5187. Richard Dale Hargon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5190. Marco Alfonso Ramirez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **77-5193**. Marvin J. Finch, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **77-5205**. Paul L. Montgomery, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **77-5220**. Jacky E. DuBray, petitioner, *v. United States*, Petition for writ of certiorari to the United State Court of Appeals for the Second Circuit denied.

No. **77-5231**. Richard Wade, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **77-5233**. Barbara Harris et al., petitioners, *v. Patricia R. Harris*. Individually and as Secretary of Housing and Urban Development, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **77-5236**. James Martin Mize, petitioner, *v. United States District Court for the District of Arizona*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **77-5246**. Gary F. Watson, petitioner, *v. United States*. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. **77-5248**. Henry O. Boyd, Sr., petitioner, *v. Robert J. Henderson*, Superintendent, Auburn Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **77-5263**. Jack C. Massengale, petitioner, *v. United States District Court for the Eastern District of Kentucky*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **77-5274**. Louis DiMaio, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **77-5308**. James McBride, petitioner, *v. Delta Air Lines, Inc.* Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **77-5361**. Alfred Morgan, petitioner, *v. Illinois*. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 77-5365. Robert Rodriguez, petitioner, *v.* Fred L. Finkbeiner et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5367. Catherine Brogan, petitioner, *v.* Nebraska Department of Labor et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5368. Lonnie A. Massey, petitioner, *v.* Terrell Don Hutto, Commissioner, Arkansas Department of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5376. Zachariah B. Rodgers, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 77-5383. Bruce E. Eldridge, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 77-5386. Michael Williams, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 77-5391. Blas Jesus Corbo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5392. Johnny Enriquez, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5394. Sebastian Biondo, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 77-5395. Melvin Leroy Tyler and Mike Hogan, petitioners *v.* Susan Stanton, etc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5398. Charles A. Scott, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 77-5401. William A. Greenfield, petitioner, *v.* J. B. Gunn. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5405. Michael Anthony May, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 77-5407. Brenda Lorette Greene, petitioner, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 77-5408. Joseph Banks, petitioner, *v.* Redevelopment Authority of the City of Philadelphia et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5409. Lewis Patterson et al., petitioners, *v.* William D. Leeke et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5412. Robert Maurice Gordon, petitioner, *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 77-5413. Daniel E. Manville, petitioner, *v.* Charles E. Egeler, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5416. Edward Condo, petitioner, *v.* Vindicator Printing Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5417. Lewis Eugene Brown, petitioner, *v.* Ross Maggio, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5420. Sidney Hoffman, petitioner, *v.* Andrew Buoninfante. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 77-5425. Marvin Mobley, petitioner, *v.* Theodore Ristaino. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-5437. Arthur Donald Morello, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5446. Thomas Mungo, petitioner, *v.* J. Edwin LaVallee, Superintendent, Clinton Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5453. Regis Jeremiah Goldbach, petitioner, *v.* California Supreme Court et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5457. Woodrow W. Wise, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5462. Larry Davis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-5471. Frederick J. Porebski, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5485. Daniel Salazar Hessbrook, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5486. Joe Dee Hicks, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5491. Steven Stavredes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5496. Arthur L. Herzberg and Gerald M. Barnes, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5523. Jerry Sanfardino, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second District <sup>Circuit</sup> denied.

No. 77-5527. Bobby Washington, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, First Judicial Department denied.

No. 76-1755. L. J. Hollenbach, III, etc., petitioner, *v.* John E. Haycraft et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Powell would grant certiorari, vacate judgment and remand case to the Court of Appeals for further consideration in light of *Dayton Board of Education v. Brinkman*, 433 U.S. — (1977). Mr. Justice White took no part in the consideration or decision of this petition.

No. 76-1796. Albert E. Ottoboni et al., petitioners, *v.* United States. Motion of California Indian Legal Services for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 76-1848. Tribune Publishing Company and James E. Shelledy petitioners, *v.* Michael A. Caldero. Petition for writ of certiorari to the Supreme Court of Idaho denied. Mr. Justice Marshall would grant certiorari.



No. 77-5042. Charles E. Prude, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Marshall would grant certiorari.

No. 77-227. Philip Morris Incorporated, petitioner, *v.* Secretary of the Treasury of Puerto Rico. Petition for writ of certiorari to the Supreme Court of Puerto Rico denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 77-301. George W. Lewis et al., petitioners, *v.* William F. Hyland et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Brennan joins.

No. 77-332. F. Eberstadt & Co., Inc., et al., petitioners, *v.* Susan Tannenbaum et al. Motion of Investment Company Institute for leave to file a brief, as *amicus curiae*. granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Powell would grant certiorari.

No. 77-401. International Brotherhood of Electrical Workers, Local 922, et al., petitioners, *v.* Staten Island Rapid Transit Operating Authority. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied. Mr. Justice Brennan would grant certiorari.

No. 77-5019. Nelson Perez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Stewart would grant certiorari.

No. 77-5026. Johnny Paul Witt, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied;

No. 77-5305. James Paul Burns, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied;

No. 77-5355. John Charles Shippy, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied; and

No. 77-5464. Leonard Pryor, petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Mr. Justice Brennan and Mr. Justice Marshall, dissenting: Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentences in these cases.

No. 77-5207. Paul Joseph King, petitioner, *v.* United States. Motions of Peter Lincoln Russo, Jr.; Bobby de la Cruz; Donald James



Pennington et al.; and Scott Eugene Atkinson for leave to join in petition denied. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

#### LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. **77-5521**. Benjamin M. Jones, petitioner, *v.* Daniel J. McCarthy, Superintendent, California Men's Colony, et al. Motion for leave to file petition for writ of habeas corpus denied.

#### LEAVE TO FILE PETITION FOR WRIT OF PROHIBITION DENIED

No. **77-216**. Thomas Tomko, petitioner *v.* Herbert I. Teitelbaum, Judge, United States District Court for the Western District of Pennsylvania. Motion for leave to file petition for writ of prohibition and/or mandamus denied.

#### REHEARINGS DENIED

No. **76-6771**. Melvin James Dixon, petitioner, *v.* Vinson Thompson, Warden; and

No. **77-5216**. Robert W. Townsley, appellant, *v.* Board of Port Commissioners, Port of Oakland. Petitions for rehearing denied.

No. **76-6616**. Neil Abraham Bradington, petitioner, *v.* International Business Machines Corporation; and

No. **76-6998**. Irvin Harvey Mason et al., petitioners, *v.* Howard H. Callaway et al. Petitions for rehearing denied. Mr. Justice Blackmun took no part in the consideration or decision of these petitions.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James Vaude de La Vergne	Sacramento, Calif.	David Michael Blicher.
David Wylie Abbott	Sacramento, Calif.	Simon Henri Forgette.
S. Allan Adelman	Rockville, Md.	Robert Windsor.
James P. Alexander	Birmingham, Ala.	William Douglas Arant.
Conrado M. Almario	Lake Geneva, Wis.	Kenneth Charles Schuh.
Gene Scott Anderson	Seattle, Wash.	David Boerner.
Earl Ray Andrews	Athens, Tex.	John Wallace Key, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Frederick Morris Aspey	Flagstaff, Ariz.	J. Michael Flournoy.
Leland Eugene Backus	Las Vegas, Nev.	John L. Thorndal.
Stephen Roger Barnett	Berkeley, Calif.	Solicitor General Wade H. McCree, Jr.
Bruce Alfred Baughman	Baytown, Tex.	Jon Charles Pfennig.
Barbara Kaye Besser	Cleveland, Ohio	Jane M. Picker.
William Charles Bieluch, Jr.	New York, N.Y.	Anthony Black- shaw Barton.
Robert Max Blackmon	Corpus Christi, Tex.	Jack R. Blackmon.
Edward Joseph Boyle	New York, N.Y.	David Gershon Trager.
Larry C. Brawner	Norman, Okla.	James Ambrose McCaffrey.
Harold Edmond Brazil	Washington, D.C.	Judge Theodore Roosevelt Newman, Jr.
Stephen Breyer	Cambridge, Mass.	Honorable Arthur J. Goldberg.
Kenneth Charles Brostron	St. Louis, Mo.	Thomas F. Eagleton.
B. Scott Buffington	Washington, D.C.	W. Dean Pfeiffer.
Thomas M. Burke	Pittsburgh, Pa.	Richard S. Ehmann.
Michael David Byck	Dallas, Tex.	Henry Wade.
Charles Edward Camp	Smyrna, Ga.	Robert E. McDuff.
Gary William Caravas	Detroit, Mich.	William Alva Joselyn.
Eugene John Carella	Denver, Colo.	Willie L. Leftwich.
William Joseph Carter	Fairfax, Va.	Jack Dean Rogers.
Stanley J. Casper	Berkeley, Calif.	David Conway Coleman III.
Michael Frederic Chazkel	New Brunswick, N.J.	Michael Allen Gast.
A. Thomas Cobb	Indianapolis, Ind.	Robert M. Kroger.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Joseph Alvie Cochran	Smyrna, Ga.	Robert E. McDuff.
D. David Cohen	Great Neck, N.Y.	Martin C. Seham.
Edmund Cohen	Annandale, Va.	Anthony A. Lapham.
Richard Paul Cohen	New York, N.Y.	Irving Malchman.
Robert Franklin Coleman	Chicago, Ill.	Barry Jay Freeman.
Bruce James Collier	Ketchum, Idaho	Terry Glynn Hogue.
Joseph Allen Crites	Kansas City, Mo.	Dick Hoblit Woods.
Mary Carol Cunningham	Austin, Tex.	Wayne Eugene Denton.
Doyle Darce Curtis	Lubbock, Tex.	Walker N. Metcalf.
Ned J. Czajkowski	Milwaukee, Wis.	Ward Dunphy.
James Purnell Davenport	Washington, D.C.	Ronald G. Precup.
John P. Davis	Minden, Nev.	Noel E. Manoukian.
Reina Colon de Rodriquez	San Juan, Puerto Rico	Rolando A. Silva.
Donald William Duncan	Columbia, Md.	Daniel William Byles.
James David Endman	Los Angeles, Calif.	Barry A. Pitler.
Julian N. Eule	Philadelphia, Pa.	Archibald Cox.
Raymond A. Feeley	Joliet, Ill.	James M. P. D'Amico.
David Simon Fishback	Washington, D.C.	Norton Jay Come.
Barbara E. Fisher	Tucson, Ariz.	Frederick Sidney Klein.
Jon Terrence Flask	Washington, D.C.	John Daniel Reaves.
Dennis J. Fox	Washington, D.C.	David Eugene Gaston.
Mark A. Frankel	Madison, Wis.	Kenneth P. Casey.
Wilson Ellis Friberg	Vernon, Tex.	Jack E. Hightower.
Michael David Fullwood	New York, N.Y.	Alexander M. Heron.
Bruce Howard Gerhard	Washington, D.C.	John B. Tieder Jr.
Richard Walter Goldman	Washington, D.C.	Oscar Altshuler.

<u>Applicant</u>	<u>City and State</u>	<u>Movant.</u>
Judith Ann Ripps Goldstone	New York, N.Y.	George Weisz.
Samuel Gursky	New York, N.Y.	Hyman Rothbart.
Ronald Dennis Haddox	Baytown, Tex.	Roy L. Fuller.
Clifford E. Haines	Philadelphia, Pa.	Steven H. Goldblatt.
Kirk Hanson	Providence, R.I.	Thomas Dunne Gidley.
Daniel Weir Hardy	Peoria, Ill.	Dennis Ray Triggs.
Robin Philips Hartmann	Dallas, Tex.	Charles Porter Storey.
Frank B. Haskell III	Upper Marlboro, Md.	Norman M. Littell.
Thomas M. Hayes	Peoria, Ill.	Homer Warren Keller.
Kenneth A. Herridge	Dallas, Tex.	Wilfred John Allison Jr.
George G. Hooper	Tulsa, Okla.	G. C. Spiller Jr.
Gary N. Horlick	Washington, D.C.	David Allan Gates III.
Henry John Hyde	Chicago, Ill.	George Miller O'Brien.
F. Scott Jackson	Newport Beach, Calif.	Thomas David Peckenpaugh.
Hugh D. Jaeger	Deephaven, Minn.	John Cameron McNett.
Douglas Wells Johnson	Denver, Colo.	Gerald N. Mellman.
Paul Johnson	Little Rock, Ark.	John Hall Cottrell Jr.
Leslie T. Jones Jr.	Phoenix, Ariz.	Earl H. Carroll.
Howard M. Knee	Los Angeles, Calif.	Robert Maltby Dohrmann.
Grant Frederick Langley	Milwaukee, Wis.	Thomas Edward Hayes Jr.
Charles Jeffrey Lantz	Lancaster, Ohio	J. Michael Acton.
Frederick J. Lawson	Los Angeles, Calif.	Richard L. Mikesell.
Stephen Ellis Lubin	South Palm Beach, Fla.	Herbert J. Green.
John Jay Mangan	Pittsburgh, Pa.	D. B. King.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Lester L. May	Dallas, Tex.	Wilfred John Allison Jr.
Donald G. McCabe	New York, N.Y.	Anthony Blackshaw Barton.
David Paul McCann	Columbia, S.C.	Townsend Mikell Belser Jr.
James O. McDonald	Chicago, Ill.	Robert Edward Ginsberg.
Patrick B. McDonnell	Milwaukee, Wis.	Thomas Edward Hayes Jr.
Raymond John McKoski Jr.	Wheaton, Ill.	Melbourne A. Noel Jr.
Christopher Henry Mills	Arnold, Md.	Bernard M. Dworski.
Ira Robert Mitzner	Washington, D.C.	Frederick M. Lowther.
Thomas Neil Murphy Jr.	Deerfield Beach, Fla.	Rex Conrad.
Broxie Jay Nelson	Raleigh, N.C.	Jacob L. Shafron.
Robert Jon Nourie	Kansas City, Mo.	John Fletcher Romano.
Gregory J. Perry	Chicago, Ill.	Matt P. Cushner.
Willard L. Phillips	Kansas City, Kans.	Thomas Marion Van Cleave Jr.
Victor M. Pilolla	Chicago, Ill.	William John Scott.
Wilbur S. Porter	Marietta, Ga.	James Douglas Henderson.
William G. Porter	Rapid City, S. Dak.	Dennis H. Hill.
Warren D. Pruitt	Vernon, Tex.	Jack E. Hightower.
Andrew C. Rambo	Shelbyville, Tenn.	James Lafayette Bomar Jr.
Patrick M. Reed	Dallas, Tex.	Joe E. Kyle.
Richard F. Reinecke	Los Angeles, Calif.	Herbert F. Ostling.
Donald R. Rigone	Greensburg, Pa.	B. Earnest Long.
Harry Ellis Rogers	Monterey, Calif.	T. K. McCleerey.
Michael John Rosborough	Mt. Vernon, Ill.	Theodore Alex- ander Gottfried.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Sheldon Rubin	Beverly Hills, Calif.	Arthur Richard Hessel.
Brian Wayne Ruddell	Peoria, Ill.	Robert L. Gilliat.
Ernest Thomas Sanchez	Washington, D.C.	Frank F. Mankiewicz.
Heidi Packer Sanchez	Washington, D.C.	Ross David Pollack.
Patricio Serafin Sanchez	Silver City, N. Mex.	J. Wayne Woodbury.
Angel Luis Guzman	San Juan, Puerto Rico	Luis A. Feliciano Carreras.
James Cathey Savage III	Clarksville, Tenn.	Frank Brooks Zeigler.
Thomas George Schleier	Chicago, Ill.	Stuart Evan Seigel.
Charles Clifford Schwartz	St. Louis, Mo.	Charles M. Shaw.
John L. Scott	Enid, Okla.	Harold J. Singer.
Paul Mark Shapiro	Hartford, Conn.	Francis James MacGregor.
Dick Earnest Sherbondy	Prairie Village, Kans.	Roger Lee Sherman.
Dean C. Short II	Phoenix, Ariz.	Earl H. Carroll.
James Wilson Smith	Athens, Ga.	Herbert T. Hutto.
Jerry B. Smith	Fort Lauderdale, Fla.	Theodore R. Nelson.
Herman Glasgow Snipes	Smyrna, Ga.	Robert E. McDuff.
George Russell Stanton, Jr.	Memphis, Tenn.	Wallace Wilson Conaway.
Alan J. Sternberg	Oakland, Calif.	Ronald Robert Glancz.
Lawrence Joseph Straw, Jr.	Los Angeles, Calif.	Herbert A. Karzen.
Samuel M. Sugden	New York, N.Y.	Carl D. Hobelman.
Charles Daniel Susano, Jr.	Knoxville, Tenn.	Bernard E. Bernstein.
Steven William Taylor	McAlester, Okla.	Warren Gotcher.
William Carl Terry	Bonham, Tex.	Donald Linous Jarvis.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Lynn Evan Thomas	Boise, Idaho	Wayne L. Kidwell.
Robert Glegge Thomas	New York, N.Y.	Sunao T. A. Yamada.
Suzie S. Thorn	San Francisco, Calif.	James E. Sutherland.
Andrew Jackson Timms	Norfolk, Va.	Robert M. Hughes III.
Dominick J. Tuminaro	New York, N.Y.	George D. Zuckerman.
David Coke Turner, Jr.	Bonham, Tex.	Louis J. Emerson, Jr.
Vito Roger Vincenti	New York, N.Y.	Jonathan S. Gaynin.
H. Ian Wachstein	Camden, N.J.	Edmond M. Kirby.
J. Roland Wagner	Napa, Calif.	Louis Z. Gasper.
Neil Vincent Wake	Phoenix, Ariz.	Gary Lester Stuart.
Mark Stephen Wallach	Buffalo, N.Y.	Kim Martin Clark.
Frank Earl Wallemann	St. Louis, Mo.	Thomas F. Eagleton.
William J. Warmoth	Charleston, Ill.	H. Ogden Brainard.
Wm. Michael Warren, Jr.	Birmingham, Ala.	William Douglas Arant.
Clifford Robert Weckstein	Roanoke, Va.	Barry Neal Lichtenstein.
Charles Sandys White-Spunner, Jr.	Mobile, Ala.	Edward J. Vulevich, Jr.
Paul R. Wilson, Jr.	Rantoul, Ill.	Jacqueline Guess Epps.
Joshua Warren Wood III	Princeton, N.J.	John Holt Myers.
Charles R. Work	Washington, D.C.	Endicott Peabody.
Howard M. Zeidwig	Fort Lauderdale, Fla.	Joe Miller.
Rufus Gerard Thayer, Jr.	San Francisco, Calif.	James Calvin Simpson.



## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Keith Gary Sebelius	Topeka, Kans.	Keith G. Sebelius.
Alan David Weinberger	Washington, D.C.	Judge Theodore G. Weinberger.
Peter W. C. Solem	Bethesda, Md.	Charles Patrick DeRoche.
Benjamin Martin Plotkin	Washington, D.C.	Bertram Jay Berlin.
Peter Lewis	Baltimore, Md.	Amelia D. Lewis.
Ronald P. McCluskey	El Paso, Tex.	John Gibson Semmes.
Raymond Gerald Alvarado	Orange, Calif.	John P. Sears.
Ira M. Feinberg	Los Angeles, Calif.	Richard E. Sherwood.
Seymour Harold Stadtmauer	Piscataway, N.J.	Mark L. Stanton.

## ORAL ARGUMENT

No. **76-5325**. Ben Earl Browder, petitioner, *v.* Director, Department of Corrections of Illinois. Argued by Mr. Kenneth N. Flaxman for the petitioner and by Mr. Raymond McKoski for the respondent.

No. **76-930**. Dixy Lee Ray, Governor of Washington, et al., appellants, *v.* Atlantic Richfield Company and Seatrain Lines, Incorporated. Argued by Mr. Slade Gorton for the appellants and by Mr. Richard E. Sherwood for the appellees.

No. **76-719**. National Labor Relations Board, petitioner, *v.* Local Union No. 103, International Association of Bridge, Structural and Ornamental Iron Workers, AFL-CIO, et al. Argued by Mr. Norton J. Come for the petitioner and by Mr. Sydney L. Berger for the respondents.

No. **76-1168**. Arizona, Richard Boykin, Sheriff, Pima County, petitioner, *v.* George Washington, Jr. Argued by Mr. Stephen D. Neely for the petitioner and by Mr. Ed Bolding for the respondent.

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Adjourned until tomorrow at 10 o'clock.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Mark Jay Silverman	Washington, D.C.	Matthew Joel Zinn.
James Alan Cherney	Chicago, Ill.	John Horton Morrison.
John P. Lynch	Chicago, Ill.	John Horton Morrison.
Henry Lee Hecht	Baltimore, Md.	Issac Hecht.

### ORAL ARGUMENT

No. **76-1200**. Roger Crist, as Warden of the Montana State Penitentiary, Deer Lodge, Montana, et al., appellants, *v.* Merrel Cline and L. R. Bretz. Argued by Mr. Robert S. Keller for the appellants, by Mr. W. William Leaphart for the appellee Merrel Cline and by Mr. Charles F. Moses for the appellee L. R. Bretz.

No. **76-761**. Claude D. Ballew, petitioner, *v.* Georgia. Argued by Mr. Michael Clutter for the petitioner, *pro hac vice* by special leave of Court, and by Mr. Leonard W. Rhodes for the respondent.

No. **76-5761**. Michael Lee Simpson and Tommy Wayne Simpson, petitioners, *v.* United States; and

No. **76-5796**. Michael Lee Simpson, petitioner, *v.* United States. Argued by Mr. Robert W. Willmott, Jr. for the petitioners and by Mr. H. Bartow Farr, III, for the respondents.

No. **76-749**. Pfizer, Inc., et al., petitioners, *v.* Government of India et al. Argued by Mr. Samuel W. Murphy, Jr., for the petitioners and by Mr. Douglas V. Rigler for the respondents.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

The Chief Justice said:

“Before hearing argument this morning I have an announcement for the Journal of the Court. Major General Rowland F. Kirks, Retired, long a member of the Bar of this Court and Director of the Administrative Office of the United States Courts since 1970, died early this morning. General Kirks was appointed by this Court as Director seven years ago and in that position he has given outstanding and dedicated service to the Judiciary.”

### ADMISSION TO THE BAR ON ORAL MOTION

Applicant	City and State	Movant
Frederick W. Clough	Santa Barbara, Calif.	Thomas G. Washing.

### ORAL ARGUMENT

**No. 76-5856.** Winston M. Holloway et al., petitioners, *v.* Arkansas. Argued by Mr. Harold L. Hall for the petitioners and by Mr. Joseph H. Purvis for the respondent, *pro hac vice*, by special leave of Court.

**No. 76-39.** Memphis Light, Gas and Water Division, et al., petitioners, *v.* Willie S. Craft et al. Argued by Mr. Frierson M. Graves, Jr. for the petitioners and by Mr. Thomas M. Daniel for the respondents.

**No. 75-1914.** Jane Monell et al., petitioners, *v.* Department of Social Services of the City of New York et al. Argued by Mr. Oscar G. Chase for the petitioners and by Mr. L. Kevin Sheridan for the respondents.

**No. 76-624.** Frank Lyon Company, petitioner, *v.* United States. Argued by Mr. Erwin N. Griswold for the petitioner and by Mr. Stuart A. Smith for the respondent.

## ORDER IN PENDING CASE

No. 77-529. Wes Wise, Mayor of the City of Dallas, et al., petitioners, *v.* Albert L. Lipscomb et al. Application for an injunction, presented to Mr. Justice Powell and by him referred to the Court, denied. Mr. Justice Brennan took no part in the consideration or decision of this application.

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Adjourned until Monday, November 7, 1977, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## OPINION PER CURIAM

No. **76-6194**. Peter Rinaldi, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the United States District Court for the Southern District of Florida for the purpose of dismissing the indictment. Opinion *per curiam*. Mr. Chief Justice Burger dissents. Dissenting opinion by Mr. Justice Rehnquist with whom Mr. Justice White joins.

## CERTIORARI—SUMMARY DISPOSITION

No. **76-1644**. J. B. Gunn, Warden, petitioner, *v.* Michael D. Poulin. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Wainwright v. Sykes*, 433 U.S.— (1977).

## ORDERS IN PENDING CASES

No. **A-222**. Otis Bobby Mecom, applicant, *v.* United States. Application for reduction of bail, presented to Mr. Justice Brennan and by him referred to the Court, denied.

No. **A-332**. Mark Gilbert et al., applicants, *v.* George N. Leighton, Judge, etc., et al. Application for stay of injunction, presented to Mr. Justice White and by him referred to the Court, denied.

No. **D-121**. In the Matter of Disbarment of George John Skontos. It is ordered that George John Skontos, of Chicago, Ill., be suspended from the practice of law in this Court and that a rule issue, return-

able within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 76-1596. United States, petitioner, *v.* John Mauro and John Fusco. Motion for appointment of counsel granted and it is ordered that Kevin Ross, Esquire, of Kew Gardens, New York, is appointed to serve as counsel for the respondents in this case.

No. 76-1767. National Society of Professional Engineers, petitioner, *v.* United States. Motion of petitioner for leave to file Court of Appeals appendix in lieu of an appendix as prescribed by Rule 39 of the Rules of this Court granted.

No. 77-526. George A. Chitty, petitioner, *v.* United States; Robert Morris Postal, petitioner, *v.* United States. Application for bail, presented to Mr. Justice Brennan and by him referred to the Court, denied.

No. 77-5353. Rufus Junior Mincey, petitioner, *v.* Arizona. Application for stay of mandate of Supreme Court of Arizona, presented to Mr. Justice Brennan and by him referred to the Court, denied.

No. 77-5431. Melvin Leroy Tyler, petitioner, *v.* Leslie Dyer, Clerk, Circuit Court of Platte County. Application for stay of the state court proceedings, presented to Mr. Justice Marshall and by him referred to the Court, denied.

#### APPEALS—JURISDICTION NOTED

No. 77-262. Duke Power Company, appellant, *v.* Carolina Environmental Study Group, Inc., et al.; and

No. 77-375. United States Nuclear Regulatory Commission et al., appellants, *v.* Carolina Environmental Study Group, Inc., et al. Appeals from the United States District Court for the Western District of North Carolina. Motion of Pacific Legal Foundation for leave to file a brief, as *amicus curiae*, granted. Motion of Southeastern Legal Foundation for leave to file a brief, as *amicus curiae*, granted. In these cases probable jurisdiction noted. Cases consolidated and a total of 1 hour allotted for oral argument.

#### CERTIORARI DENIED

No. 76-1843. Margaret Ollestead et al., petitioners, *v.* Native Village of Tyonek. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 76-6956. Maurice Burse, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.



No. 76-6982. Elvin Brickhouse, Jr., petitioner, *v.* Robert F. Zahradnick, Superintendent, Virginia State Penitentiary, Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-54. Joseph D. Beasley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-96. British American Commodity Options Corp. and Lloyd, Carr & Co., *petrs v.* William T. Bagley etc. et al; and

No. 77-204. National Association of Commodity Option Dealers et al., petitioners, *v.* The Commodity Futures Trading Commission, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-192. Pauline A. Stebbins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-244. Lee Pharmaceuticals, petitioner, *v.* Den-Mat, Inc., et al. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-254. Discount Company, Inc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 77-257. Joseph B. Bergen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 77-278. Champion International Corporation, petitioner, *v.* United States;

No. 77-281. Young and Morgan, Inc., Bngaboo Timber Company, and Vernon R. Morgan, petitioners, *v.* United States! and

No. 77-282. Freres Lumber Company, Inc., Freres Veneer Company, and Robert T. Freres, petitioners, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-300. Richard A. Kananen, petitioner, *v.* Joseph A. Califano, Jr., Secretary of Health, Education and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-310. Donald R. Smith, Treasurer of Illinois, et al., petitioners, *v.* Robert H. Snow et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 77-313. Richard L. Mason et al., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-363. City of Miami Beach, petitioner, *v.* Bernard Jacobs dba The Park Apartment Hotel et al. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 77-385. John Franklin Davis, Jr., petitioner, *v.* Mary Louise Davis. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 77-386. Johnnie Flanigan, petitioner, *v.* Benjamin F. Bailar, Postmaster General of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-394. John R. Manson, Commissioner of Corrections of State of Connecticut, petitioner, *v.* Paul Moynahan. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-398. Fortuna Corporation, petitioner, *v.* Eddie Wilkerson. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-402. Jacob C. Ferguson, petitioner, *v.* Board of Trustees of Bonner County School District No. 82 et al. Petition for writ of certiorari to the Supreme Court of Idaho denied.

No. 77-407. Julio Diaz, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 77-423. B. I. Berry, Judge, et al., petitioners; *v.* Judiciary Commission of Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 77-426. In re William T. Wuliger, petitioner. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyhoga County, denied.

No. 77-465. Chandler G. Ketchum et al., petitioners, *v.* Edward J. Greene et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-507. Karl Bruno, petitioner, *v.* Hayim Kalmich. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-511. Willis Beneky, petitioner, *v.* Waterfront Commission of New York Harbor, etc. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 77-5020. Thomas Andrew Bias, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 77-5022. William D. Paul, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-5036. Stephen George Scholle, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5049. Robert Wallace, petitioner, *v.* Arnold R. Jago, Superintendent, Southern Ohio Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5057. James L. Jackson, petitioner, *v.* Arnold Jago, Superintendent, Southern Ohio Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5112. Adrian Gibson, petitioner, *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Kansas City District, denied.

No. 77-5140. Robert Hudson, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 77-5142. Eldred M. Proctor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5152. John David Simpson, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 77-5166. Harry Leroy Clark, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5179. David Toon, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-5237. Robert Jackson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5255. Mario J. Papini, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5273. Alfonzo Trammell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5293. William Thomas Hartford, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5322. Anthony Bamond, Jr., petitioner, *v.* Solicitor General et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5323. Sherrell Gary Brinkley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5335. Alvin Vickers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5339. Milton R. Wade, petitioner, *v.* Terry L. Shell, Judge, United States District Court for the Eastern District of Arkansas. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5429. Victor Mayo, petitioner *v.* Roy Bombard, Superintendent, Green Haven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5430. John Sherman, petitioner, *v.* Safeway Stores, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5432. Jimmy Richardson, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Middle Division, denied.

No. 77-5434. Roy Dale Green, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5435. August Bernard Doak, aka Gene McDonald, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 77-5438. Ivan E. Crum, petitioner, *v.* Walter H. Bryan, Inc., et al. Petition for writ of certiorari to the District Court of Appeal of Florida. First District, denied.

No. 77-5442. Algeroy A. Rozell, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5444. Michael Saloukas, petitioner, *v.* Michael J. Codd, Police Commissioner of the City of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5451. Alex J. Bottos, Jr., petitioner, *v.* Saul I. Ruman et al. Petition for writ of certiorari to the Court of Appeals of Indiana, Third District denied.

No. 77-5463. Aaron Holsey, petitioner, *v.* Maryland Court of Appeals. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 77-5487. Benjamin F. Raysor, Jr., petitioner, *v.* Wolf & Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5498. Alan Stuart, petitioner, *v.* Arkansas. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5500. Boyd Griffin Gray, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5517. John C. Doherty, petitioner, *v.* Outagamie Bank. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5528. William Hightower, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5530. Harold Gene Walker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5531. Paul Howard Anderson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5537. Velma Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-258. Arnold R. Jago, Superintendent, petitioner, *v.* Timothy Papp. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-382. Frank Beal, etc., et al., petitioner, *v.* Elvira Vecchione et al. Motion of respondents Richard Ragone et al. for leave to

proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-290. Orlin Gentry Cole, petitioner, *v.* United States. Motion for leave to proceed as a veteran granted. Petition for writ of certiorari to the United States Court of Claims denied.

No. 77-414. Cape Publications, Inc., et al., petitioners, *v.* Donald F. Adams. Motion of American Newspaper Publishers Association for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 77-433. Charles Ben Howell, etc., et al., petitioners, *v.* Dallas Bar Association et al. Motion for consideration with No. 76-1750, *Stump v. Sparkman* and petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

#### LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 76-6860. Trino Gutierrez, Jr., petitioner, *v.* John V. Singleton, Judge, U.S. District Court for the Southern District of Texas; and

No. 77-5436. Aaron Holsey, petitioner, *v.* Clement T. Haynsworth, etc. Motions for leave to file petitions for writs of mandamus denied.

#### REHEARINGS DENIED

No. 76-6593. Wardell F. Clark, petitioner *v.* United States;

No. 76-6939. Rene Adolfo Guzman, petitioner, *v.* Clarence Jones et al.;

No. 76-6967. Sandra Lee Simmons Shaw et al., petitioners, *v.* Merritt-Chapman-Scott Corp. et al.;

No. 77-5053. Cleveland Curtis Shaw, petitioner, *v.* Vinson Thompson, Warden; and

No. 77-5283. Harry W. Theriault et al., petitioners, *v.* Frederick Silber et al. Petitions for rehearing denied.

No. 77-131. Delaware State Board of Education et al., petitioners, *v.* Brenda Evans et al.;

No. 77-223. Claymont School District, et al., petitioners, *v.* Brenda Evans et al.;

No. 77-235. Newark School District, petitioner, *v.* Brenda Evans et al.;

No. 77-236. New Castle-Gunning Bedford School District, petitioner, *v.* Brenda Evans et al.; and

No. 77-239. Marshallton-McKean School District, petitioner, *v.* Brenda Evans et al.; Petition for rehearing denied. Mr. Justice Mar-

shall and Mr. Justice Stevens took no part in the consideration or decision of this petition.

### RECESS ORDER

The Court will take a recess from Monday, November 14, 1977, until Monday, November 28, 1977.

### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jeffrey Clarke Anderson	San Antonio, Tex.	Dorwin W. Suttle.
Geo. A. Bangs	Rapid City, S. Dak.	James P. Hurley.
Peter Apodaca Barbosa	Sacramento, Calif.	Mario G. Obledo.
Wayne Edgar Barlow	Los Angeles, Calif.	Donald Richard Crowell II.
Charles Herbert Bean	St. Clairsville, Ohio	George Carter Thornburg.
C. Thomas Behrman	Houston, Tex.	Mark W. Perrin.
Lowell A. Berg	Toms River, N.J.	Peter J. Giovine.
Copeland Gray Bertsche	Montclair, N.J.	Bernard M. Hartnett, Jr.
Walter M. Bielanowski	New Brunswick, N.J.	Ned Jaycox Doyle.
J. Donald Bowen	Houston, Tex.	Albert P. Jones.
James Edward Bowers	Orangeburg, S.C.	Roderick Maltman Hills.
John E. Bowman, Jr.	Boston, Mass.	Paula W. Gold.
Edward T. Brennan	Savannah, Ga.	Robert M. Hitch.
Lawrence Ray Brown	Washington, D.C.	Larry Paul Ellsworth.
George E. Brown, Jr.	Shipshewana, Ind.	Owen W. Crumpacker.
Allan K. Butcher	Fort Worth, Tex.	Jack Vernon Strickland, Jr.
G. Kevin Callahan	Toms River, N.J.	Peter J. Giovine.
Robert Dale Caplinger	Atchison, Kans.	Charles M. Turley.
Robert Reid Carpenter	Rock Hill, S.C.	Emil Wardlaw Wald.
J. Michael Carter	Crawfordville, Fla.	Sid J. White.
Juris G. Cederbaums	New York, N.Y.	Lewis Richard Friedman.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Alexander Cohn	Washington, D.C.	Earle Westgate Putnam.
Terry Paul Cole	Tallahassee, Fla	Winifred Sheridan Smallwood.
Michael Cox	Philadelphia, Pa.	Spencer Miles Wertheimer.
Basil Edward Dalack	Tequesta, Fla.	Joseph P. Metzger.
John Edward Daley	Tulsa, Okla.	Judge Allen E. Barrow.
Joseph Kenneth Davis	San Diego, Calif.	Stuart H. Swett.
Robert P. DesJardins	Santa Ana, Calif	James K. Batchelor.
Gerald Seldwyn Deutsch	Margate, Fla.	Ronald E. Shnider.
Frank J. Dolan	Chicago, Ill.	John Powers Crowley.
David A. Donohue	Dallas, Tex.	James E. Price
Richard W. Duesenberg	St. Louis, Mo.	George J. Luberda.
Milton Irving Fagin	San Antonio, Tex.	Reuben R. Montemayor.
Howard Wililam Feldman	Springfield, Ill.	Charles H. Levad.
Milton Carr Ferguson, Jr.	New York, N.Y.	Solicitor General Wade H. McCree, Jr.
R. Wayne Ford	Phoenix, Ariz.	William J. Schafer III.
James A. Frost	Annapolis, Md.	L. Hollingsworth Pittman.
Gerald Karl Gaffaney	Phoenix, Ariz.	Richard Arthur Friedlander.
Francis Michael Gaffney	St. Louis, Mo.	Robert H. McRoberts.
E. Susan Garsh	Boston, Mass.	Francis H. Fox.
John Goodwin Gaw, Jr.	Kitty Hawk, N.C.	Gerald Franklin White.
Robert Doran Grossman, Jr.	Washington, D.C.	Jon Terrence Flask.
Phyllis Clemmer Harper	San Angelo, Tex.	Curt Frank Steib.
Albert O. Harriman	Madison, Wis.	Charles A. Bleck.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Marion G. Heatwole	Pittsburgh, Pa.	D. B. King.
Thomas Bryan Hebert	Portland, Oreg.	John Hughes Holloway.
Thomas Paul Hobbs	Reno, Nev.	Walter Bruce Robb.
Michael T. Honohan	Cleveland, Ohio	Morton D. Barrisch.
Edward F. Horning III	Louisville, Ky.	James R. Voyles.
Joerge Friedrich Krafft Jaeger	Orlando, Fla.	Robert J. Eagan III.
Anita L. Johnson	Washington, D.C.	Larry Paul Ellsworth.
William Richard Johnston	Oakland, Calif.	Joseph Porter Bingaman.
James A. Johnston, Jr.	Dallas, Tex.	Sarah T. Hughes.
James Strickland Kempton	Seattle, Wash.	Anthony Savage, Jr.
Thomas Harold Kennedy	Indianapolis, Ind.	Lester A. Katz.
Martin Ira Klein	New York, N.Y.	Manuel Maxwell.
Robert Bruce Knowles	Creve Coeur, Mo.	Joseph R. Lowry.
John Lloyd Koelz	Memphis, Tenn.	Howard R. Paul.
Donald P. Krainess	Los Angeles, Calif.	David M. Schwartz.
David Michael Leta	Meadville, Pa.	Theodore F. Jordan, Jr.
Theodore Raymond LeBlang	Springfield, Ill.	Benjamin Kurt Miller.
Ronald Walter Lorensen	Juneau, Alaska	Arthur Herold Peterson.
Walter A. Ludewig	Carmel, N.Y.	Bernard Oxman.
Michael Benjamin Mann	Lynn Haven, Fla.	W. Fred Turner.
Thomas O. McCulloch	Geneva, Ill.	Eugene Lee Armentrout.
Joseph J. McDonough	Chicago, Ill.	John Phelan Gorman.
Richard C. Milstein	Miami, Fla.	Joseph A. Gassen.
Gerald Diamond Mindell	Chicago, Ill.	Harlan Mark Dellsy.
David E. Monahan	San Diego, Calif.	J. Sterling Hutcheson.
Robert Lewis Most	Houston, Tex.	Donald M. Barnett.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James P. Mulligan	Milwaukee, Wis.	Allan F. Glasschroeder.
David John Munstock	Berkeley, Calif.	Lawrence L. Duga.
Gregory L. Murphy	Alexandria, Va.	John B. Kuhns.
George Brown Neidig, Jr.	Wildwood, N.J.	Norman L. Zlotnick.
Franklin Ross Nix	Atlanta, Ga.	Daniel B. Hodgson.
Michol O'Connors	Houston, Tex.	Van E. McFarland.
Edwin J. O'Malley, Jr.	Mantoloking, N.J.	Peter J. Giovine.
A. Dean Owens.	Eugene, Oreg.	Edwin E. Allen.
Elissa Ann Parker.	Pittsburgh, Pa.	Richard S. Ehmann.
Sandra Sue Parkison.	Arlington, Tex.	Mike D. Gibbs.
Bruce Elliott Pasternack.	Albuquerque, N. Mex.	Malcolm G. Coldberg.
Michael Thomas Powell.	Houston, Tex.	Will Sears.
Lawrence B. Rabkin.	San Francisco, Calif.	Jerald E. Rosenblum.
Joseph F. Regnier	Detroit, Mich.	Jason L. Horigman.
Richard W. Reinthaler	New York, N.Y.	Paul Joseph Bschorr.
John McCarthy Roll	Tucson, Ariz.	Dennis DeConcini.
Bruce S. Russell	Miami, Fla.	Wilson Smith.
Andrew Earl Salmon	Spokane, Wash.	Riner Ernst Deglow.
Carlton Jeffers Schmidt, Jr.	Richmond, Va.	Andrew William Wood.
William Grant Schopf, Jr.	Chicago, Ill.	Robert Clifton Keck.
Larry Dwight Sharp	Washington, D.C.	James H. Kelley.
Leon St. John III	West Palm Beach, Fla.	David Roth.
Howard Stamer	Portland, Oreg.	Alex L. Parks.
Benjamin A. Stead	Pierre, S. Dak.	Charles M. Thompson.
Sidney B. Strange	Sioux Falls, S. Dak.	John N. Gridley III.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gregory A. Surman	Toms River, N.J.	Peter J. Giovine.
Richard I. Thomas	Pittsburgh, Pa.	Charles Richard Volk.
Tom Thomas	Dallas, Tex.	Frank G. Newman.
Wayne H. Thomas, Jr.	Fresno, Calif.	Jeffrey Leonard Wall.
Benjamin Thompson	Portland, Maine	Peter Jonathan Rubin.
William P. Thorpe	Detroit, Mich.	Thomas A. Roach.
Stran Lippincott Trout	Richmond, Va.	Clinton Byrd Corry, Jr.
M. J. Vanden Eykel	Dallas, Tex.	Dan McElroy.
Mervin Bernard Waage	Denton, Tex.	L. Royce Coleman.
Robert B. Wallis	Houston, Tex.	El Carol V. Greenwood.
Allen C. Warshaw	Harrisburg, Pa.	Norman J. Watkins.
Paul Jacob Weiner	New York, N.Y.	Stephen R. Lang.
Nathan Wernick	Miami, Fla.	Stephen Cahen.
Keith Louis West	Chicago, Ill.	Robert Jon Brickman.
Larry Clevenger Wiese	Washington, D.C.	Norman Burleigh Lynch.
William DeMent Wilson, Jr.	Memphis, Tenn.	Howard R. Paul.
Robert S. Wolkin	Tucson, Ariz.	S. Jeffrey Minker.
Donald Harris Wood	Riverdale, Ga.	William Lee Skinner.
E. P. Woodruff, Jr.	Brownwood, Tex.	George A. Day.
Wray G. Zelt III	Washington, Pa.	Jesse D. Costa.
J. Jerome Zych	St. Louis, Mo.	Carlotta M. Beall.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Parle Thomas Blake	Reston, Va.	Solicitor General Wade H. McCree, Jr.
Peter D. Bulens	Antioch, Calif.	Daniel J. Curtin, Jr.
John Joseph McGonagle, Jr.	Jamison, Pa.	Douglas Noyes Jones.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
George John Silvestri	San Rafael, Calif.	Robert Emmet Lynch, Jr.
Barrett R. Baskin	San Francisco, Calif.	Joshua Thomas Gillelan II.
Thomas Lucian Woodruff	Santa Ana, Calif.	Sandra Jean Strebel.
Stuart Jay Robinson	Baltimore, Md.	Frank Sacks.
Carl Jay Sacks	Baltimore, Md.	Frank Sacks.

## ORAL ARGUMENT

No. **76-695**. Board of Curators of the University of Missouri et al., petitioners, *v.* Charlotte Horowitz. Argued by Mr. Marvin E. Wright for the petitioners and by Mr. Arthur A. Benson, II, for the respondent.

No. **76-750**. Sears, Roebuck and Co., petitioner, *v.* San Diego County District Council of Carpenters. Argued by Mr. H. Warren Siegel for the petitioner and by Mr. Jerry J. Williams for the respondent.

No. **76-678**. Shell Oil Company, petitioner, *v.* Anne M. Dartt. Argued by Ms. Mary T. Matthies for the petitioner and by Mr. Jefferson G. Greer for the respondent.

No. **76-709**. Earl L. Butz et al., petitioners, *v.* Arthur N. Economou et al. Argued by Mr. Daniel M. Friedman for the petitioner and by Mr. David C. Buxbaum for the respondents.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Regis E. Slutter	Alexandria, Va.	Donal Brendan Tobin.
Mark C. Rutzick	New York, N.Y.	Judith A. Gordon.
DeLawrence Beard	Potomac, Md.	Wiley A. Branton.

### OPINIONS

No. **76-860**. Joseph A. Califano, Jr., Secretary of Health, Education, and Welfare, appellant, *v.* John A. Jobst. Appeal from the United States District Court for the Western District of Missouri. Judgment reversed and case remanded to the United States District Court for the Western District of Missouri for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stevens.

No. **76-398**. Citizens and Southern National Bank, petitioner, *v.* Nick Bougas. On writ of certiorari to the Court of Appeals of Georgia. Judgment affirmed. Opinion by Mr. Justice Blackmun. Concurring opinion by Mr. Justice Stewart.

### ORAL ARGUMENT

No. **76-944**. Richard Nixon, petitioner, *v.* Warner Communications, Inc., et al. Argued by Mr. William H. Jeffress, Jr. for the petitioner and by Mr. Floyd Abrams and Mr. Edward Bennett Williams for the respondents.

No. **76-1040**. Thomas Sanabria, petitioner, *v.* United States. Argued by Mr. Francis J. DiMento for the petitioner and by Mr. Frank H. Easterbrook for the respondent, *pro hac vice*, by special leave of Court.

No. **76-839**. Edmund Foley, etc., appellant, *v.* William G. Connelie, etc., et al. Argued by Mr. Jonathan A. Weiss for the appellant and by Mrs. Judith A. Gordon for the appellees.

No. 76-558. Raymond Motor Transportation, Inc., et al., appellants, *v.* Zel S. Rice et al. Argument commenced by Mr. John H. Lederer for the appellants and continued by Mr. Albert Harriman for the appellees.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kenneth Lewis Hirsch	Pittsburgh, Pa.	Francis John Lorson.
Perry F. Di Cola	Pittsburgh, Pa.	Francis John Lorson.
John Joseph Tarleton	Atlanta, Ga.	William Lee Skinner.
George William Trumbo	Cleveland, Ohio	Judge Sara J. Harper.

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No. **76-558**. Raymond Motor Transportation, Inc., et al., appellants, *v.* Zel S. Rice et al. Argument continued by Mr. Albert Harri-man for the appellees and concluded by Mr. John H. Lederer for the appellants.

No. **76-1334**. Don Bordenkircher, Superintendent, Kentucky State Penitentiary, petitioner, *v.* Paul Lewis Hayes. Argued by Mr. Robert L. Chenoweth for the petitioner and by Mr. J. Vincent Aprile II for the respondent.

No. **76-6372**. Leon Webster Quilloin, appellant, *v.* Ardell Williams Walcott et al. Argued by Mr. William L. Skinner for the appellant and by Mr. Thomas F. Jones for the appellee, *pro hac vice*, by special leave of Court.

No. **76-1172**. First National Bank of Boston et al., appellants, *v.* Francis X. Bellotti, etc., et al. Argued by Mr. Francis H. Fox for the appellants and by Mr. Thomas R. Kiley for the appellees.

## ORDER IN PENDING CASE

No. A-406. Ernest N. Morial et al., applicants, *v.* Judiciary Commission of the State of Louisiana et al. Application for stay of the order of the United States Court of Appeals for the Fifth Circuit in case No. 77-1491, presented to Mr. Justice Brennan and by him referred to the Court, denied.

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Adjourned until Monday, November 14, 1977, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## APPEALS—SUMMARY DISPOSITION

No. 77-471. Donald C. McDougal, appellant, *v.* County of Imperial. Appeal from the Supreme Court of California. The appeal is dismissed for want of a substantial federal question.

No. 77-502. Stephen Muss et al., appellants, *v.* City of Miami Beach, etc. Appeal from the District Court of Appeal of Florida, Third District. The appeal is dismissed for want of a substantial federal question.

## CERTIORARI—SUMMARY DISPOSITION

No. 76-1377. Oregon State Penitentiary et al., petitioners, *v.* Jerry Hammer. On petition for writ of certiorari to the Supreme Court of Oregon. Petition for writ of certiorari granted, judgment vacated and case remanded to the Supreme Court of Oregon for reconsideration in light of *Dixon v. Love*, 431 U.S. 105 (1977). Dissenting opinion by Mr. Justice Stevens with whom Mr. Justice Brennan, Mr. Justice Stewart and Mr. Justice Marshall join.

No. 77-277. Allen Aaron Jackson, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Claims. Petition for writ of certiorari granted, judgment vacated and case remanded to the United States Court of Claims for further consideration in light of the position presently asserted by the Solicitor General in his brief filed October 25, 1977. Mr. Justice Rehnquist would deny the petition.

No. 77-5161. Kurk Kendall Johnson, petitioner, *v.* Don H. Hampton, District Judge, Tenth Judicial District of Oklahoma. On petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case re-

manded to the Court of Criminal Appeals of Oklahoma for further consideration in light of *Brown v. Ohio*, 432 U.S. — (1977) and *Harris v. Oklahoma*, 433 U.S. — (1977).

## ORDERS IN PENDING CASES

No. —. Mark Trail Campgrounds, Inc., applicant, *v.* Field Enterprises, Inc. Motion for reconsideration denied.

No. A-379. John W. Gibbs, applicant, *v.* United States. Application for stay, presented to Mr. Justice Marshall and by him referred to the Court, denied.

No. A-384. William G. Walker, applicant, *v.* Illinois et al. Application for writ of habeas corpus, presented to the Chief Justice and by him referred to the Court, denied.

No. D-100. In the Matter of Disbarment of Owen Jennings Ooms. Owen Jennings Ooms, of Chicago, Illinois, having requested to resign as a member of the Bar of this Court, it is ordered that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court. The rule to show cause heretofore issued on April 4, 1977; is hereby discharged.

No. D-107. In the Matter of Disbarment of Edward S. Friedland. Disbarment entered.

No. 72, Original. State of South Dakota, plaintiff, *v.* State of Nebraska. Exception of South Dakota to Report of Special Master overruled. Motion of Robert J. Foley et al. for leave to intervene as defendants granted.

No. 76-682. Santa Clara Pueblo et al., petitioners, *v.* Julia Martinez et al. Motion of Solicitor General for leave to file a brief, as *amicus curiae*, denied.

No. 76-777. Peggy J. Connor et al., appellants, *v.* Cliff Finch, Governor of Mississippi, et al.;

No. 76-933. Cliff Finch, Governor of Mississippi, et al., appellants, *v.* Peggy J. Connor et al.;

No. 76-934. United States, appellant, *v.* Cliff Finch, Governor of Mississippi, et al.; and

No. 76-935. Peggy J. Connor et al., appellants, *v.* Cliff Finch, Governor of Mississippi, et al. Motion to retax costs denied.

No. 76-1121. American Broadcasting Companies, Inc., et al., petitioners, *v.* Writers Guild of America, West, Inc., et al.;

No. 76-1153. Association of Motion Picture and Television Producers, Inc., petitioner, *v.* Writers Guild of America, West, Inc., et al.; and

No. 76-1162. National Labor Relations Board, petitioner, *v.* Writers Guild of America, West, Inc., et al. Motion of The American Federation of Labor and Congress of Industrial Organizations for leave to file a brief, as *amicus curiae*, granted.

No. 76-1143. Ray Marshall, Secretary of Labor, et al., appellants, *v.* Barlow's, Inc. Motion of Pacific Legal Foundation for leave to participate in oral argument, as *amicus curiae*, denied.

No. 76-1359. Bankers Trust Company, petitioner, *v.* Samuel Mallis and Franklyn Kupferman. Motion of New York Clearing House Association for leave to participate in oral argument, as *amicus curiae*, granted.

No. 76-5729. Mark David Oliphant and Daniel B. Belgarde, petitioners, *v.* The Suquamish Indian Tribe et al. Motion of Solicitor General for leave to participate in oral argument, as *amicus curiae*, granted and fifteen additional minutes allotted for that purpose. Petitioners allotted fifteen additional minutes for oral argument.

No. 77-26. Elizabeth Jane Young Chin, petitioner, *v.* United States; and

No. 77-32. Kenneth Chin, petitioner, *v.* United States. Application for an order directing the United States Court of Appeals for the Second Circuit to issue a printed opinion, presented to Mr. Justice Marshall and by him referred to the Court, denied.

No. 77-452. Mobil Alaska Pipeline Company, petitioner, *v.* United States et al.;

No. 77-457. Exxon Pipeline Company, petitioner, *v.* United States et al.;

No. 77-551. BP Pipelines Inc., petitioner, *v.* United States et al.;

No. 77-602. Arco Pipe Line Company, petitioner, *v.* United States et al.

On October 20, 1977, this Court stayed the order of the Interstate Commerce Commission served June 28, 1977, in its Investigation and Suspension Docket No. 9164, Trans-Alaska Pipeline System (Rate Filings) pending final disposition of the petitions for writs of certiorari by this Court. To further effectuate that order, it is hereby ordered:

1. During the period the stay is in effect, commencing at 3 p.m. E. D. T., October 20, 1977, the following pipeline companies may collect their respective rates set forth in the tariffs that were suspended by the Interstate Commerce Commission in its order of June 28, 1977:

Amerada Hess Pipeline Corporation

Arco Pipeline Company

BP Pipeline Company  
 Mobil Alaska Pipeline Company  
 Sohio Pipe Line Company  
 Exxon Pipeline Company  
 Union Alaska Pipeline Company

2. The Federal Energy Regulatory Commission may proceed with its investigation of the rates set forth in said tariffs (FERC Docket No. (R78-1)) and in connection with that investigation may enter any appropriate orders not inconsistent with either this order or this Court's order of October 20, 1977.

3. During the period the stay is in effect, the pipeline companies shall keep account of all sums collected under the terms of said tariffs by virtue of the stay entered by this Court.

4. In the event certiorari is denied or it is otherwise ultimately determined that said pipeline companies were not lawfully entitled to collect a portion of the rates so collected, the pipeline companies shall refund such portion of said rates, with interest computed in accordance with Section 15(8)(e) of the Interstate Commerce Act (49 U.S.C. § 15(8)(e)), to the persons entitled thereto without further order of this Court.

Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Marshall joins. Dissenting statement by Mr. Justice Blackmun. Mr. Justice Stewart and Mr. Justice Powell took part in the consideration or decision of this order. NO

No. **77-5353**. Rufus Junior Mincey, petitioner, *v. Arizona*. Motion of petitioner for appointment of counsel granted and it is ordered that Richard Oseran, Esquire, of Tucson, Arizona, is appointed to serve as counsel in this case.

#### APPEALS—JURISDICTION NOTED

No. **77-334**. First Federal Savings and Loan Association of Boston et al., appellants, *v. State Tax Commission et al.* Appeal from the Supreme Judicial Court of Massachusetts. In this case probable jurisdiction noted. Solicitor General invited to file a brief in this case expressing the views of the United States.

No. **77-454**. Moorman Manufacturing Company, appellant, *v. G. D. Bair, etc.* Appeal from the Supreme Court of Iowa. Motion of William J. Baumol et al. for leave to file a brief, as *amici curiae*, granted. Motion of Motor Vehicle Manufacturers Association of the United States, Inc., for leave to file a brief, as *amicus curiae*, granted. Motion of Multistate Tax Commission for leave to file a brief, as *amicus curiae*, granted. Motion of Committee on State Taxation of the Council of State Chambers of Commerce for leave to file a brief, as *amicus curiae*, granted. In this case probable jurisdiction noted.



## CERTIORARI GRANTED

No. 76-1701. Tennessee Valley Authority, petitioner, *v.* Hiram G. Hill, Jr., et al. Motion of Eastern Band of Cherokee Indians for leave to file a brief, as *amicus curiae* and petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

No. 76-1836. Coopers & Lybrand, petitioner, *v.* Cecil Livesay and Dorothy Livesay, etc., et al.; and

No. 76-1837. Punta Gorda Isles, Inc., petitioner, *v.* Cecil Livesay and Dorothy Livesay, etc., et al. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit granted. Cases consolidated and a total of one hour allotted for oral argument.

## CERTIORARI DENIED

No. 76-1831. Jerold Massler, petitioner, *v.* United States;

No. 76-1833. Paul Rice and John Leslie Wells, Jr., petitioners, *v.* United States; and

No. 76-1839. Pedro Alvarez, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-6974. John A. DeVaughn, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 76-6977. Timoteo Sandoval-Roman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 76-6986. George Sierra, Augie Sierra, Pat Vargas and Ronald Cardenas, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-104. Consolidated Rail Corporation et al., petitioners, *v.* United States and Interstate Commerce Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-116. Richard Russell, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 77-135. John Yarmosh, Nicholas Botta and Lawrence Messina, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-159. International Association of Bridge, Structural and Ornamental Iron Workers, Affiliated Local Union 597, petitioner, *v.* Linbeck Construction Corp. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-175. John D. Stroup, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Western Division, denied.

No. 77-231. Edwin Nachbaur, petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-317. Donald R. Gratehouse, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 77-346. Harmont Plaza, Incorporated, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-351. Alabama, petitioner, *v.* Rockaway Corporation. Petition for writ of certiorari to the Court of Civil Appeals of Alabama denied.

No. 77-449. Robert Emmett Houlihan, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 77-455. Alfred Russom et al., petitioners, *v.* Sears, Roebuck and Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-456. Vernon D. Patch et al., petitioners, *v.* Kevin H. White et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-460. Miguel A. Gargallo, petitioner, *v.* Tecla Gargallo. Petition for writ of certiorari to the Court of Appeals of Ohio, Franklin County, denied.

No. 77-464. Peter Storer and Stuart W. Patton, Co-Executors of the Estate of George B. Storer, petitioners, *v.* Dorothy M. Storer. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 77-467. Chad E. Chapman, petitioner, *v.* Michigan. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 77-476. Towns of Norwood, Concord and Wellesley, Massachusetts, petitioners, *v.* Boston Edison Company et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-479. Michael W. Albano, petitioner, *v.* Jordan Marsh Company. Petition for writ of certiorari to the Court of Appeals of Massachusetts denied.

No. 77-485. Carl Keister and Howard G. Willamon, petitioners, *v.* San Diego and Arizona Eastern Railroad. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-491. Morris B. Myers, petitioner, *v.* Joseph M. Butler and Ellsworth E. Evans. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-514. Thomas D. McDonald, petitioner, *v.* David Headrick, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-517. Richard J. Dolwig, petitioner, *v.* United States;

No. 77-518. Earl Vogt, petitioner, *v.* United States; and

No. 77-541. Walter Stradley, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-537. Larry L., petitioner, *v.* Veronica P. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 77-546. Milton Silverman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-547. Jeffrey Scott Freeland, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-549. Ernest Dwayne Agee, petitioner, *v.* United States; and

No. 77-550. Billie Martin Renfro, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-561. Patrick Schmaltz, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5093. James Kesler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5148. Horace Barry Jordan, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5175. Amos Lumpkin, petitioner, *v.* James Ricketts, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5196. Roger Dale Smith, petitioner, *v.* Ken D. Britt et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5206. L. R. Roberts, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 77-5240. Sonville Austin Smith, petitioner, *v.* Government of the Virgin Islands. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5249. Parnell Jefferson and Ronnie Madison, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5272. John L. Goode, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5347. Emmitt Brager, petitioner, *v.* James D. Riggsby, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5377. Gary Manuel Cheyenne, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5411. John A. Frazier, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5459. Roy M. Harrison, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 77-5465. John Ulrey, aka John Taliferro, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the ~~Eighth~~ <sup>Sixth</sup> Circuit denied.

No. 77-5472. Robert LaGrone, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5473. Gene Clinton Taylor, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Middle Division, denied.

No. 77-5480. Jimmy Louis Phillips, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 77-5481. Kelsey D. Bartlett, petitioner, *v.* The Toledo Blade Co., Inc. Petition for writ of certiorari to the Court of Appeals of Ohio, Lucas County, denied.

No. 77-5483. Arthur Drayton, petitioner, *v.* New York et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5484. Calvin R. Mattison et al., petitioners, *v.* William D. Leeke, Commissioner, South Carolina Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5493. Tyrone Parker, petitioner, *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 77-5499. Frank D. Ford, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 77-5504. James Henry Rollins, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 77-5505. Eloy Contreras, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5514. Virgil H. Smith, petitioner, *v.* White Stores, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5536. Frank Moten, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5544. Arthur Watson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5551. Patricia Ann Saunders, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5566. Donna Jackson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5568. Erana Mae Gibson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-5579. Frank Wilmer Ramsey, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5583. Lloyd C. Fullman, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5589. Donald Elsworth Durns, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5592. Charles Edgar Hudson, aka Chuck Hudson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5594. John Witherspoon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5599. Billy Gene Daniels, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5600. Nicholas G. Snyder, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5602. Carmello Sansone, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-361. Dan Walker et al., petitioners, *v.* Larry Charbert Hayes. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5156. Errol Renett Jeffries, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Stewart would grant certiorari.

No. 77-5215. Lonzie Pittman, petitioner, *v.* Joe S. Hopper, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Marshall would grant certiorari.

No. 77-5285. Ewell Scott, petitioner, *v.* Kentucky Parole Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Brennan would grant certiorari.



No. 77-5488. Joseph James Blake, petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia; and

No. 77-5538. John A. Spenkelink, etc., petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Mr. Justice Brennan and Mr. Justice Marshall, dissenting: Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments. *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentences in these cases.

#### LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 77-5629. William Samuel Hancock, petitioner, *v.* United States et al. Motion for leave to file petition for writ of habeas corpus denied.

#### LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 77-5522. Harry (Shiloh) Theriault, petitioner, *v.* U.S. Court of Appeals for the Seventh Circuit et al. Motion for leave to file petition for writ of mandamus denied.

#### REHEARINGS DENIED

No. 76-1468. John F. Hendrix, Sr., petitioner, *v.* United States;  
No. 76-1566. Roger H. Comly, appellant, *v.* Lower Southampton Township;

No. 76-1674. Norman Stephenson et al., appellants, *v.* Department of Agriculture and Consumer Services of Florida;

No. 76-1691. Pasquale Matassini, petitioner, *v.* United States;

No. 76-1722. Francis Nell Higginbotham, Administratrix of the Estate of Marshall K. Higginbotham, et al., petitioners, *v.* Mobil Oil Corporation et al.;

No. 76-6379. Lester Posner, petitioner, *v.* United States;

No. 76-6673. Joseph W. DiSilvestro, petitioner, *v.* United States Veterans Administration;

No. 76-6685. Lola Mae Kelley, petitioner, *v.* Dwight T. Baptist, etc., et al.;

No. 76-6696. Richard T. Cardall, petitioner, *v.* United States;

No. 76-6748. Thomas J. Brunson, petitioner, *v.* United States;

No. 76-6774. Franklin David Kirk, petitioner, *v.* United States;

No. 76-6823. Charles Neal, petitioner, *v.* Arkansas;

No. 76-6896. William H. Windham, petitioner, *v.* California;

No. 76-6933. Erwin Charles Simants, petitioner, *v.* Nebraska;

No. 77-27. Joseph William Landmesser, petitioner, *v.* United States;

No. 77-61. Dortha Leigh, widow and surviving joint tenant of J. W. Leigh, appellant, *v.* Oklahoma ex rel. The Oklahoma Tax Commission;

No. 77-5040. Oscar E. Kramer, Jr., petitioner, *v.* United States;

No. 77-5099. Rebecca A. Smith, aka Rebecca A. Machetti, petitioner, *v.* Georgia;

No. 77-5136. Ronald Corbitt, petitioner, *v.* United States;

No. 77-5138. Cecilia Reynolds, petitioner, *v.* Department of Health, Education and Welfare, et al.;

No. 77-5182. Eddie Sunday, petitioner, *v.* United States District Court; and

No. 77-5279. Amos Jimmy Jennings, petitioner, *v.* Irl E. Day, Warden. Petitions for rehearing denied.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Stuart Lyle Adams, Jr.	Louisville, Ky.	J. Bruce Miller.
William Henry Agee	Anniston, Ala.	Horace R. Burnham.
James J. Alfini	Chicago, Ill.	Allan Ashman.
David B. Ashcraft	High Foint, N.C.	John Richardson Haworth.
Thomas Joseph Aversa, Jr.	Towson, Md.	Gordon L. Peltz.
Mark T. Baganz	Milwaukee, Wis.	Theodore B. Hertel, Jr.
Paul L. Basile, Jr.	Los Angeles, Calif.	Warren N. Brakensiek.
Clement R. Bassett	Charleston, W.Va.	Chauncey H. Browning, Jr.
Robert A. Beizer	Washington, D.C.	Edward W. Warren.
William H. Bennethum	Wilmington, Del.	William Poole.
John Paul Bernard	Baltimore, Md.	Edward Jefferson Peck.
Paul Bessel	Washington, D.C.	Thomas F. McBride.
Ken Lee Betterton	Hillsboro, Oreg.	Brian P. Jackson.
William Joseph Billeaud	Edwardsville, Ill.	Dick H. Mudge, Jr.
Jerry C. Bonnett	Phoenix, Ariz.	Earl H. Carroll.
Nolan Augustus Bowie	Washington, D.C.	Edward J. Kuhlmann.
Geraldine Reed Brown	New York, N.Y.	Gerard H. Manges.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Paul J. Brysh	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
James L. Bullard	Marietta, Ga.	James Douglas Henderson.
Robert Lee Burgdorf, Jr.	Baltimore, Md.	Charles Christo- pher Brown.
Ronald Lee Cafferty	Columbus, Ohio	Patrick B. O'Brien.
Timothy Guy Casey	Rockville, Md.	Howard J. Thomas.
Larry Weber Chester	Atlanta, Ga.	Clifford Eugene Alexander.
Richard A. Chopin	New Orleans, La.	Bernard J. Caillouet.
Walter Edward Clark	Cambridge, Mass.	John F. Zam- parelli.
Robert John Cooney	Chicago, Ill.	Philip H. Corboy.
Matthew J. Coyle	Olympia, Wash.	Richard H.
Larry J. Echohawk	Salt Lake City, Utah	Holmquist. James F. King, Jr.
Richard Joseph Egan	Greenville, S.C.	Bradford S. Allen.
John Thomas Esslinger	Washington, D.C.	Edward Aptaker.
John Michael Famularo	Lexington, Ky.	Joseph A. Fanelli.
Florence Catherine Fee	San Francisco, Calif.	Scott Clawson Lambert.
Samuel Fifer	Chicago, Ill.	Don H. Reuben.
David Jonathan Fine	Cambridge, Mass.	Michael David Rosenberg.
Curry First	Milwaukee, Wis.	James Alan Walrath.
George M. Fleming	Clarksdale, Miss.	William Henry Maynard.
Robert Thomas Franklin	Jourdanton, Tex.	Walter R. Long, Jr.
Steven Dale Freeman	Chicago, Ill.	Howard Hoffman.
Victor J. Gagliardi	Buffalo, N.Y.	Bernard Oxman.
Thomas Leonard Gayton	La Jolla, Calif.	Howard K. Potash.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Alan Harris Gellis	Philadelphia, Pa.	Maurice L. A. Gellis.
David Martin George	Tampa, Fla.	C. Elmon Gatlin.
Gerald Durand Glass	Baltimore, Md.	Charles G. Bernstein.
Rudolph E. Greco, Jr.	New York, N.Y.	Joseph A. Faraldo.
Bill F. Griffin, Jr.	Center, Tex.	Dudley Perdue Davis.
Michael Gruson	New York, N.Y.	Robert F. Dobbin.
Fred Haddad	Fort Lauderdale, Fla.	Ray Sandstrom.
Chris Thomas Hanger	Houston, Tex.	Waggoner Carr.
Thomas M. Hanna	Saint Louis, Mo.	Edward C. Cody.
Jim Neil Harkins	Buffalo, Okla.	Michael C. Stewart.
John Matney Harmon	Statesville, N.C.	Solicitor General Wade H. McCree, Jr.
Stephen E. Harris	Baltimore, Md.	Jerome M. Levine.
Vernon F. Hauschild	Manchester, Conn.	David S. Fishman.
Thomas R. Hendershot	Washington, D.C.	Hugh N. Scott.
Robert J. Heslop	Chicago, Ill.	Stella Adams Cuthbert.
Frederick J. Hess	Saint Jacob, Ill.	Walter E. Schroeder.
Tom E. Hill	Fort Worth, Tex.	Norman W. Darwin.
David Fraser Hixson	New York, N.Y.	Jerome G. Shapiro.
Murray M. Holcomb	Buffalo, Okla.	Michael C. Stewart.
Marianne Louise Drake Isaeff	Loma Linda, Calif.	D. Elliott Whitlock.
Christopher P. Jameson	Dallas, Tex.	Judge Joseph Weldon Bailey.
Morgan A. Jones	Dallas, Tex.	Dan McElroy.
Wendy L. Kahn	Washington, D.C.	Abraham L. Zwerdling.
Alan Thomas Kaplan	Bethesda, Mass.	Bertram Jay Kahn.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas Joseph Keller	Washington, D.C.	Ronald David Eastman.
John S. Kitchen	Loudon, N.H.	David Rackett Souter.
Thomas Earl Kurth	Dallas, Tex.	George Edward Seay.
Howard M. Levinson	Harrisburg, Pa.	Judge David L. Bazelon.
Israel Aaron Levy	Encino, Calif.	Haig Kehiayan.
Garry Lewellen	Stephenville, Tex.	Carvel D. McMillan.
David Graham Lichtenstein	Saint Louis, Mo.	Bruce David Locher.
James Minor Ludlow, Jr.	Durham, N.C.	Charles Darsie.
Philip Mandel	New York, N.Y.	David A. Pravda.
Douglass J. McCollum	Washington, D.C.	Alfred Winchell Whittaker.
James Clay McKee	Salt Lake City, Utah	Glade S. Bigler.
J. William McLafferty, Jr.	Santa Barbara, Calif.	Patrick J. McKinley.
John Ross Miller	Salem, Oreg.	Charles William Creighton, Jr.
Eloy Molina	Oxnard, Calif.	Richard E. Erwin.
Jose Angel Figueroa Morales	San Juan, Puerto Rico	Olaquibeet A. Lopez-Pachero.
Normal R. Mueller	Denver, Colo.	Rollie R. Rogers.
Dennis Patrick O'Keefe	Buffalo, N.Y.	Richard David Endler.
James Francis O'Neill	Charlotte, N.C.	Don Davis.
C. Terry Owen	South Charleston, W. Va.	Edmund Danridge McDonald.
William Albert Owens, Jr.	Athens, Ga.	Henry W. Blizzard, Jr.
Daiil Park	Anchorage, Alaska	James K. Tallman.
Charles J. Pesek	Oak Brook, Ill.	Jerome J. Webb.
William Michel Pierson	Baltimore, Md.	Leon H. A. Pierson.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Bettina Barash Plevan	New York, N.Y.	George G. Gallantz.
Paul William Plotnick	Chicago, Ill.	Jack G. Stein.
Craig S. Powell	Osawatomie, Kans.	Willis H. McQueary.
James William Price, Jr.	Nashville, Tenn.	David M. Pack.
Georgina Feher Reich	New York, N.Y.	David Toren.
Julius Rich	Baltimore, Md.	Harry J. Farbman.
Robert Drew Roseman	Bethesda, Md.	Harry W. Lerch.
William Leon Schachte, Jr.	Charleston, S.C.	Bernard M. Thomson, Jr.
Edward S. Schneider	Chicago, Ill.	Stella Adams Cuthbert.
James K. Secrest II	Tulsa, Okla.	Dan A. Rogers.
Phillip J. Shee	Pittsburgh, Pa.	D. Byron King.
Howard Harris Shore	San Diego, Calif.	Gilbert Nares.
James Loetscher Siekmann	Chicago, Ill.	Thomas Dietrich Burlage
Alan Harvey Silberman	Chicago, Ill.	Earl E. Pollock.
A. Richard Sloane	Washington, D.C.	Paul D. Pearlstein.
Carolyn Jacoby Sloane	Washington, D.C.	Paul D. Pearlstein.
Walter A. Smith, Jr.	Washington, D.C.	Robert E. Montgomery, Jr.
Ted Warren Spiegel	Louisville, Ky.	Rudolph Vincent Binus.
Olin Bernard Strauss	Pleasanton, Tex.	Walter R. Long, Jr.
J. Stephen Street	Washington, D.C.	James Franklin Rill.
Edward Alfred Studzinski	Durham, N.C.	Paul R. Speckman, Jr.
Allen J. Sucherman	Chicago, Ill.	Jerome Feldman.
Robert E. Thiel	San Antonio, Tex.	Herbert D. Kelleher.
Steven Martin Tullberg	Washington, D.C.	Barry L. Goldstein.
R. Nol Turner	Philadelphia, Pa.	Walter Y. Anthony.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Franklin Vargo	Indianapolis, Ind.	Patrick D. Sullivan.
Conrad W. Varner	Hagerstown, Md.	Lynn Franklin Meyers.
Earl S. Vass, Jr., Jack Vickery	Richmond, Va. Houston, Tex.	John Allen Weil William R. Connole.
Richard B. Walker	Newton, Kans.	James Blackwood Pearson.
Michael James Weaver Stanley Weiner	San Diego, Calif. Spring Valley, N.Y.	James M. Dort. David Greenberg.
James Ermal Wesner Leonard Allen White	Washington, D.C. Washington, D.C.	David Ginsburg. Harry Silverstone.
Wallace Watson White, Jr. Eric Douglas Witkin James H. Wolf	Houston, Tex. New York, N.Y. Chicago, Ill.	William D. White. Herbert Prashker. Richard A. Makarski.
George S. Wright	Phoenix, Ariz.	Richard R. Schmal.
A. David Zerivitz	Baltimore, Md.	Judge Paul A. Dorf.
George Zivkovich II	Charleston, W. Va.	Edmund Dandridge McDonald.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Leo H. Phillips, Jr.	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Julio Anthony Brady	St. Thomas, Virgin Islands	Solicitor General Wade H. McCree, Jr.
John Henry Dudley, Jr.	Detroit, Mich.	Charles Ernest Chamberlain.
David M. Alexander	Palo Alto, Calif.	David St. John Brown
Raymond N. Watts	Sandusky, Ohio	Herbert B. Mutter.
Charles Stephen Coy	Atlanta, Ga.	Bernard Oxman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant.</u>
Victor Hergenreter	Overland Park, Kans.	Bernard Oxman.
Bruce P. McGuigan	Oklahoma City, Okla.	Bernard Oxman.
Jerry Ross Spinks	Jacksonville, Fla.	Bernard Oxman.
James Chandler Southgate	Albany, N.Y.	Bernard Oxman.
Stephen Alfred Del Rossi	Philadelphia, Pa.	Saul Irving Wollman.
Carl Klauder E. Miller, Jr.	Doylestown, Pa.	Saul Irving Wollman.
Lee Price Solter	Prairie Village, Kans.	Saul Irving Wollman.
Patricia A. Thomas	Baltimore, Md.	Saul Irving Wollman.
Nathan Franklin Abromson	Mount Pleasant, Pa.	Solicitor General Wade H. McCree, Jr.
Daniel James Ackerman	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Jack Louis Bergstein	Monessen, Pa.	Solicitor General Wade H. McCree, Jr.
Richard A. Bruni	New Kensington, Pa.	Solicitor General Wade H. McCree, Jr.
Kenneth B. Burkley	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
John M. Campfield	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Gary P. Caruso	Monessen, Pa.	Solicitor General Wade H. McCree, Jr.
Peter Paul Cherellia	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Ralph D. Conrad	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James John Conte	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
David W. Cook	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
John F. Dent	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
P. Louis DeRose III	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Richard Frederick Flickinger	Ligonier, Pa.	Solicitor General Wade H. McCree, Jr.
Richard H. Galloway	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Dennis Joseph Gounley	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
David Ross Gray	Ligonier, Pa.	Solicitor General Wade H. McCree, Jr.
Edgar P. Herrington Jr.	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Raymond Joseph Hoehler	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Henry Ammann Hudson Jr.	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Richard L. Jim	Latrobe, Pa.	Solicitor General Wade H. McCree, Jr.
James Edward Kopelman	New Kensington, Pa.	Solicitor General Wade H. McCree, Jr.
George A. Kotjarapoglus	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jon M. Lewis	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Patrick Henry Mahady	Latrobe, Pa.	Solicitor General Wade H. McCree, Jr.
Charles E. Marker	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Rabe F. Marsh III	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Clarence Francis McBride	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Patrick Anthony Merlino	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Kenneth Louis Murray	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Gregory T. Nichols	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
William J. Ober	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
David G. Petonic	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
John W. Pollins III	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Vincent J. Quatrini, Jr.	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Dennis B. Rafferty	Latrobe, Pa.	Solicitor General Wade H. McCree, Jr.
David Lowe Robinson	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas Joseph Edwin Rodgers	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Bernard Frederick Scherer	Latrobe, Pa.	Solicitor General Wade H. McCree, Jr.
John Nelson Ward	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Robert Glenn Weisgerber	Mount Pleasant, Pa.	Solicitor General Wade H. McCree, Jr.
Bruce Edmund Winter	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Martha Ann Zatezalo	Pittsburgh, Pa.	Solicitor General Wade H. McCree, Jr.
Lawrence Gerard Zurawsky	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
Denis P. Zuzik	Greensburg, Pa.	Solicitor General Wade H. McCree, Jr.
John P. Fons	Washington, D.C.	Richard Andrew Gephardt.
Thomas D. Schwartz	Alton, Ill.	Richard Andrew Gephardt.
Robert William Wilson	Edwardsville, Ill.	Richard Andrew Gephardt.
Joseph L. Badaracco	St. Louis, Mo.	Richard Andrew Gephardt.
A. Robert Belscher	St. Louis, Mo.	Richard Andrew Gephardt.
John Bartlett Crosby	St. Louis, Mo.	Richard Andrew Gephardt.
Harold J. Fisher	Springfield, Mo.	Richard Andrew Gephardt.
George W. Gilmore, Jr.	Sikeston, Mo.	Richard Andrew Gephardt.
George Weber Gilmore, Sr.	Sikeston, Mo.	Richard Andrew Gephardt.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David Robert Hess	St. Louis, Mo.	Richard Andrew Gephardt.
Robert L. Kelley	St. Louis, Mo.	Richard Andrew Gephardt.
John Anthony Kilo	St. Louis, Mo.	Richard Andrew Gephardt.
Alice Lee Childress Kramer	Hillsboro, Mo.	Richard Andrew Gephardt.
Gary Paul Kramer	Hillsboro, Mo.	Richard Andrew Gephardt.
Richard S. Marx	St. Louis, Mo.	Richard Andrew Gephardt.
Thomas Michael O'Shea	St. Louis, Mo.	Richard Andrew Gephardt.
Jeffrey Scott Paull	St. Louis, Mo.	Richard Andrew Gephardt.
Leo A. Politte	Washington, Mo.	Richard Andrew Gephardt.
Darwin Lee Portman	St. Louis, Mo.	Richard Andrew Gephardt.
David R. Spitznagel	St. Louis, Mo.	Richard Andrew Gephardt.
Samuel T. Vandover	St. Louis, Mo.	Richard Andrew Gephardt.
Morton L. Anekstein	New Brunswick, N.J.	Edmond M. Kirby.
William J. Bizub	Clark, N.J.	Edmond M. Kirby.
Kathleen Boyle	Jersey City, N.J.	Edmond M. Kirby.
Robert Lee Brown	Newark, N.J.	Edmond M. Kirby.
Terence P. Corcoran	Ringwood, N.J.	Edmond M. Kirby.
Joseph Frank DiGeronimo	Jersey City, N.J.	Edmond M. Kirby.
Bradley Ferencz	New Brunswick, N.J.	Edmond M. Kirby.
John P. Gleason	Newark, N.J.	Edmond M. Kirby.
Jorge C. Godoy	Little Falls, N.J.	Edmond M. Kirby.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Michael Grodjewski	Trenton, N.J.	Edmond M. Kirby.
Kenneth Grossman	Paramus, N.J.	Edmond M. Kirby.
David Ross Hamilton	Paterson, N.J.	Edmond M. Kirby.
Gerald Patrick Higham	Titusville, N.J.	Edmond M. Kirby.
Timothy Smith Hughes	Mount Holly, N.J.	Edmond M. Kirby.
Dale Edwin Jones	Livingston, N.J.	Edmond M. Kirby.
John Francis Kearney III	Riverton, N.J.	Edmond M. Kirby.
Thomas J. Kilcoyne	Jersey City, N.J.	Edmond M. Kirby.
Patricia Ellen Koch	Morristown, N.J.	Edmond M. Kirby.
Edward Kopelson	Plainfield, N.J.	Edmond M. Kirby.
Charles S. Lorber	Fairfield, N.J.	Edmond M. Kirby.
Elijah Lewis Miller, Jr.	Hackensack, N.J.	Edmond M. Kirby.
Robert J. Moran	Collingswood, N.J.	Edmond M. Kirby.
Harold Jerome Mynett	Newark, N.J.	Edmond M. Kirby.
John Edward O'Connell	Jersey City, N.J.	Edmond M. Kirby.
John J. O'Reilly	Hackettstown, N.J.	Edmond M. Kirby.
Alfred D. Rosenberg	Passaic, N.J.	Edmond M. Kirby.
Judith A. Rosenstein	Jersey City, N.J.	Edmond M. Kirby.
Robert D. Schwartz	South Brunswick, N.J.	Edmond M. Kirby.
S. Howard Schwartzman	Highland Park, N.J.	Edmond M. Kirby.
Howard Harold Sims	Plainfield, N.J.	Edmond M. Kirby.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Mitchell Howard Spingarn	Newark, N.J.	Edmond M. Kirby.
P. Jeffrey Wintner	Voorhees Township, N.J.	Edmond M. Kirby.
Jerrald Jay Hochman	New York, N.Y.	Edmond M. Kirby.
Lloyd Newton Simon II	New York, N.Y.	Edmond M. Kirby.

OPINION

No. 76-1057. John W. Key et al., appellants, *v.* Michael M. Doyle et al. Appeal from the District of Columbia Court of Appeals. Appeal dismissed for lack of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice White with whom Mr. Chief Justice Burger, Mr. Justice Blackmun and Mr. Justice Powell join.

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Adjourned until Monday, November 28, 1977, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## APPEALS—SUMMARY DISPOSITION

No. 76-1588. Joseph A. Califano, Jr., Secretary of Health, Education and Welfare, appellant, *v.* Ruth McMahon. Appeal from the United States District Court for the Eastern District of New York. Motion of appellee for leave to proceed *in forma pauperis* granted. Judgment vacated and case remanded to the United States District Court for the Eastern District of New York for further consideration in light of *Califano v. Jobst*, 434 U.S. — (1977). Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 77-419. Houston Belt & Terminal Railway Company, appellant, *v.* Joe W. Wherry. Appeal from the Court of Civil Appeals of Texas, First Supreme Judicial District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 77-5502. Samuel Douglas, appellant, *v.* United States et al. Appeal from the United States Court of Appeals for the Third Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 77-5269. Jimmie L. Simpson, appellant, *v.* Florida. Appeal from the Supreme Court of Florida. The appeal is dismissed for want of jurisdiction. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 77-5561. William Eugene Jones, appellant, *v.* Colorado. Appeal from the Supreme Court of Colorado. The appeal is dismissed for want of a substantial federal question. Mr. Justice Blackmun took no part in the consideration or decision of this case.

## CERTIORARI—SUMMARY DISPOSITION

No. 77-53. Marie Pierre et al., petitioners, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals to consider the question of mootness. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 77-5069. William Earl Nunley, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the United States District Court for the Western District of Tennessee with directions to dismiss the indictment. Mr. Justice Blackmun took no part in the consideration or decision of this case.

## ORDERS IN PENDING CASES

No. 75-1690. James Parham, Individually and as Commissioner of Department of Human Resources, et al., appellants, *v.* J. L. and J. R., minors, etc. Motion of Solicitor General for leave to file a brief, as *amicus curiae*, granted. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. 76-419. Vermont Yankee Nuclear Power Corporation, petitioner, *v.* Natural Resources Defense Council, Inc., et al.; and

No. 76-528. Consumers Power Company, petitioner, *v.* Nelson Aeschliman et al. Motion of the Attorney General of New York for leave to participate in oral argument, as *amicus curiae*, denied. Mr. Justice Blackmun and Mr. Justice Powell took no part in the consideration or decision of this motion.

No. 76-811. Regents of the University of California, petitioner, *v.* Allan Bakke. Motion of Solicitor General for leave to file a supplemental brief after argument, as *amicus curiae*, granted. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. 76-1359. Bankers Trust Company, petitioner, *v.* Samuel Mallis and Franklyn Kupferman. Motion of Solicitor General for leave to file a brief, as *amicus curiae*, granted. Motion of Solicitor General for leave to participate in oral argument, as *amicus curiae*, granted. Mr. Justice Blackmun took no part in the consideration or decision of these motions.

No. 77-533. Angelo Hisquierdo, petitioner, *v.* Jess H. Hisquierdo. Solicitor General invited to file a brief in this case expressing the views of the United States. Mr. Justice Blackmun took no part in the consideration or decision of this matter.

## APPEALS—JURISDICTION NOTED

No. 77-404. City of Philadelphia et al., appellants, *v.* New Jersey et al. Appeal from the Supreme Court of New Jersey. In this case probable jurisdiction noted. Mr. Justice Blackmun took no part in the consideration or decision of this matter.

No. 77-653. William Swisher et al., appellants, *v.* Donald Brady et al. Appeal from the United States District Court for the District of Maryland. Motion of appellees for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted. Mr. Justice Blackmun took no part in the consideration or decision of this matter.

## CERTIORARI GRANTED

No. 77-380. Cecil D. Andrus, Secretary of the Interior, petitioner, *v.* Charlestone Stone Products Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-452. Mobil Alaska Pipeline Company, petitioner, *v.* United States et al.;

No. 77-457. Exxon Pipeline Company, petitioner, *v.* United States et al.;

No. 77-551. BP Pipelines Inc., petitioner, *v.* United States et al.; and

No. 77-602. ARCO Pipe Line Company, petitioner, *v.* United States et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit granted. Cases consolidated and a total of one hour allotted for oral argument. Mr. Justice Stewart, Mr. Justice Blackmun and Mr. Justice Powell took no part in the consideration or decision of these petitions.

No. 77-5549. Michael Taylor, petitioner, *v.* Kentucky. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Court of Appeals of Kentucky granted. Mr. Justice Blackmun took no part in the consideration or decision of this motion and petition.

## CERTIORARI DENIED

No. 76-1776. Roosevelt Peabody, petitioner *v.* United States;

No. 76-6907. Raymond Cason, petitioner, *v.* United States; and

No. 76-6926. Harry Tharp, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of these petitions.

No. 76-1779. Robert L. Chazin, petitioner, *v.* Carl Witkovich et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 76-6880. Roy Keeton et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-8. Mehendra R. Mehta, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-57. Conrad L. Germain et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-137. Wayne Earl Ellison, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-139. Dudley D. Morgan, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-167. Mildred Watts, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-195. William Tarasi, George Sampas and Virginia Harrigan, petitioners, *v.* Pittsburgh National Bank and S. Robert Mialki. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-201. Mark Brian Price, petitioner, *v.* Peter J. Pitchess, Sheriff of Los Angeles County, California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-203. Edward S. Irons, petitioner, *v.* Lutrelle F. Parker, Acting Commissioner of Patents and Trademarks. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.



No. 77-248. Delores Glover, petitioner, *v.* The Herald Company dba Globe-Democrat Publishing Company. Petition for writ of certiorari to the Supreme Court of Missouri denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-266. Bethlehem Steel Corporation, petitioner, *v.* United States District Court for the Central District of California (David Montgomery Titus, etc., real party in interest). Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-269. Simmie Lynn McCall and Bill Don Mills, petitioners, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-309. McDonnell Douglas Corporation, petitioner, *v.* Phillip W. Houghton et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-316. James Karnes, petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-343. Pasquale J. Cisternino, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-352. John D. Plesons, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-372. American Telephone and Telegraph Company et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-390. Edigio Cerilli et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-391. E. B. Burgett et ux., petitioners, *v.* The Federal Land Bank of Wichita. Petition for writ of certiorari to the Supreme Court of New Mexico denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-392. Sweeny Independent School District et al., petitioners, *v.* Mildred Harkless et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-393. Thomas R. Fadell, petitioner, *v.* Minneapolis Star and Tribune Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-399. Wilbur McDonald, petitioner, *v.* Illinois et al., Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-400. Sumner H. Woodrow, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-408. Ingalls Shipbuilding Corporation, Division of Litton Systems, Inc., petitioner, *v.* Dorothy T. Morgan et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-418. Ronald J. Calhoun, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-435. Arthur F. Swanson, petitioner, *v.* Washington. Petition for writ of certiorari to the Court of Appeals of Washington. First Division, denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-438. Ellsworth Boldridge et ux., petitioners, *v.* Estate of Walter A. Keimig. Petition for writ of certiorari to the Supreme Court of Kansas denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-439. Harold Ekmanian et al., petitioners, *v.* Ray Marshall, Secretary of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-445. John Kenny and Robert Kenny, Executors of Estate of John J. Kenny, deceased, petitioners, *v.* Louis Sanfilippo et al.; and

No. 77-451. Louis Sanfilippo et al., petitioners, *v.* John Kenney and Robert Kenny. Executors of Estate of John J. Kenny, deceased.

Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of these petitions.

No. 77-468. Edwin Allen Gooch, III, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-472. Nicholas Bur, petitioner, *v.* Harold A. Breier et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-482. John Brainard Conklin and Juliette Durand Perry, petitioners, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-492. Dorothy S. Greenberg, petitioner, *v.* Burmah Oil Company Limited et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-494. Gemeinde Brau, Inc., et al., petitioners, *v.* Amana Society et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-496. William Lee Cargile and Thomas Frank Morgan, petitioners, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-499. Board of Supervisors of Hinds County, Mississippi, et al., petitioners, *v.* Henry J. Kirksey et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-506. John H. Peters, petitioner, *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-509. Martin G. Rosansky, petitioner, *v.* Ladenburg, Thalmann & Co., Inc. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-513. Los Alamos School Board, petitioner, *v.* Harry Wugalter, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-516. Josephine Zola, petitioner, *v.* City of Waverly. Petition for writ of certiorari to the Court of Appeals of Ohio, Pike County, denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-519. James Newcomb, petitioner. *v.* James Brenman and Henry Reuss. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-520. Clete King, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-523. Gwendy Wilson, etc., petitioner, *v.* Crouse-Hinds Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-530. United States, petitioner, *v.* Ashland Oil, Inc., et al.; Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-535. Kenil K. Goss, petitioner, *v.* Revlon, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-536. Miriam Winters, etc., petitioner, *v.* Alan D. Miller, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-552. Wheeling-Pittsburgh Steel Corporation, petitioner, *v.* Pennsylvania Department of Environmental Resources. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-553. Dominic S. Rinaldi, petitioner, *v.* Holt, Rinehart & Winston, Inc., et al. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-556. East End Yacht Club, Inc., petitioner, *v.* Buckley Bros. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-558. George Grevas, petitioner, *v.* M/V Olympic Pegasus, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-559. Harold Lane, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-563. Lester Moon et al., petitioners, *v.* Richard Ira Weeks. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-566. James Houston Howie, petitioner, *v.* United States Rubber Co., Inc., et al. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-573. Patricia F. Clark et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-591. Russell V. Losing, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-604. A. J. White & Co. and Allen J. White, petitioners, *v.* Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5044. Johnny J. E. Meadows, petitioner, *v.* Lon Evans, Sheriff, Tarrant County, Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5104. Antonio Flores, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5106. Fred Graves, aka Samuel Edward Brown, petitioner, *v.* Ralph Powers. Chief Judge, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5107. J. Paul Scott and Don R. Scott, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5115. J. W. Gamble, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5116. Melvin R. Stovall, petitioner. *v.* Ross Maggio, Jr., Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5128. Kelsey D. Bartlett, petitioner, *v.* Downtown Toledo Associates. Inc., et al.: Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5141. Andrew J. Emrisko and Allen W. Schmidt, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5164. James Zale Snow, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5171. Alan Gene Kincade, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5212. Gary L. Hutton, petitioner, *v.* United States; and No. 77-5225. Curtis White, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of these petitions.

No. 77-5243. Donald Dowd, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern



District, denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5258. Saul Kopel, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5266. Otis D. Wilkerson, aka Robert N. Jones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5267. Harry Lee Greene, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5286. John Edward Morris, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5294. Badgie Lee Chapman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5299. William L. Linzy, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5300. Vincent Parker, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5301. Howard Castile, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5306. Robert Joseph Muller, Sr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5336. Calvin Lionel Robinson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals

for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5342. Daniel M. Pilla, petitioner, *v.* Donald C. Alexander et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5380. Cleophas James Kearney and Eugene Lemon, Jr., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5381. Andrew Lee White, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5393. Alfonso Davis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5396. Michael Lance Carvin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5410. Willie Folkes, petitioner, *v.* Utah. Petition for writ of certiorari to the Supreme Court of Utah denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5433. Howard Smolar, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5470. Jim Key, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5475. Frank Leon Knight, petitioner, *v.* Handwriting Exemplars, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5501. John F. Carter, petitioner, *v.* Joseph M. De Grazia et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.



No. 77-5507. Samuel Rochelle Mason, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5510. Frank P. Guerrero, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5512. Dwight E. Murphy, petitioner, *v.* Harold R. Fatzer, Chief Justice of the Supreme Court of Kansas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5513. Petronele Petrauskas, petitioner, *v.* Irwin Kipnis et al. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5518. Billy Wayne Green, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5520. James Scott Bauhaus, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5526. James Earl Morris, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5533. Walter A. Kurz and Dolores J. Kurz, petitioners, *v.* Michigan et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5534. Jesse Arzate, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5535. Leslie E. Knighten, petitioner, *v.* Glenda S. Broderick. Petition for writ of certiorari to the Supreme Court of Mississippi denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5542. Anthony Martin Zilka, petitioner, *v.* Joseph Y. Walker et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5546. Darlene Anastacia Henderson, petitioner, *v.* Court of Appeal of California, Second Appellate District. Petition for writ of certiorari to the Supreme Court of California denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5550. James Edward Hayton, petitioner, *v.* Charles Egeler, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5552. William Robinson, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5558. Oliver Gio. West, Jr., petitioner, *v.* Harold J. Smith. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5559. Romuald De Swolkien, petitioner, *v.* James A. McKenna et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5564. Richard Allen Poston, petitioner, *v.* South Carolina. Petition for writ certiorari to the Supreme Court of South Carolina denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5565. Marian E. Galbraith, petitioner, *v.* City of Columbus, Ohio. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5567. Robert Roy Thompson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5569. Shirley Monaco et al., petitioners, *v.* Board of Education of City of Chicago et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5573. Don Raines, petitioner, *v.* Alabama. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5578. Everett Carlson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5585. John L. Dyas, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5586. Hulen Timmothy Harrell, petitioner, *v.* D. J. McCarthy, Superintendent, California Men's Colony. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5588. Jimmie Ray Price, petitioner, *v.* Dale S. Foltz, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5596. Quincy Tramble, petitioner, *v.* Arizona. Petition for writ of certiorari to the Court of Appeals of Arizona. Division One, denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5597. Joseph A. Cognato, petitioner, *v.* P. J. Ciccone, Director, United States Medical Center for Federal Prisoners. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5603. J. W. Gamble, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5606. Robert "Bobby" York, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5609. Terrance Bear Ribs, Sr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals

for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5611. Richard J. Manduchi, petitioner, *v.* Thomas P. Schlager, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5618. Rudolf Baloun, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5630. Sidney Foster, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5632. Oscar Lee Haynes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5635. John De Dios Llamas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5636. Guadalupe Avalos-Ochoa, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5638. Robert West, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5661. Willie T. Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-256. Tiger International, Inc., et al., petitioners, *v.* Civil Aeronautics Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice White would grant certiorari. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-501. Sherwin S. Stern, petitioner, *v.* United States Gypsum Inc., et al. Petition for writ of certiorari to the United States Court of

Appeals for the Seventh Circuit denied. Mr. Justice White would grant certiorari. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-531. Union Camp Corporation, petitioner, *v.* Seaboard Coast Line Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun and Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 77-5439. Jack Carlton House, petitioner, *v.* Leroy Stynchcombe et al. Petition for writ of certiorari to the Supreme Court of Georgia denied;

No. 77-5450. Jose Jesus Ceja, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied; and

No. 77-5482. Timothy W. McCorquodale, petitioner, *v.* Leroy Stynchcombe et al. Petition for writ of certiorari to the Supreme Court of Georgia denied. Mr. Justice Brennan and Mr. Justice Marshall, dissenting: Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentences in these cases. Mr. Justice Blackmun took no part in the consideration or decision of these petitions.

No. 77-5612. Brother Thompson B. Hawkins-El et al., petitioners, *v.* George H. Collins, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Application for bail, presented to Mr. Justice Marshall and by him referred to the Court, denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition and application.

#### LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 77-565. Alan Ernest, etc., petitioner, *v.* John J. Sirica, etc., et al. Motion for leave to file petition for writ of mandamus denied. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. 77-5256. Kent Norman, petitioner, *v.* Robert M. Christ, Clerk, U.S. District Court for the District of Oregon. Motion for leave to file petition for writ of mandamus denied. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

#### REHEARINGS DENIED

No. 76-1418. County Board of Arlington County, Virginia et al., petitioners, *v.* Rudolph A. Richards et al.;

- No. 76-1440. Alex Goldstein, petitioner, *v.* United States;
- No. 76-1547. Samuel H. Sloan, etc., petitioner, *v.* Securities and Exchange Commission et al.;
- No. 76-1578. Salvatore Visconti, petitioner, *v.* United States;
- No. 76-1599. Helen A. Pryor, petitioner, *v.* United States;
- No. 76-1654. Charles Brownsell et ux., petitioners, *v.* Archie Davidson and Joan Boyd;
- No. 76-1670. Luttetus Perry, aka Ted Perry, petitioner, *v.* United States;
- No. 76-1811. Robert J. Tracy, appellant, *v.* Ohio;
- No. 76-1824. Fleming S. Jackson, appellant, *v.* Stone and Simons Advertising, Inc., et al.;
- No. 76-1845. Ex Parte: Shearn Moody, Jr., petitioner;
- No. 76-6261. John Elbert Ransom, petitioner, *v.* United States;
- No. 76-6697. Valerie Visconti, petitioner, *v.* United States;
- No. 76-6720. Willie Lee Richmond, petitioner, *v.* Arizona;
- No. 76-6756. Marcus Wayne Chenault, petitioner, *v.* Leroy N. Stynchcombe, Sheriff;
- No. 76-6975. Hugh Frank McDowell, Sr., petitioner, *v.* Dorothy McDowell Morris;
- No. 77-19. In re Boston & Providence Railroad Corporation, Armistead B. Rood, petitioner;
- No. 77-31. James G. King, Jr., petitioner, *v.* United States;
- No. 77-38. Annie Mary Timmons, petitioner, *v.* Thomas O. Lawton, Jr. et al.;
- No. 77-49. Ronald Holm, petitioner, *v.* United States;
- No. 77-71. John M. Dineen et al., petitioners, *v.* Michael A. Bilandic;
- No. 77-138. David P. Weinberger, petitioner, *v.* Florida Department of Commerce, David P. Weinberger, petitioner *v.* Edward J. Trombetta et al.; David P. Weinberger, petitioner, *v.* United States;
- No. 77-212. Philip D. Rogers, petitioner, *v.* Nick P. Chilivis, Commissioner, Department of Revenue;
- No. 77-221. Phillips Petroleum Company, petitioner, *v.* Ashland Oil, Inc., and United States;
- No. 77-5021. Carl Albert Collins, petitioner, *v.* Arkansas;
- No. 77-5058. Randolph Joseph Greene, petitioner, *v.* United States;
- No. 77-5066. Frank Carl Morgan, petitioner, *v.* Tennessee;
- No. 77-5083. James Adams, petitioner, *v.* Florida;



No. 77-5145. Gladys Royal, appellant, *v.* Bob Bergland et al.;  
 No. 77-5170. Ghulam Mohammed Nasim, petitioner, *v.* Maryland;  
 No. 77-5192. John C. Bennett, petitioner, *v.* Director of Internal Revenue for North Carolina et al.;

No. 77-5213. Charles A. Fahrig, petitioner, *v.* Max Jenevsky;

No. 77-5227. Henry M. Henderson, petitioner, *v.* Metropolitan Atlanta Rapid Transit Authority;

No. 77-5253. Samuel B. Wallace, petitioner, *v.* Pan American Airways;

No. 77-5298. Frank Severa, petitioner, *v.* Unemployment Compensation Board of Review of Pennsylvania; and

No. 77-5457. Woodrow W. Wise, Jr., petitioner, *v.* United States. Petitions for rehearing denied. Mr. Justice Blackmun took no part in the consideration or decision of these petitions.

No. 77-118. Pacific Engineering & Production Company of Nevada, petitioner, *v.* Kerr-McGee Corporation and Kerr-McGee Chemical Corporation. Petition for rehearing denied. Mr. Justice Stewart and Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5246. Gary F. Watson, petitioner, *v.* United States. Motion to reject respondent's lodging and petition for rehearing denied. Mr. Justice Blackmun took no part in the consideration or decision of this motion and petition.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Michael Mahon de Shetler	Corpus Christi, Tex.	William Ryle Edwards, Jr.
Phil Louis Adams	Dallas, Tex.	R. T. Scales.
Jack Vernon Altizer	Roanoke, Va.	Stephen L. Willson.
Marshall W. Anstandig	Detroit, Mich.	David A. Goldman.
Roberto C. Armijo	Las Vegas, N. Mex.	Owen M. Lopez.
Ted D. Ayres	Columbia, Mo.	Marvin Eldridge Wright.
Thomas A. Bailey	Milwaukee, Wis.	Earle W. Fricker.
Eric D. Balber	New York, N.Y.	Deborah M. Greenberg.
Roy E. Barnes	Marietta, Ga.	Joseph Lanier Chambers.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Neil Ciro Batelli	Paterson, N.J.	Harvey R. Browne.
Paul C. Benedetti	Denver, Colo.	Marlin Donald Opperman.
Bernard S. Bergman	Elkins Park, Pa.	Arlen Specter.
Daniel O'Neal Bernstine	Washington, D.C.	Charles Tignor Duncan.
Robert J. Birnbaum	Austin, Tex.	Alan Huntress Minter.
Robert David Bjork, Jr.	New Orleans, La.	James E. Blazek.
Paul Blankenstein	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
John David Blumenthal	Indianapolis, Ind.	Lawrence Mark Reuben.
John T. Bobo	Shelbyville, Tenn.	Jack Middleton Irion.
Sam W. Bobo	Shelbyville, Tenn.	Jack Middleton Irion.
Theodore Ralph Boecker	Des Moines, Iowa	Stephen C. Robinson.
B. Mahlon Brown III	Las Vegas, Nev.	Douglas G. Crosby.
Thomas J. Browning	Marietta, Ga.	Richard Lanier Moore.
J. D. Bryant	Wilmington, Ohio	Howard M. Metzenbaum.
Katherine Stoll Burns	Los Angeles, Calif.	Ariel Cecily Hilton.
Kenneth R. Burton, Jr.	Houston, Tex.	Patricia Rae Lykos.
Robert Charles Cagen	San Francisco, Calif.	Thomas R. Fahrner.
Raymond J. Cannoles	Baltimore, Md.	Thomas George Bodie.
Theodore Lincoln Cannon, Jr.	Salt Lake City, Utah	Robert B. Hansen.
Russell Higsor Carpenter, Jr.	Washington, D.C.	John Woolman Douglas.
George Francis Chandler III	New York, N.Y.	Vincent L. Leibell, Jr.
Leon Blakely Cheek III	Altamonte Springs, Fla.	Terrence William Ackert.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Francis Herbert Clabaugh	Washington, D.C.	Edward J. Friedlander.
H. Christopher Coates	Atlanta, Ga.	Laughlin McDonald.
Victor Lawrence Cody	Cleveland, Ohio	Gordon Thomas Canning, Jr.
Elbert Houston Coles	Memphis, Tenn.	Richard Allen Brackhahn.
Bernard E. Comerford	Portland, Oreg.	Robert W. McMenamain.
Michael O'Neal Connelly	Houston, Tex.	John L. McConn, Jr.
Sherwin Conway	Encino, Calif.	Darryl H. Graver.
Max A. Corbett	Houston, Tex.	Walter Edward Carson.
Kenneth P. Craig	Moore, Okla.	Thomas Michael Jackson.
Allen J. Daggett	Houston, Tex.	Philip Larger Reardon.
John W. Davis	Lansing, Mich.	Stuart J. Dunnings, Jr.
Roy Louis De Barbieri	New Haven, Conn.	James C. Sturdevant.
Harold James Decker	La Habra, Calif.	Clinton William Holland.
Michael Harlan Diamant	Cleveland, Ohio	Bernard J. Stuplinski.
Kenneth C. Dickson	San Diego, Calif.	John T. Murphy.
George Constantine Dixie	Houston, Tex.	Chris J. Dixie.
Thomas Harold Dixon	Dallas, Tex.	James A. Johnston, Jr.
Michael Pearce Dodson	Tallahassee, Fla.	Charles Graham Carothers.
J. Peter Doherty	Carolina, R.I.	Judge Raymond J. Pettine.
Frederick J. Dullanty, Jr.	Spokane, Wash.	Richard F. Wrenn.
Joseph S. Dumbacher	Madeira Beach, Fla.	Charles Richard Leavengood.
Stephen L. Dunne	Salem, Oreg.	Judge Robertson Lee Johnson.
Joe Earl Edwards	Oklahoma City, Okla.	Brian Howard Upp.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James Robert Elder	Tulsa, Okla.	Bruce Owen Taliaferro.
Ronald Gary Ender	Winnetka, Ill.	Dean H. Bilton.
Ronald J. Epman	Los Angeles, Calif.	Dennis F. Donovan, Jr.
Gregory A. Eurich	Denver, Colo.	Harry L. Hobson.
Ronald B. Finn	Cincinnati, Ohio	H. Louis Sirkin.
J. Wagner Finnell	Tuscaloosa, Ala.	Perry Hubbard.
Girard Fisher	San Mateo, Calif.	Judge Louis M. Welsh.
George Steven Fleschner	Kansas City, Mo.	Don Merrill Jackson.
James William Fletcher	Kansas City, Mo.	William B. Bunch.
Joseph A. Foglia	New York, N.Y.	Daniel R. Solin.
Patricia Margaret Frederick	Stockton, Calif.	Gerald Anthony Sherwin.
Kenneth C. Fuller	Rome, Ga.	James Sterling Kilpatrick.
Stanley Norman Futterman	New York, N.Y.	Herbert Prashker.
Andrew L. Gaboriault	New York, N.Y.	Andrew J. Kilcarr.
Mary Jo Mac Donald Gallay	Tampa, Fla.	Robert J. Landry.
Robert Scott Gardner	Philadelphia, Pa.	<b>George Copeland</b> Deptula.
Dennis L. Gillen	Wichita, Kans.	Robert J. Dole.
Edward F. Gordon	Shelbyville, Tenn.	Jack Middleton Irion.
Philip Brian Green	Kansas City, Mo.	John Joseph Kitchin.
William Levert Green	Birmingham, Ala.	John James Coleman, Jr.
K. Dickson Grissom	Shelbyville, Tenn.	Jack Middleton Irion.
Barry Andrew Gutterman	New York, N.Y.	Jeffrey M. Rubin.
John L. Hantel	New Orleans, La.	Dorothy Dowling Wolbrette.
Kent Gregory Harbison	Saint Paul, Minn.	Richard B. Allyn.
John Edward Harris	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Clarence B. Harrison, Jr.	Dallas, Tex.	Earl Leroy Yeakel III.

<u>Applicant</u>	<u>City and State</u>	<u>Morant</u>
David T Harvin	Houston, Tex.	Harry M. Reasoner.
Frederick Marcus Haskins	Des Moines, Iowa	Stephen C. Robinson.
Eric B. Henson	Philadelphia, Pa.	W. Mark Sendrow.
Lloyd Hinkelman	Sacramento, Calif.	Doris Hoffman Maier.
David William Hittle	Salem, Oreg.	Thomas H. Denney.
Robert Samuel Horowitz	Annandale, Va.	George Herbert Patrick Bursley.
Louis Frederick Hubener III	Tallahassee, Fla.	James Ross Brindell.
George E. Hulstrand	Willmar, Minn.	George C. Mastor.
David R. Hunt	Clarksdale, Miss.	William Henry Maynard.
John F. Hyland, Jr.	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
James Cary Jacobson	Hollywood, Fla.	Joel M. Klaitz.
Ronald Robert Janke	Cleveland, Ohio	Marc L. Swartzbaugh.
Emmett P. Johnson	Baxley, Ga.	Margaret A. Beller.
Paul Robert Johnson	Callaway, Fla.	Robert M. Moore.
Robert Griffith Jones	Norfolk, Va.	William F. Swindler.
John Regis Joyce	Monterey, Calif.	T. K. McCleerey.
David Carlton Julian	Chicago, Ill.	Joseph Kent Kerr.
Marshall Barry Kapp	Boston, Mass.	Dyer Justice Taylor.
Richard W. Kennedy	Burbank, Calif.	Charles W. Jeglikowski.
James A. Kenney III	Lexington Park, Mo.	George Blow.
William A. Kessler, Jr.	Uvalde, Tex.	Dorwin W. Suttle.
Harry Eugene King	Akron, Ohio	Stephan M. Gabalac.
John Wells King	Washington, D.C.	William R. King.
Peter J. Klarfeld	Washington, D.C.	John Franklin Dienelt.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Douglas W. Knight	Baltimore, Md.	Jack Douglas Leonard II.
Michael E. Kohlhoff	Portland, Oreg.	Stephen A. Moen.
Roger E. Kohn	Hinesburg, Vt.	Michael Herbert Lipson.
Richard J. Koury II	Independence, Mo.	James Edwin May.
Robert Jules Kregel	Brooklyn, N.Y.	Morris Weissberg.
John Richard Kuhnmuensch, Jr.	Milwaukee, Wis.	Patricia Thomas Sheedy.
David Wyvil Larson	Minneapolis, Minn.	Vernon Ernest Bergstrom.
John K. Lawrence	Detroit, Mich.	Solicitor General Wade H. McCree, Jr.
Allan W. Leiser	Milwaukee, Wis.	Paul Noelke.
Dempsey M. Levi	Ocean Springs, Miss.	Donald W. Cumbest.
Maurice Liebman	Chicago, Ill.	Jerome Feldman.
William Joseph Litvin	West Chester, Pa.	Frank J. Bove.
Richard Allen Lockridge	Saint Paul, Minn.	Richard B. Allyn.
Thomas Alfred Lockyear	Madison, Wis.	William F. Eich.
Mark A. Lublin	Philadelphia, Pa.	Joseph R. Danella.
W. Eric Lundin III	New Orleans, La.	Virgil M. Wheeler, Jr.
Robert C. Lynn	Vandalia, Ohio	Anthony Paul Ingrao.
James R. Malott, Jr.	Globe, Ariz.	Leslie T. Jones, Jr.
Francis T. Mandanici	Bridgeport, Conn.	Alan Neigher.
Leonard W. Martin	Dickson, Tenn.	William James Peeler.
Marilyn Katherine Mayer	Los Angeles, Calif.	Marvin Goldsmith.
David Blair McCall	Amarillo, Tex.	Jack Ritchie.
Lucy S. McGough	Atlanta, Ga.	William H. Agnor.
Michael Forbes McGrew	Stockton, Calif.	Gerald Anthony Sherwin.
Jack Scott McInteer	Wichita, Kans.	Robert J. Dole.
L. Henry McKellar	Columbia, S.C.	Orin G. Briggs.
William James McKim	Pittsburgh, Pa.	D. B. King.
Michael J. Meade	Newport Beach, Calif.	Nathan D. LaMoure.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Leonard Carpenter Meeker	Washington, D.C.	Roger S. Foster.
G. Thomas Miller	Harrisburg, Pa.	Gilbert Nurick.
Greg Montgomery	Olympia, Wash.	Richard H. Holmquist.
Robert E. Moore, Jr.	Los Angeles, Calif.	William Albert Shaw.
Kent Richard Morrison	Washington, D.C.	Erwin N. Griswold.
Arthur A. Mulligan	Danbury, Conn.	Elie S. Coury.
Jon K. Murphy	St. Paul, Minn.	Warren Spannaus.
Fred G. Nelson	Salt Lake City, Utah	Paul Jackson Rice.
Guy Boynton Nutter	Hartford, Conn.	Robert P. Wenten.
John Bilyeu Oakley	Davis, Calif.	Charles Alan Wright.
Russell Frank Pannier	Minneapolis, Minn.	Robert J. King.
Herbert Jacob Patt	Chicago, Ill.	John M. Mack.
James William Paul	New York, N.Y.	William P. Rogers.
David Martin Pedersen	Omaha, Nebr.	Kenneth Byron Holm.
Hans Joachim Phillips	Baltimore, Md.	Jack Douglas Leonard II.
Nicholas James Pistolas	Towson, Md.	John Frederick Fader II.
Mack Arrin Plant	Pensacola, Fla.	James R. McAtee.
John Ray Politan	Indianapolis, Ind	Alexander M. Clark.
Robert F. Polson	Greensboro, N.C.	Jordan J. Frassinetti.
Louis B. Porterie	New Orleans, La.	Dorothy Dowling Wolbrette.
David S. Purcell	St. Louis, Mo.	Joseph J. Becker.
Gerald F. Rath	Boston, Mass.	James Roosevelt, Jr.
Charles F. Rice	Summit, N.J.	Andrew J. Kilcarr.
William George Richards	Denver, Colo.	George S. Carter.
Ralph David Robinson	Phoenix, Ariz.	Wallace O. Tanner.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Juan S. Pagan Rodriguez	San Juan, P.R.	Francisco Aponte Perez.
Anthony Rondolino	Clearwater, Fla.	Robert E. Jagger.
Calvin R. Rosen	Hollywood, Fla.	Joel M. Klaitis.
James Arthur Rudgers	Akron, Ohio	Stephan M. Gabalac.
Gary B. Ryan	Kansas City, Mo.	Joseph Allen Crites.
Stephen P. Scaring	Mineola, N.Y.	Bernard S. Meyer.
Bobby Dale Seearce	Franklin, Ohio	Raymond A. White.
Michael C. Schaefer	Denver, Colo.	Jerome Gilson.
Peter Anthony Schey	Los Angeles, Calif.	Richard A. Paez.
William M. Schiller	Rome, Ga.	Oscar M. Smith.
David Bernard Schneider	Overland Park, Kans.	John Joseph Kitchin.
Wayne Thomas Schoenberg	O'Fallon, Mo.	Peter Nelson Davis.
Steven M. Schur	Madison, Wis.	William F. Eich.
F. Kenneth Schwetje	Little Falls, N.J.	Jack Sinclair Bender III.
H. Kyle Seale	San Antonio, Tex.	Ralph George Langley.
Beth Susan Sears	San Francisco, Calif.	Richard Collier Sears.
Thomas V. Seifert	Minneapolis. Minn.	C. Paul Jones.
Isaac Benjamin Shapiro	Chicago, Ill.	Jerome Feldman.
Jack L. Shears	Ponca City, Okla.	Joseph S. Lewis.
Barton C. Sheela, Jr.	San Diego, Calif.	Herbert Bernard Hoffman.
G. Phillip Shuler III	New Orleans, La.	Harry McCall, Jr.
Warren L. Simpson, Jr.	Philadelphia, Pa.	Richard W. Palmer.
Vincent Sinatra	Los Angeles, Calif.	Charles P. Carlstroem.
E. Alfred Smith	Philadelphia, Pa.	Leslie C. Krusen.
Travis Smith	Corpus Christi, Tex.	James Allen Wood.
Elzy Jonathan Smith, Jr.	Clarksdale, Miss.	William Henry Maynard.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Alexander Sneed, Sr.	Decatur, Ga.	Michael J. Bowers.
Howard Mark Snyder	Philadelphia, Pa.	Norman J. Watkins.
Daniel R. Sokol	Saint Louis, Mo.	Thomas F. Eagleton.
Michael Anthony Stanfa	Chicago, Ill.	Paul D. Fischer.
Richard B. Steinkamp	Washington, D.C.	J. Roger Edgar.
Peter D. Stergios	New, York, N.Y.	Jesse Climenko.
Donna Holshouser Stinson	Tallahassee, Fla.	Daniel Sears Dearing.
Charles L. Sullivan	Clarksdale, Miss.	William Henry Maynard.
Edward P. Sutherland	Baton Rouge, La.	Robert S. Cooper, Jr.
William Gerald Swindal	Chicago, Ill.	Perry L. Fuller.
Marilyn Norek Taketa	Palo Alto, Calif.	Robert Keith Booth, Jr.
Robert Walter Tarun	Chicago, Ill.	Judge John Pow- ers Crowley.
Henry Clifford Teigen	Oak Harbor, Wash.	Dennis Charles McMahon.
Elliot F. Topper	New York, N.Y.	Harvey Ira Sladkus.
Allen Franklin Townsend	Decatur, Ga.	Michael J. Bowers.
Mortion J. Turchin	New York, N.Y.	Harvey Ira Sladkus.
Catherine Walker Underwood	Jackson, Miss.	John Campbell Underwood, Jr.
James Dennis Vogt	Los Angeles, Calif.	Robert Bruce Walkup.
Philip Wayne Watson	Orlando, Fla.	George T. Eidson, Jr.
James Burton Weidner	New York, N.Y.	William P. Rogers.
Edward Henry Weis	Philadelphia, Pa.	Mark David Schaffer.
George Alexander Weller	New Port Richey, Fla.	George Herbert Patrick Bursley.
William A. Wenzel III	Chicago, Ill.	William John Scott.
Robert J. Wiggers	Washington, D.C.	Frank Ernest Schwelb.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James A. Williamson, Jr.	Washington, D.C.	Neil David Naiden.
John J. Woloszyn	Baltimore, Md.	Shale D. Stiller.
Peirce Wood	Melbourne, Fla.	Lillian M. Kern.
John Hunter Wright	Bainbridge Island, Wash.	Carl John Turnquist.
Karel L. Zaruba	Mendham, N.J.	Roger L. Toner.
Edward John Zulkey	Chicago, Ill.	Francis D. Morrissey.
Paul B. Zuydhoek	Buffalo, N.Y.	Heino H. Prahl.
Morris Zweibel	New York, N.Y.	Sidney A. Schwartz.
Howard S. Zwelling	Zanesville, Ohio	Richard E. Bridwell.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Alan Thomas Cathcart	Washington, D.C.	Judge Theodore Tannenwald, Jr.
Michael L. Paup	Fairfax, Va.	Lawrence Gerald Wallace.
James Laurence Kent	Bethesda, Md.	David M. Bullock.
Herbert Thomas McDevitt	Washington, D.C.	Herbert A. McDevitt.
Frank Myers Northam	Alexandria, Va.	Arthur B. Hanson.

#### ORAL ARGUMENT

No. 76-419. Vermont Yankee Nuclear Power Corporation, petitioner, *v.* Natural Resources Defense Council, Inc., et al.; and

No. 76-528. Consumers Power Company, petitioner, *v.* Nelson Aeschliman et al. One and one half hours allowed for oral argument. Argued by Mr. Thomas G. Dignan, Jr. for the petitioner in No. 76-419, by Mr. Lawrence G. Wallace for the respondent Nuclear Regulatory Commission in support of petitioners. by Mr. Charles A. Horsky for the petitioner in No. 76-528, by Mr. Richard E. Ayres for the respondents in No. 76-419, and by Mr. Myron M. Cherry for the respondents in No. 76-528.

No. 76-6617. Richard Austin Greene, petitioner, *v.* Raymond D. Massey, Superintendent, Union Correctional Institution. Argued by Mr. John T. Chandler for the petitioner, *pro hac vice*, by special leave of Court, and by Mr. Harry M. Hipler for the respondent, *pro hac vice*, by special leave of Court.

No. 76-6528. David Wayne Burks, petitioner, *v.* United States. Argued by Mr. Bart C. Durham, III, for the petitioner and by Mr. Frank H. Easterbrook for the respondent, *pro hac vice*, by special leave of Court.

No. 76-1383. Christiansburg Garment Company, petitioner, *v.* Equal Employment Opportunity Commission. Argument commenced by Mr. William W. Sturges for the petitioner and continued by Mr. Thomas S. Martin for the respondent.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard Jay Grodner	Albuquerque, N. Mex.	Marcelino Prelo, Jr.
Albert Allen Foer	Washington, D.C.	Stanley H. Kamerow.
Stephen Charles Yohay	Arlington, Va.	David George Karro.

### OPINIONS

No. **76-1095**. Commissioner of Internal Revenue, petitioner, *v.* Robert J. Kowalski et ux. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Blackmun with whom Mr. Chief Justice Burger joins.

No. **76-678**. Shell Oil Company, petitioner, *v.* Anne M. Dartt. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment affirmed by an equally divided Court. Opinion *per curiam* announced by Mr. Chief Justice Burger. Mr. Justice Stewart took no part in the consideration or decision of this case.

### ORAL ARGUMENT

No. **76-1383**. Christiansburg Garment Company, petitioner, *v.* Equal Employment Opportunity Commission. Argument continued by Mr. Thomas S. Martin for the respondent and concluded by Mr. William W. Sturges for the petitioner.

No. **76-1310**. Thomas L. Houchins, Sheriff of the County of Alameda, California, petitioner, *v.* KQED, Inc., et al. Argued by Mr. Kelvin H. Booty, Jr. for the petitioner and by Mr. William Bennett Turner for the respondents.

No. **76-1137**. Arthur Fulman et al., Trustees, petitioners, *v.* United States. Argued by Mr. Daniel D. Levenson for the petitioners and by Mr. Michael L. Paup for the respondent.

No. **76-682**. Santa Clara Pueblo et al., petitioners, *v.* Julia Martinez et al. Argued by Mr. Marcelino Prelo, Jr. for the petitioners and by Mr. Richard B. Collins for the respondents.

No. **76-1171**. James Y. Carter, etc., petitioner, *v.* Luther Miller, etc. Argument commenced by Mr. William R. Quinlan for the petitioner.

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Adjournment until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard A. Hirschenbein	Harwood Heights, Ill.	Henry John Hyde.
James R. Carlson	Harwood Heights, Ill.	Henry John Hyde.
Marvin L. Maloney	Napoleon, Mo.	Dean S. Clatterbuck.
Joseph Edward Bankert	Arlington, Va.	Charles Hatfield Schulze.
Ralph L. Humphrey	Alexandria, Va.	John Timothy Hobbs.
John Allen Evans	Houston, Tex.	John Y. Merrell.

### ORAL ARGUMENT

No. **76-1171**. James Y. Carter, etc., petitioner *v.* Luther Miller, etc. Argument continued by Mr. Robert Masur for the respondent and concluded by Mr. William R. Quinlan for the petitioner.

No. **76-1159**. Arthur F. Quern, etc., et al., petitioners, *v.* Venus Mandley et al.; and

No. **76-1416**. Joseph A. Califano, Jr., Secretary of Health, Education, and Welfare, petitioner, *v.* Venus Mandley et al. One and one-half hours allowed for oral argument. Argued by Mr. George W. Lindberg for the petitioners in No. **76-1159**, by Mr. Keith A. Jones for the petitioner in No. **76-1416** and by Mr. Michael F. Lefkow for the respondents in both cases.

No. **76-1359**. Bankers Trust Company, petitioner, *v.* Samuel Malis and Franklyn Kupferman. Argued by Mr. Jack H. Weiner for the petitioner, by Mr. John L. Warden for the New York Clearing House Assn., as *amicus curiae*, in support of the petitioner by special leave of

Court, by Mr. Noel W. Hauser for the respondents, and by Mr. Harvey Pitt for the Securities and Exchange Commission, as *amicus curiae*, in support of the respondents by special leave of Court.

No. 76-1476. J. W. Bateson Company, Inc., et al., petitioners, v. United States ex rel. Board of Trustees of the National Automatic Sprinkler Industry Pension Fund, et al. Argued by Mr. Jack Rephan for the petitioners and by Mr. Donald J. Capuano for the respondents.

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Adjourned until Monday, December 5, 1977, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## OPINIONS PER CURIAM

No. 76-1291. Idaho Department of Employment, petitioner, *v.* Marlene G. Smith. On petition for writ of certiorari to the Supreme Court of Idaho. Petition for writ of certiorari granted, judgment reversed, and case remanded to the Supreme Court of Idaho for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*. Concurring opinion by Mr. Justice Blackmun. Opinion by Mr. Justice Brennan dissenting in part with whom Mr. Justice Marshall joins. Opinion by Mr. Justice Stevens dissenting in part.

No. 76-1830. Pennsylvania, petitioner, *v.* Harry Mimms. On petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari granted, judgment reversed and case remanded to the Supreme Court of Pennsylvania, Eastern District, for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*. Dissenting opinion by Mr. Justice Marshall. Dissenting opinion by Mr. Justice Stevens with whom Mr. Justice Brennan and Mr. Justice Marshall join.

## APPEALS—SUMMARY DISPOSITION

No. 76-1847. Shelby County, Tennessee, et al., appellants, *v.* Edward B. Peel. Appeal from the Court of Appeals of Tennessee, Middle Division. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 77-5321. Thomas L. Grimes, appellant, *v.* Patricia L. Miller et al. Appeal from the United States District Court for the Middle District of North Carolina. Judgment affirmed. Mr. Justice Blackmun took no part in the consideration or decision of this case.

## CERTIORARI—SUMMARY DISPOSITION

No. **76-1243**. United States, petitioner, *v.* Tony M. Smith and Nellie Smith. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Commissioner of Internal Revenue v. Kowalski*, 434 U.S. — (1977). Mr. Justice Blackmun took no part in the consideration or decision of this case.

## ORDERS IN PENDING CASES

No. **A-453**. Dolph Briscoe, Governor of Texas, et al., applicants, *v.* Frank Escalante et al. Application for stay of mandate of the United States District Court for the Western District of Texas, entered November 10, 1977, presented to Mr. Justice Powell and by him referred to the Court, granted pending the timely filing and disposition of an appeal in this Court. Mr. Justice Blackmun took no part in the consideration or decision of this application.

No. **D-65**. In the Matter of Disbarment of Samuel Gallant. Disbarment entered. Mr. Justice Blackmun took no part in the consideration or decision of this order.

No. **D-104**. In the Matter of Disbarment of Richard C. Murray. Disbarment entered. Mr. Justice Blackmun took no part in the consideration or decision of this order.

No. **D-122**. In the Matter of Disbarment of Joseph E. Stillo. It is ordered that Joseph E. Stillo of Chicago, Illinois, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court. Mr. Justice Blackmun took no part in the consideration or decision of this order.

No. **D-123**. In the Matter of Disbarment of Jerry F. Chvosta. It is ordered that Jerry F. Chvosta of North Randall, Ohio, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court. Mr. Justice Blackmun took no part in the consideration or decision of this order.

No. **D-124**. In the Matter of Disbarment of George G. Lindsay. It is ordered that George G. Lindsay of Pottsville, Pennsylvania be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court. Mr. Justice Blackmun took no part in the consideration or decision of this order.

**No. D-125.** In the Matter of Disbarment of Frederick D. Duden, Jr. It is ordered that Frederick D. Duden, Jr. of Wynnewood, Pennsylvania be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court. Mr. Justice Blackmun took no part in the consideration or decision of this order.

**No. D-126.** In the Matter of Disbarment of Charles Spar. It is ordered that Charles Spar of Brooklyn, New York be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court. Mr. Justice Blackmun took no part in the consideration or decision of this order.

**No. D-127.** In the Matter of Disbarment of Maximino Gonzalez. It is ordered that Maximino Gonzalez of The Bronx, New York be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court. Mr. Justice Blackmun took no part in the consideration or decision of this order.

**No. D-128.** In the Matter of Disbarment of Jack L. Kellogg. It is ordered that Jack L. Kellogg of Plainsboro, New Jersey be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court. Mr. Justice Blackmun took no part in the consideration or decision of this order.

**No. D-129.** In the Matter of Disbarment of Robert L. Fitzpatrick. It is ordered that Robert L. Fitzpatrick of Los Angeles, California, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court. Mr. Justice Blackmun took no part in the consideration or decision of this order.

**No. 76-1200.** Roger Crist, as Warden of the Montana State Penitentiary, Deer Lodge, Montana, et al., appellants, *v.* Merrel Cline and L. R. Bretz. Case restored to calendar for reargument. Counsel requested to brief and discuss during oral argument the following questions.

1. Is the rule heretofore applied in the federal courts—that jeopardy attaches in jury trials when the jury is sworn—constitutionally mandated?

2. Should this Court hold that the Constitution does not require jeopardy to attach in any trial—state or federal, jury or nonjury—until the first witness is sworn?

The Solicitor General is invited to file a brief expressing the views of the United States on each of these questions.

Dissenting opinion by Mr. Justice Marshall.

No. 76-1484. James Zurcher, etc., et al., petitioners, *v.* The Stanford Daily et al.; and

No. 76-1600. Louis P. Bergna, District Attorney, and Craig Brown, petitioners, *v.* The Stanford Daily et al. Motion of petitioners for additional time for oral argument denied. Alternative request for divided argument granted. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. 76-1608. Michigan, petitioner, *v.* Loren Tyler and Robert Tompkins. Motion of L. Brooks Patterson, Esquire, to permit Jeffrey Butler, Esquire, to present oral argument, *pro hac vice*, on behalf of petitioner granted. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. 76-1650. Albert Ohralik, appellant, *v.* Ohio State Bar Association; and

No. 77-56. In the Matter of Edna Smith, appellant. Motion of Public Citizen et al. for leave to file a brief, as *amici curiae*, granted. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. 76-1660. Terrell Don Hutto et al., petitioners, *v.* Robert Finney et al. Motion of petitioners to dispense with printing appendix granted. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. 77-25. Flagg Brothers, Inc., etc., et al., petitioners, *v.* Shirley Herriott Brooks et al.;

No. 77-37. Louis J. Lefkowitz, Attorney General of New York, petitioner *v.* Shirley Herriott Brooks et al.; and

No. 77-42. American Warehousemen's Association, and The International Association of Refrigerated Warehouses, Inc., petitioners, *v.* Shirley Herriott Brooks et al. Motion of petitioners for additional time for oral argument denied. Alternative request for divided argument granted. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

#### APPEALS—JURISDICTION NOTED OR POSTPONED

No. 77-293. Ezra Kulko, appellant, *v.* Superior Court of California in and for the City and County of San Francisco (Sharon

Kulko Horn, Real Party in Interest). Appeal from the Supreme Court of California. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. Mr. Justice Blackmun took no part in the consideration or decision of this matter.

No. 77-444. Penn Central Transportation Company et al., appellants, *v.* The City of New York et al. Appeal from the Court of Appeals of New York. In this case probable jurisdiction noted. Mr. Justice Blackmun took no part in the consideration or decision of this matter.

#### CERTIORARI GRANTED

No. 77-178. Willard E. Robertson, petitioner, *v.* Edward F. Wegmann, Executor of the Estate of Clay L. Shaw, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-285. California et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-560. Jo Ann Evans Gardner, petitioner, *v.* Westinghouse Broadcasting Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted. Case set for oral argument in tandem with No. 76-1836, *Coopers & Lybrand v. Livesay* and No. 76-1837, *Punta Gorda Isles, Inc., v. Livesay*. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

#### CERTIORARI DENIED

No. 76-1403. Nelson Bunker Hunt et al., petitioners, *v.* Mobil Oil Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Stewart, Mr. Justice Blackmun, and Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 76-1539. Morgan P. Koerner and Juanita B. Koerner et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 76-6852. Robert Fred Williams, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-166. Andrew Schepici, Joseph Mastrullo, John Bradanese and Charles Palazzolo, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-303. Thomas J. Palmer, Inc., et al., petitioners, *v.* Superior Court of California for the County of Los Angeles (Crocker National Bank, Real Party in Interest). Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-312. Russell P. Barber, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-413. Henry H. Klein, petitioner, *v.* Vernon B. Astler et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-427. Ralph M. Koontz, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-430. Virgil Ogletree and Donald Moore, petitioners, *v.* United States; and

No. 77-432. Eugene R. Scott et al., petitioners, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of these petitions.

No. 77-443. Joseph Skilken and Company et al., petitioners, *v.* City of Toledo et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-446. Tennessee Valley Authority et al., petitioners, *v.* Frank L. Eastland et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-544. Blue Cross of Western Pennsylvania, petitioner, *v.* Rabe F. Marsh, Judge, United States District Court (Alma Coles, Real Party in Interest). Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.



No. 77-554. Globe Linings, Inc., et al., petitioners, *v.* City of Corvallis et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-569. Zurn Engineers, petitioner, *v.* California, etc. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-571. Shearn Moody, Jr., petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Ninth Supreme Judicial District, denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-579. William A. Martin et ux., petitioners, *v.* Girard Trust Bank. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-586. Eugene J. McCarthy et al., petitioners, *v.* Dolph Briscoe, Governor of Texas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-590. Annie Mary Timmons, petitioner, *v.* John B. McGrath. Petition for writ of certiorari to the Supreme Court of South Carolina denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-634. Semco Manufacturing, Inc., petitioner, *v.* U.S. Industries, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5059. Edward James Dupree, petitioner, *v.* United States. Petition for writ or certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5146. Kerry Poulack, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5149. Theodore W. Harris, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5198. Grenda Ray Harmer, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5210. Michael Medico, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5228. Alfred Lee Wilson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5295. Freddie James Kennard, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5296. Robert Stanard, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5338. David Muir, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5356. Clennie H. Saylor, petitioner, *v.* Roger T. Overberg, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5357. Alex J. Bottos, Jr., petitioner, *v.* Charles M. Avakian et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5372. Danny Lee Payne, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5404. Harold William Stanfield, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.



No. 77-5441. Robert Dean Gomez, petitioner, *v.* United States; and

No. 77-5474. James Brezall, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of these petitions.

No. 77-5453. Leroy Gibson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5467. Jessie L. Townes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5489. Richard Moore, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5497. Julius F. Klein, petitioner, *v.* Harold Smith, Superintendent, Attica Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5572. Paul Littlefield, petitioner, *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5574. Patricia Stoddard, petitioner, *v.* United States District Court for the Eastern District of Michigan. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5575. Walter Heyman, petitioner, *v.* Trust Fund Services, Inc. Petition for writ of certiorari to the Supreme Court of Washington denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5581. James Eugene Lewis, petitioner, *v.* Ewing Gourley, Director, Division of Corrections of Missouri, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5595. William L. Donnelly, petitioner, *v.* Boston College et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5605. Lex Newton Braudrick, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5607. Bobby Gene Ward, petitioner, *v.* Kentucky State University Board of Regents et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5610. Boyd Gerald Condley and Allan Darrell Cummins, petitioners, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5616. James Earl Hines, petitioner, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5625. Howard Taylor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5662. Richard C. Loe, petitioner, *v.* Griffin Bell, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-311. Illinois, petitioner, *v.* Ernest Garlick. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Appellate Court of Illinois, <sup>Fifth</sup> Fourth District, denied it appearing that the judgment below rests upon adequate state grounds. Mr. Justice Blackmun took no part in the consideration or decision of this motion and petition.

LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 77-5713. Alfred Burdette Mayfield, petitioner, *v.* United States. Motion for leave to file petition for writ of habeas corpus denied. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

## LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 77-5608. Kent Norman, petitioner, *v.* Walter T. McGovern, etc. Motion for leave to file petition for writ of mandamus denied. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

## REHEARINGS DENIED

No. 76-1724. Federal Communications Commission, petitioner, *v.* Home Box Office, Inc., et al.;

No. 77-325. Nashville Gas Company, petitioner, *v.* Tennessee Public Service Commission et al.;

No. 77-355. Norman J. Bernstein, petitioner, *v.* Florida et al.; Eldad W. Brophy, petitioner, *v.* New Hampshire et al.;

No. 77-373. Alan Ernest, petitioner, *v.* United States Court of Appeals for the District of Columbia Circuit;

No. 77-5057. James L. Jackson, petitioner, *v.* Arnold Jago, Superintendent, Southern Ohio Correctional Facility;

No. 77-5065. Jerald Lee Evers, petitioner, *v.* United States; and

No. 77-5257. John Edward Rust, petitioner, *v.* Nebraska; Richard D. Holtan, petitioner, *v.* Nebraska. Petitions for rehearing denied. Mr. Justice Blackmun took no part in the consideration or decision of these petitions.

No. 75-881. Richard Hooban, appellant, *v.* Board of Governors of Washington State Bar Association. Motion of petitioner for leave to proceed further herein *in forma pauperis* granted. Motion for leave to file a petition for rehearing denied. Mr. Justice Blackmun took no part in the consideration or decision of these motions.

No. 76-545. United Airlines, Inc., petitioner, *v.* Liane Buix McDonald. Petition for rehearing denied. Mr. Justice Blackmun and Mr. Justice Stevens took no part in the consideration or decision of this petition.

No. 76-1639. Harry J. Ramsey, petitioner, *v.* M/V MODOC et al. Motion for leave to file petition for rehearing denied. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

## ORDERS

It is ordered that William E. Foley be appointed Director of the Administrative Office of the United States Courts, effective November 21, 1977, pursuant to the provisions of § 601 of Title 28 of the United States Code.

It is ordered that Joseph F. Spaniol be appointed Deputy Director of the Administrative Office of the United States Courts, effective

November 21, 1977, pursuant to the provisions of § 601 of Title 28 of the United States Code.

RECESS ORDER

The Court will take a recess from Monday, December 12, 1977, until Monday, January 9, 1978.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Michael E. de Grasse	Richland, Wash.	David E. Williams.
Michael Ray Adkins	San Diego, Calif.	Bruce Ethan Allen.
Ramon A. Alfaro Alfaro	San Juan, P.R.	Daniel F. Lopez-Romo.
Francis Lyburn Arthur	Akron, Ohio	Dennis Hamilton Fike.
Milton S. Ash	Chicago, Ill.	Eugene E. Dechter.
Philip Horton Bartels	Greenwich, Conn.	Alexander John Holland.
Phillip Raymond Bartholomew	Sharon, Pa.	Martin E. Cusick.
Thomas Jeffrey Barton	Colorado Springs, Colo.	Bernard Robert Baker.
James G. Beach, Jr.	Towson, Md.	Christian M. Kahl.
Sara Sun Beale	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
William W. Becker	Washington, D.C.	Ralph E. Becker.
Timothy Michael Boudewyns	Beloit, Kans.	Elise Davis.
Antonio Isadore Brandveen	New York, N.Y.	Stephen Zarkin.
Mary M. Brennan	Boston, Mass.	Edward J. Lee.
John Allen Brinkley	Huntsville, Ala.	Ralph H. Ford.
Richard Allen Bromley	San Francisco, Calif.	Robert Coe.
Bill L. Bryant, Jr.	Jacksonville, Fla.	Solicitor General Wade H. McCree, Jr.
Thomas Joseph Burke	Ardmore, Pa.	Lewis B. Beatty, Jr.
Darryl R. Callahan	Lexington, Ky.	David Ireland Granger.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
H. Patrick Callahan	Indianapolis, Ind.	James Ward Riley, Jr.
James F. Callopy, Jr.	Los Angeles, Calif.	N. A. Misciagna.
Ralph Anthony Capriolo	Akron, Ohio	Carl M. Layman III.
Lester G. Carter, Jr.	Fayetteville, N.C.	Herbert H. Thorp.
John Max Choplin II	Indianapolis, Ind.	Harry Allan Wilson, Jr.
James Francis Clark	Westminster, Calif.	John H. Wyatt, Jr.
Stephen C. Cline	Indianapolis, Ind.	James Ward Riley, Jr.
Robert C. Cogswell, Jr.	Fayetteville, N.C.	Herbert H. Thorp.
Stuart W. Conrad	Kansas City, Mo.	Thomas J. Wheatley.
James Reynolds Cooper	Newark, Ohio	E. Clark Morrow.
Walter H. Crouch	Nashville, Tenn.	William Waller.
Marcelo Curi	New York, N.Y.	Max L. Alpern.
William J. Curosh	Phoenix, Ariz.	E. Paul Maschmeyer.
Ashby Winton Davis	Augusta, Ga.	Herbert J. Green.
Thomas F. Delaney	Ardmore, Pa.	James S. Kilpatrick, Jr.
Harvey Jay Ethington	Dallas, Tex.	Judge Sarah T. Hughes.
Gary Wesley Farabough	Ardmore, Okla.	Joseph M. Culp.
John J. Flaherty	Portland, Maine	George J. Mitchell.
Fred Beecher Fromhold	Ardmore, Pa.	James S. Kilpatrick, Jr.
Russell Joseph Geoffrey	Warren, R.I.	Gerald W. Davis.
Robert Eugene Glennon, Jr.	Washington, D.C.	Robert E. Jensen.
J. Stewart Grad	Kendall Park, N.J.	Ned Jaycox Doyle.
Hugh G. Grady	Philadelphia, Pa.	Albert S. Fein.
Jeffrey L. Grundtisch	Columbus, Ohio	Christopher J. Giaimo.
Ross F. Hamachek	Kewaunee, Wis.	W. DeVier Pierson.
Daniel Kuldell Hedges	Houston, Tex.	Leon Jaworski.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles Roger Hoffman	Houston, Tex.	William Neal Powers, Jr.
Ralph L. Hose	Ardmore, Pa.	James S. Kilpatrick, Jr.
Allen W. Howell	Montgomery, Ala.	Woodley C. Campbell.
Walter L. Irvin	Dallas, Tex.	E. Brice Cunningham.
Marc Howard Jaffe	Ardmore, Pa.	James S. Kilpatrick, Jr.
William T. Johnson	Beaumont, Tex.	Joe L. Fisher.
Jeffrey Alan Joseph	San Diego, Calif.	William Mark Wood.
Richard M. Keil	Asbury Park, N.J.	Abraham R. Klitzman.
Anthony W. Kerber	Fairview Park, Ohio	Dale William Horn.
John Charles Klotz	New York, N.Y.	Victor A. Kovner.
Ina Branham Leonard	Birmingham, Ala.	David J. Vann.
Michael Palmer Lindell	Reno, Nev.	Charles James Stockstill.
Arthur Richard Louv	Orlando, Fla.	V. Keith Young.
Richard Meredith Lovelace, Jr.	Conway, S.C.	T. Eston Marchant.
James Peirce Markle	Pittsburgh, Pa.	D. Byron King.
Benson Christopher Marshall	Los Angeles, Calif.	John H. Ernster.
George Washington Mayo, Jr.	Washington, D.C.	Kevin P. Charles.
Howard C. McCracken, Jr.	Carrollton, Tex.	George Wm. Perry III.
Glover McGhee	Atlanta, Ga.	Hamilton Lokey.
L. Lee McMurray	San Bernardino, Calif.	Jack Oliva Luoma.
A. Howard Metro	Rockville, Md.	Stanley B. Frosh.
Robert Letcher Moore II	Washington, D.C.	David Walker Richmond.
Mark Allan Moorstein	Akron, Ohio	Fred J. Livingstone.
Herbert A. Moss	Santa Ana, Calif.	W. Patrick O'Keefe, Jr.
George Nazarian	Sherman Oaks, Calif.	Lawrence Brown.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Caleb Leroy Nichols	Portland, Oreg.	Walter A. Nicewicz.
Robert T. Park	Rock Island, Ill.	Stuart Ronald Lefstein.
Prosper K. Parkerton	Brooklyn, N.Y.	Richard P. Caro.
Julio Pastoriza	Miami, Fla.	Miguel A. Suarez.
Stephen C. Price	Leesburg, Va.	Samuel J. Ervin, Jr.
Jordan Hodges Prosser	Marietta, Ga.	Scott S. Edwards, Jr.
Douglas H. Riblet	Philadelphia, Pa.	Mark David Schaffer.
Jon Richard Sandidge	San Antonio, Tex.	Patrick J. Pape.
Michael Schatzow	Washington, D.C.	Charles G. Bernstein.
Dale Marvin Schwartz	Atlanta, Ga.	Carl Edward Sanders.
David W. Shinn	Kansas City, Mo.	Charles L. Bacon.
Claude Knight Slater	Jacksonville, Fla.	Richard L. Randle.
Richard Edward Songer	San Diego, Calif.	Richard L. Tyree.
Lawrence George Staat	Chicago, Ill.	Stuart Evan Seigel.
James Michael Stark	Fort Lauderdale, Fla.	Jeffrey Alan Glass.
William Lewis Stauffer, Jr.	Fairfax, Va.	Jerris Leonard.
Alan J. Steinberg	Saint Louis, Mo.	Albert J. Stephan, Jr.
Stephen M. Stern	Steubenville, Ohio	Adam Edward Scurti.
William John Stewart	Santa Barbara, Calif.	Daniel Eli Henderson, Jr.
Sidney H. Tellis	Denver, Colo.	Rollie R. Rogers.
Dewey E. Turner	Palo Alto, Calif.	Paul N. McCloskey, Jr.
Norman Vieira	Chicago, Ill.	Philip E. Peterson.
Andrew A. Vogt	Denver, Colo.	Robert Nolen Miller.

Larry Edward Walker	Rockville, Md.	Barry H. Helfand.
R. Randolph Willoughby	Manassas, Va.	B. Glenn Phelps.
David Haywood Young	Austin, Tex.	John L. Hill.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Clarence M. Kelley	Kansas City, Mo.	Solicitor General Wade H. McCree, Jr.
Dana Dee Biehl	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
John Edmund Huerta	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
William Joseph Corcoran	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
James E. O'Neil	Narragansett, R.I.	Solicitor General Wade H. McCree, Jr.
David Patrick Twomey	Plymouth, Mass.	Solicitor General Wade H. McCree, Jr.
Peter David Sudler	South Orange, N.J.	Solicitor General Wade H. McCree, Jr.

ORAL ARGUMENT

No. **76-1151**. United States, petitioner, *v.* Ralph Ceccolini. Argued by Mr. Richard A. Allen for the petitioner and by Mr. Leon J. Green-span for the respondent.

No. **76-1121**. American Broadcasting Companies, Inc., et al., petitioners, *v.* Writers Guild of America, West, Inc., et al.;

No. **76-1153**. Association of Motion Picture and Television Producers, Inc., petitioner, *v.* Writers Guild of America, West, Inc., et al.; and

No. **76-1162**. National Labor Relations Board, petitioner, *v.* Writers Guild of America, West, Inc., et al. One and one half hours allowed for oral argument. Argued by Mr. Norton J. Come for the petitioner in No. 76-1162, by Mr. Harry J. Keaton for the petitioner in No. 76-1153, by Mr. Charles G. Bakaly for the petitioners in



No. 76-1121, and by Mrs. Julius Reich for the respondents in each case and by Mr. Lawrence Gold for the AFL-CIO, as *amicus curiae* by special leave of Court.

No. 76-5935. Rickey Lee Durst et al., petitioners, *v.* United States. Argued by Mr. Michael S. Frisch for the petitioners, *pro hac vice*, by special leave of Court, and by Mr. Solicitor General Wade H. McCree, Jr. for the respondent.

No. 76-1427. Paul A. McDaniel, appellant, *v.* Selma Cash Paty et al. Argued by Mr. Frederic S. LeClercq for the appellant and by Mr. Kenneth R. Herrell for the appellees.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John B. Sorrell	Parkwood, Md.	Judge Wilfred Byron Sorrell.
Valerie Voorhees Ambler	Washington, D.C.	Charles Stephen Ralston.
Jerrold Kamensky	Trenton, N.J.	Earl B. Hoffenberg.
Bruce William Foudree	Des Moines, Iowa	Stephen C. Robinson.
Stephen P. O'Meara	Des Moines, Iowa	Stephen C. Robinson.

### OPINIONS

No. **75-536**. Nashville Gas Company, petitioner, *v. Nora D. Satty*. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment affirmed in part and vacated in part and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rehnquist in which Mr. Chief Justice Burger, Mr. Justice Stewart, Mr. Justice White and Mr. Justice Blackmun join and in Part I of which Mr. Justice Brennan, Mr. Justice Marshall and Mr. Justice Powell join. Opinion by Mr. Justice Powell concurring in the result and concurrent in part with whom Mr. Justice Brennan and Mr. Justice Marshall join. Opinion by Mr. Justice Stevens concurring in the judgment.

No. **76-616**. New York, appellant, *v. Cathedral Academy*. Appeal from the Court of Appeals of New York. Judgment reversed and case remanded to the Court of Appeals of New York for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Stewart. Dissenting statement by Mr. Chief Justice Burger and Mr. Justice Rehnquist. Dissenting opinion by Mr. Justice White.

No. **75-1069**. Richmond Unified School District et al., petitioners, *v. Sonja Lynn Berg, etc.* On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment vacated and case remanded to the Court of Appeals for further consideration in light

of *General Electric Co. v. Gilbert*, 429 U.S. 125 (1976) and *Nashville Gas Co. v. Satty*, *ante*, and for consideration of possible mootness. Opinion *per curiam* announced by Mr. Chief Justice Burger.

#### ORAL ARGUMENT

No. **76-1149**. John D. Carey et al., petitioners, *v. Jarius Piphus*, etc., et al. Argued by Mr. Earl B. Hoffenberg for the petitioners and by Mr. John S. Elson for the respondents.

No. **75-1690**. James Parham, Individually and as Commissioner of Department of Human Resources, et al., appellants, *v. J. L. and J. R.*, minors, etc. Argued by Mr. R. Douglas Lackey for the appellants and by Mr. John L. Cromartie, Jr. for the appellees.

No. **76-1346**. Lorillard, a Division of Loew's Theatres, Inc., petitioner, *v. Frances P. Pons*, Argued by Mr. Thornton H. Brooks for the petitioner and by Mr. Norman B. Smith for the respondent.

No. **76-1500**. Massachusetts, petitioner, *v. United States*. Argued by Mr. Terence P. O'Malley for the petitioner and by Mr. Allan A. Ryan, Jr. for the respondent.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David B. Levendusky	Washington, D.C.	Henry Curtis Lind.
Thomas J. Oliver	Washington, D.C.	Henry Curtis Lind.
Richard Leland Brooks	Washington, D.C.	Betty Southard Murphy.
Henry S. May	Houston, Tex.	J. Evans Attwell.
Stephen Manley Leonard	Boston, Mass.	Norman Leonard

### OPINION

No. 76-835. United States, petitioner, *v.* New York Telephone Company. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White joined by Mr. Chief Justice Burger, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist, and in Parts I, II and III, of which Mr. Justice Stewart joins, and in Part II of which Mr. Justice Brennan, Mr. Justice Marshall and Mr. Justice Stevens join. Opinion by Mr. Justice Stewart concurring in part and dissenting in part. Opinion by Mr. Justice Stevens dissenting in part with whom Mr. Justice Brennan and Mr. Justice White join and in part II of which Justice Stewart joins.

### ORAL ARGUMENT

No. 76-938. Federal Maritime Commission et al., petitioners, *v.* Pacific Maritime Association et al. Argued by Mr. Daniel M. Friedman for the petitioners and by Mr. R. Frederic Fisher for the respondent Pacific Maritime Association and Mr. Norman Leonard for the respondent International Longshoremen's and Warehousemen's Union.

No. 76-1114. California et al., petitioners, *v.* Southland Royalty Company et al.;

No. 76-1133. El Paso Natural Gas Company, petitioners, *v.* Southland Royalty Company et al.; and

No. 76-1587. Federal Energy Regulatory Commission, petitioner, *v.* Southland Royalty Company et al. One and one half hours allowed for oral argument. Argued by Mr. Stephen R. Barnett for the petitioner Federal Energy Regulatory Commission, by Mr. Randolph W. Deutsch for the petitioners California et al., by Mr. J. Evans Attwell for the respondents, and by Mr. John L. Hill for the State of Texas, as *amicus curiae*, by special leave of Court.

No. 76-1193. United States, petitioner, *v.* Estelle Jacobs aka "Mrs. Kramer". Argued by Mr. Andrew L. Frey for the petitioner and by Mr. Irving P. Seidman for the respondent.

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Adjourned until Monday, December 12, 1977, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## APPEALS—SUMMARY DISPOSITION

No. 77-132. Sharon Hill, appellant, *v.* David Max Garner. Appeal from the Supreme Court of Oregon. The appeal is dismissed for want of a substantial federal question. Dissenting opinion by Mr. Justice White with whom Mr. Justice Brennan joins.

No. 77-578. Marion Wendell Briggs, appellant, *v.* North Carolina. Appeal from the United States Court of Appeals for the Fourth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 77-5329. Randy Standow, appellant, *v.* City of Spokane. Appeal from the Supreme Court of Washington. The appeal is dismissed for want of a substantial federal question. Mr. Justice Blackmun took no part in the consideration or decision of this case.

## ORDERS IN PENDING CASES

No. ———. Robert W. Blanchette et al., Trustees of Property of Penn Central Transportation Company et al., applicants, *v.* United States Railway Association et al. Appeals dismissed without prejudice it appearing that the appeals would not be in the interest of an expeditious conclusion to the proceedings. Mr. Justice Blackmun took no part in the consideration or decision of the appeals.

No. A-259, 1976 Term. Patricia R. Harris, Secretary of Housing and Urban Development, et al., applicants, *v.* Myrna Underwood et al. Motion of respondents to vacate stay heretofore entered by the Court on October 18, 1976, denied. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. A-244. Earl Jones, applicant, *v.* United States. Application for bail, presented to Mr. Justice Brennan and by him referred to the

Court, denied. Mr. Justice Blackmun took no part in the consideration or decision of this application.

No. **A-453**. Dolph Briscoe, Governor of Texas, et al., applicants, *v.* Frank Escalante et al. Motion to reconsider stay granted by this Court on December 5, 1977, and for other relief denied. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. **76**, Original. State of California, plaintiff, *v.* State of Texas. Application for a temporary restraining order and preliminary injunction, presented to Mr. Justice Powell and by him referred to the Court, denied. Mr. Justice Blackmun took no part in the consideration or decision of this application.

No. **76-419**. Vermont Yankee Nuclear Power Corporation, petitioner, *v.* Natural Resources Defense Council, Inc., et al. Motion of respondents for leave to file a brief, after argument, granted. Mr. Justice Blackmun and Mr. Justice Powell took no part in the consideration or decision of this motion.

No. **76-709**. Earl L. Butz et al., petitioners, *v.* Arthur N. Economou et al. Motion of respondents for leave to file a supplemental brief, after argument, granted. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. **76-1121**. American Broadcasting Companies, Inc., et al., petitioners. *v.* Writers Guild of America, West, Inc., et al.;

No. **76-1153**. Association of Motion Picture and Television Producers, Inc., petitioner, *v.* Writers Guild of America, West, Inc., et al.; and

No. **76-1162**. National Labor Relations Board, petitioner, *v.* Writers Guild of America, West, Inc., et al. These cases restored to the calendar for reargument. Mr. Justice Blackmun took no part in the consideration or decision of this matter.

No. **76-1411**. Federal Communications Commission, petitioner, *v.* National Citizens Committee for Broadcasting et al.;

No. **76-1521**. Channel Two Television Company et al., petitioners, *v.* National Citizens Committee for Broadcasting et al.;

No. **76-1595**. National Association of Broadcasters, petitioner, *v.* Federal Communications Commission et al.;

No. **76-1604**. American Newspaper Publishers Association, petitioner, *v.* National Citizens Committee for Broadcasting et al.;

No. **76-1624**. Illinois Broadcasting Company, Inc., et al., petitioners, *v.* National Citizens Committee for Broadcasting et al.; and

No. **76-1685**. Post Company et al., petitioners, *v.* National Citizens Committee for Broadcasting et al. Motion of the Solicitor General, on behalf of all private petitioners, the Federal Communications Commission, and respondents the United States and National Citizens



Committee, for additional time granted and a total of one and one-half hours allotted for oral argument, Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. 77-10. Exxon Corporation et al., appellants, *v.* Governor of Maryland et al.;

No. 77-11. Shell Oil Company, appellant, *v.* Governor of Maryland et al.;

No. 77-12. Continental Oil Company et al., appellants, *v.* Governor of Maryland et al.;

No. 77-47. Gulf Oil Corporation, appellant, *v.* Governor of Maryland et al.; and

No. 77-64. Ashland Oil, Inc., et al., appellants, *v.* Governor of the State of Maryland et al. Motion of Charter Oil Company et al. for leave to file a brief, as *amici curiae*, granted. Motion of Crown Central Petroleum Co. for leave to file a brief, as *amicus curiae*, in No. 77-10, granted. Mr. Justice Stewart, Mr. Justice Blackmun and Mr. Justice Powell took no part in the consideration or decision of these motions.

No. 77-747. Walter J. Fleck et al., appellants, *v.* Warren Spannaus et al. Motion of appellants to expedite consideration of the appeal denied. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. 77-5176. Jerome Franks, petitioner, *v.* Delaware. Motion of American Civil Liberties Union for leave to file a brief, as *amicus curiae*, granted. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

#### CERTIORARI GRANTED

No. 77-365. United States, petitioner, *v.* La Salle National Bank et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 77-369. Furnco Construction Corporation, petitioner, *v.* William Waters et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 77-567. New York State Parole Board and Members of the New York State Parole Board, etc., petitioners, *v.* Ernest Coralluzzo. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

#### CERTIORARI DENIED

No. 76-6268. William Judson Shima, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals

for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 76-6990. Reno C. Young, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-271. St. Regis Paper Company, petitioner, *v.* Royal Industries and Plas-Ties Subsidiary; and

No. 77-279. Royal Industries and Plas-Ties Subsidiary, petitioners, *v.* St. Regis Paper Company. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of these petitions.

No. 77-344. Anton N. J. Heyn, petitioner, *v.* Louisiana State University and Agricultural and Mechanical College et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petitioner.

No. 77-428. Shearn Moody, Jr., petitioner, *v.* Charles H. Payne, etc. Petition for writ of certiorari to the Supreme Court of Alabama denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-545. General GMC Trucks, Inc., petitioner, *v.* General Motors Corporation et al. Petition for writ of certiorari to the Supreme Court of Georgia denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-562. John Earley, petitioner, *v.* North Carolina. Petition for writ or certiorari to the Court of Appeals of North Carolina denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-585. Indiana et al., petitioners, *v.* Khalid Choudhry. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-600. Lansing Board of Education et al., petitioners, *v.* National Association for Advancement of Colored People et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-616. Hollywood, Inc., petitioner, *v.* City of Hollywood. Petition for writ of certiorari to the District Court of Appeal of

Florida, Fourth District, denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-625. Dennis John Lewis, aka Richard Kennedy, petitioner, *v. Greyhound Lines-East et al.* Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-676. Eddie Thompson, Jr., petitioner, *v. Kenton County Board of Elections et al.* Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-692. Dominique Orsini, petitioner, *v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5133. Gary Lee Kraut, petitioner, *v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5173. Tommy R. Hawkins, petitioner, *v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5259. Lee Otis Johnson, petitioner, *v. Texas.* Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5261. William Doyle, petitioner, *v. Ross Maggio, Jr., Warden.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5276. Joseph Anthony Campbell, petitioner, *v. United States;*

No. 77-5390. Francis D. Williams, petitioner, *v. United States;* and

No. 77-5399. Aaron Walker Williams et al., petitioners, *v. United States.* Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of these petitions.

No. 77-5318. Ruben Matthew Minjares, petitioner, *v. California.* Petition for writ of certiorari to the Court of Appeal of California,

Fourth Appellate District, denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5334. Goree Wright, Jr., petitioner, *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5369. Michael J. Paprskar, petitioner, *v.* Clyde Whiteside et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5384. Wardell West Belt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5388. Faye Beatrice Brown, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5424. David Wood Searcy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5445. Gilberto Tinoco, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5490. Thomas Peeks, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5495. Harold James Taylor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5543. Eli Raitport, petitioner, *v.* Chemical Bank et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5562. John Edward Nichelson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5584. John Weldon Forbes, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5614. Jack E. Fairchild, petitioner, *v.* Municipal Court of California, Imperial County, Imperial Judicial District. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5619. Lonnie A. Massey, petitioner, *v.* Robert E. Garner, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5622. Robert M. Stocking, petitioner, *v.* Lillian H. Marsh et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5624. Paul G. Warner and Grant Smith, petitioners, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5627. Taylor Dillard, petitioner, *v.* J. Edwin LaVallee, Superintendent, Clinton Correctional Facility, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5628. Domiciana T. Dioquino, petitioner *v.* Fair Employment Practice Commission of California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5634. John Lee Speck, petitioner, *v.* Calvin Auger. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5637. George E. Young, petitioner, *v.* T. L. Clancy, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5642. Douglas W. Thompson, petitioner, *v.* W. R. Vermillion et al. Petition for writ of certiorari to the United States Court

of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5649. Charlotte Louise Edwards, petitioner, *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied. Mr. Justice Blackmun took no part in the consideration or decision on this petition.

No. 77-5673. Chester Anthony Whiteside, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5675. Grenda Ray Harmèr, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5681. Arthur Watson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5682. James M. Brockman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5683. Edward Condo, petitioner, *v.* Sun Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5685. Mark Steven Place, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5689. Peter Davis, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5691. Alberto Ramirez-Betancourt, etc., petitioner, *v.* United States; and

No. 77-5694. Otto Archbold-Newball, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of these petitions.



No. 77-5697. Joseph W. Kosseff, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5699. Willie Hardy Kelley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5714. Joseph T. Allen, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-5719. Joe Alfred Lynch, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-211. Robert Clifton Marler, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department, Superior Court of California, County of San Diego, denied. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice Marshall join.

No. 77-249. Larry Steven Johansen, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department, Superior Court of California, County of Los Angeles, denied. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice Marshall join.

No. 77-503. W. J. Estelle, Jr., Director, Texas Department of Corrections, petitioner, *v.* Tommy Potts. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-568. Maryland, petitioner, *v.* Bruce D. Kidd. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 77-534. Eleanor Chase, petitioner, *v.* Ronald Wald and Hayden Thompson. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Stewart and Mr. Justice White would grant certiorari.

No. 77-576. J. Gordon Edwards et al., petitioners, *v.* The New York Times Company et al. Motion of Accuracy in Media, Inc. for leave to file brief, as *amicus curiae*, granted. Motion of Pacific Legal

Foundation for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of these motions and petition.

No. 77-5553. Kenneth Albert Brock, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied; and

No. 77-5620. John Young, petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Mr. Justice Brennan and Mr. Justice Marshall, dissenting: Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentences in these cases. Mr. Justice Blackmun took no part in the consideration or decision of these petitions.

#### REHEARINGS DENIED

No. 76-1793. Steven Charles Sanders, petitioner, *v.* Kansas;

No. 76-6966. Jerome Silo, petitioner, *v.* Robert Kane, Attorney General of Pennsylvania, et al.;

No. 77-265. David B. Higginbottom, petitioner, *v.* W. Michael Blumenthal, Secretary of the Treasury;

No. 77-295. Eileen Rafferty et al., appellants, *v.* John Marcin;

No. 77-328. Henry Trafficante, petitioner, *v.* United States;

No. 77-331. Elmer E. Mills, petitioner, *v.* The Electric Auto-Lite Company et al.;

No. 77-5025. John E. Morgan, petitioner, *v.* United States;

No. 77-5408. Joseph Banks, petitioner, *v.* Redevelopment Authority of the City of Philadelphia et al.; and

No. 77-5464. Leonard Pryor, petitioner, *v.* Georgia. Petitions for rehearing denied. Mr. Justice Blackmun took no part in the consideration or decision of these petitions.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas Leonard Aarestad	Minneapolis, Minn.	James Richard Albrecht.
Christine Laura Adamowicz	New Hyde Park, N.Y.	Frank A. Gulotta.
Lawrence M. Aglow	West Chester, Pa.	Edward L. Wolf.
James Joseph Amelung	Saint Louis, Mo.	Robert A. Wulff.
William Irwin Arbuckle III	Akron, Ohio	Stephan M. Gabalac.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Miriam Amy Bender	Washington, D.C.	Michael N. Sohn.
Jeffrey Stephen Berlin	Washington, D.C.	Charles A. Horsky.
Timothy Marion Bittel	Cleveland, Ohio	Robert E. Sweeney.
Irving Bizar	New York, N.Y.	Eugene J. Morris.
Steven Henry Brose	Washington, D.C.	Robert Elijah Jordan III.
John Rutherford Browne III	San Francisco, Calif.	Ronald H. Kahn.
Philip Burling	Boston, Mass.	Lewis H. Weinstein.
Duane Burton	Denver, Colo.	John J. Morris.
Angel L. Calero	San Juan, P.R.	Alberto Ferrer.
Richard C. Carson	Los Alamitos, Calif.	Norvell Frederick Woods Jr.
Victor A. Cavanaugh	Atlanta, Ga.	Hamilton Lokey.
William Orval Churchill Jr.	Little Rock, Ark.	Lambert Guy DeCora.
Robert William Cook	Quincy, Ill.	Charles A. Scholz.
Francis J. Cureo	Chicago, Ill.	Malcolm Francis Smith.
Dennis Gus Diecidue	Tampa, Fla.	Paul Antinori Jr.
Frank Hoover Easterbrook	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Charles T. Eckel	Mays Landing, N.J.	Edmond M. Kirby.
B. T. Edmonds, Jr.	Albany, Ga.	Chevene Bowers King.
John G. Elligers	Arlington, Va.	Elinor Hadley Stillman.
James Michael Elliott	Tucson, Ariz.	John William Johnson.
James Gaultney Etheredge	Fort Walton Beach, Fla.	James Wilson Grimsley.
Edwin E. Evans	Columbia, S.C.	Daniel R. Mc- Leod.
Peter V. Fazio, Jr.	Chicago, Ill.	George B. Pletsch.
David Feinsilver	South Orange, N.J.	Seymour Margulies.
John J. Fitzpatrick, Jr.	Philadelphia, Pa.	James Edward Farrell, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kenneth David Freeman Robert Louis Fuerst	Philadelphia, Pa. Rocky Mount, N.C.	Benjamin Paul. Thomas Walters Henson.
Larry Calvin Fulton Stewart Walter Gagnon	Denver, Colo. Houston, Tex.	Joseph L. Edgar. Robert Christian Eckhardt.
Milford Leon Garmon, Jr., John Peter Gerstle II	Gadsden, Ala. Lenexa, Kans.	James F. Hinton. Earle David Jones.
George D. Gould	Philadelphia, Pa.	Harld I. Good- man.
Thomas Augustine Gribbin III Stephen M. Hackerman	Miami, Fla. Houston, Tex.	Marc M. Watson.  Jeron Lynn Stevens.
Thomas M. Harlan James M. Haviland	Alvin, Tex. Charleston, W. Va.	A. G. Crouch III. Leo Catsonis.
Ronald G. Heck	Findlay, Ohio	Joseph C. DaPore. Robert P. Bart- lett, Jr.
John Joseph Heron Michael Stephen Horwatt Theodore Grant House Stephen Dennis Hoyne Paul Farmer Hudson	Dayton, Ohio Reston, Va. Quincy, Ill. Saint Louis, Mo. Montpelier, Vt.	David R. Schultz. Charles A. Scholz. Robert A. Wulff. M. Jerome Diamond.
Joseph N. Ingolia David Eugene Izor	Towson, Md. Germantown, Ohio	William M. Fay. William Ernest Rathman.
Thomas Keiling Jasper, Jr.	New York, N.Y.	Thomas Richard Rafalsky.
John Albert Johnson	Boston, Mass.	Edward M. Kennedy.
David Lee Jordan	Arlington, Tex.	Bobby Shannon Tyler.
Lawrence Stephen Kahn	New York, N.Y.	Martin Aron Schwartz.
Keith E. Kaiser	San Antonio, Tex.	Paul Heermans Smith.
Lawrence P. Kaplan	St. Louis, Mo.	Kenneth H. Suelthaus.
Jan David Kadowsky	Sacramento, Calif.	Judge Earl Warren, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William G. Keller, Jr.	Quincy, Ill.	Charles A. Scholz.
Kenneth Stevens Klarquist	Portland, Oreg.	Joseph B. Sparkman.
Ward Lee Koehler	El Paso, Tex.	William C. Peticolas.
John Kesely Koon	Columbia, S.C.	Dallas Dale Ball.
John P. Krill, Jr.	Harrisburg, Pa.	Robert E. Yuhnke.
James Perrin Lansing	Portland, Oreg.	Benjamin Thompson.
Michael R. Lanzarone	Smithtown, N.Y.	Henry Putzel III.
Edward Daulton Latourette	Oregon City, Oreg.	John Carl Hutchison.
Theodore Warren Lenz	Nashville, Tenn.	William Waller.
Frederick Wayne Leonhardt	Daytona Beach, Fla.	Thomas T. Cobb.
Harry William Leszchyn, Jr.	Atlantic City, N.J.	Edmond M. Kirby.
Stephen Lewis	Columbus, Ohio	Norton Victor Goodman.
Charles Frederick Lipman	Washington, D.C.	Marcia A. Wiss.
Robert Patrick Lusk	Anderson, S.C.	G. Ross Anderson, Jr.
Robert J. Lyman	Phoenix, Ariz.	Larry L. Debus.
John R. Lynch	Lafayette, Ind.	Harry S. Wender.
Richard M. Mackay	Jersey City, N.J.	Geoffrey Gaulkin.
R. Laurence Macon	San Antonio, Tex.	Paul Heermans Smith.
Richard F. Mayer	Gaithersburg, Md.	Thomas A. Hendrickson.
James Russell McCall	San Francisco, Calif.	Adrian A. Kragen.
Tommie Cornelius McCall	Midland, Tex.	William Randall Lundy.
Gregory A. McCarthy	Phoenix, Ariz.	William J. Schafer III.
Thomas Lee McClintock	Ottawa, Ill.	Frank Xavier Yackley.
Michael Wendell McKay	Baton Rouge, La.	Ralph Brewer
Archibald W. McMichael	Tamaqua, Pa.	Alexander E. Lipkin.
Michael Charles Mitchell	Los Angeles, Calif.	Stanley K. Brown.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Delmer R. Mitchell, Jr.	Quincy, Ill.	Charles A. Scholz.
Glenn Edward Monroe	Columbus, Ohio	Percival David Park.
Charles Roger Moore	Baton Rouge, La.	Ralph Brewer.
Stephen Charles Moore	Saint Louis, Mo.	Mary Elizabeth Fiser.
Albert Lionel Necaise	Gulfport, Miss.	Jesse Boyce Holleman.
Allen G. Nelson	Rapid City, S. Dak.	Joseph M. Butler.
Randall Cleaver Nelson	Phoenix, Ariz.	Roger Robb.
Richard B. Neu	Quincy, Ill.	Charles A. Scholz.
Stephen Lynn Newton	Mountain View, Calif.	Marilyn Norek Taketa.
Joseph T. O'Neill	Saint Paul, Minn.	Richard A. Moore.
Richard Oseran	Tucson, Ariz.	Edward Porter Bolding.
Larry Benson Parker	Salisbury, N.C.	Daniel Harold Koenig.
James R. Paul	Great Falls, Mont.	John C. Hoyt.
Sonja H. Rhodes	Tustin, Calif.	Francis Eugene Westhafer.
Robert Gore Rifkind	Beverly Hills, Calif.	Martin T. Goldblum
E. Mont Robertson	Quincy, Ill.	Charles A. Scholz.
John T. Robertson	Quincy, Ill.	Charles A. Scholz.
Carol Robinson	Rose Valley, Pa.	David Ferleger.
John L. Rogers III	Evanston, Ill.	Lawrence Michael Dubin.
Robert Charles Rosenfeld	Medina, Ohio	John Taylor Jeandrevin.
Michael J. Ruane	Washington, D.C.	Ray S. Donaldson.
Michael Steven Rubenstein	Baltimore, Md.	Russell Jay Bennett.
Jeffrey D. Rubinstein	Miami, Fla.	Alan E. Greenfield.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Franklin Rush	Charlotte, N.C.	George Shackelford Daly, Jr.
Valerius Sanford	Nashville, Tenn.	Thomas Warclaw Steele.
Richard E. Savitz	San Diego, Calif.	Michael J. McCabe.
Gregory Andrus Saxum	Buffalo, N.Y.	Peter Battle Schreier.
Carl G. Schmiedeskamp	Quincy, Ill.	Charles A. Scholz.
Jerold Harmon Schneider	Des Plaines, Ill.	Frank Albano.
Americo Serra	San Juan, P.R.	Federico A. Cedo Alzamora.
Philip H. Shick	Atlantic City, N.J.	Edmond M. Kirby.
Bernard Charles Silver	Tampa, Fla.	Robert Whitney Knight.
Sherman H. Simmons	Las Vegas, Nev.	Howard W. Cannon.
Donald Soileau	Mamou, La.	Daniel L. Jennings.
Ronald Mark Soskin	South Bend, Ind.	Joseph P. Bauer.
Bernard Louis Spaeth, Jr.	Bettendorf, Iowa	Charles F. Mowery, Jr.
Charles Henry Spooner	Coral Gables, Fla.	Joseph H. Murphy.
Roger C. Steedle	Atlantic City, N.J.	Michael R. Connor
Mark Robert Stein	San Antonio, Tex.	Ronald Hornberger.
Walter Brooks Stillwell III	Savannah, Ga.	Edward Ormonde Hunter.
James M. Sullivan	Des Moines, Iowa	James M. Stewart.
Alan Holger Swanson	Chicago, Ill.	John G. Langhenry, Jr.
James F. Tercha	Houghton, Mich.	F. Hubert Mather.
D. McCarthy Thornton	Washington, D.C.	Richard Campbell Foster.
Melville A. Toff	Mountain View, Calif.	Marilyn Norek Taketa.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ronald L. Toff	Mountain View, Calif.	Marilyn Norek Taketa.
Robert Usadi	New York, N.Y.	Thomas J. Kavaler.
Frank J. Uxa, Jr.	Flossmoor, Ill.	Edward Walter Remus.
Raul Villalobos	El Paso, Tex.	Texas S. Ward.
Frederick B. Wade	Washington, D.C.	Harvey L. Pitt.
Robert Frank Welker	Tampa, Fla.	John Edward Freeman.
Clair Fox White	Fort Lauderdale Fla.	Carl A. Hiaasen.
John W. Whitehead	Fayetteville, Ark.	Robert Lee Toms. Harold M.
Lister Witherspoon IV	Miami, Fla.	Braxton.
Jesse Lincoln Woodard	Washington, D.C.	Johnnie L. Johnson, Jr.
Clifford Edward Yuknis	Chicago, Ill.	James E. S. Baker.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Nicholas Albus	Washington, D.C.	Hugh James Douds.
Robert Stuart Bassman	Washington, D.C.	Gregg R. Potvin.
Enoch Perry III	Trenton, N.J.	Johnnie L. Johnson, Jr.
James Bradley Snow	Washington, D.C.	Joseph Donald Cummings.
Jerry W. Gerde	Panama City, Fla.	Michael F. Curtin.
Joseph Guerrieri, Jr.	Washington, D.C.	Victor William Caputy.
L. Tyrone Holt	Denver, Colo.	Hope R. Stevens.
Michael Bruce Barton	Washington, D.C.	Hope R. Stevens.
John William Garland	Washington, D.C.	Hope R. Stevens.
Rosalind Gray	Washington, D.C.	Hope R. Stevens.
Wade J. Henderson	Washington, D.C.	Hope R. Stevens.
Michael Lasley	Washington, D.C.	Hope R. Stevens.
Susan Marsh Perry	Washington, D.C.	Hope R. Stevens.
Lois Elaine Wright	Washington, D.C.	Hope R. Stevens.
Henrietta E. Turnquest	Atlanta, Ga.	Hope R. Stevens.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ben Thomas Cole II	Holly Springs, Mass.	Hope R. Stevens.
Wilhelm Hasketh Joseph, Jr.	Oxford, Mass.	Hope R. Stevens.
Edward Long, Jr.	Holly Springs, Mass.	Hope R. Stevens.
William Haywood Burns	New York, N.Y.	Hope R. Stevens.
William Cleveland Clifton	Providence, R.I.	Hope R. Stevens.
J. Clayton Berger	Tucson, Ariz.	Milton Carr Ferguson.
Vincent James Ferraro	Hamder, Conn.	Milton Carr Ferguson.
Thomas Matthew Lawler	Washington, D.C.	Milton Carr Ferguson.
Margaret Mary McMahan	Washington, D.C.	Milton Carr Ferguson.
Gregory R. Schwanct	Washington, D.C.	Milton Carr Ferguson.
Judith Harris Johnson	Salisbury, N.C.	Milton Carr Ferguson.
Joseph Vaulx Crockett III	Nashville, Tenn.	Milton Carr Ferguson.
Mary Jane Burruss	Fairfax, Va.	Milton Carr Ferguson.
Kenneth Ronald Pike	Arlington, Va.	Milton Carr Ferguson.
Joseph M. Persinger	Charleston, W. Va.	Milton Carr Ferguson.

## OPINIONS

No. 76-5344. James Raymond Moore, petitioner, *v.* Illinois. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Powell. Concurring opinion by Mr. Justice Rehnquist. Opinion by Mr. Justice Blackmun concurring in the result. Mr. Justice Stevens took no part in the consideration or decision of this case.

No. 76-906. United Air Lines, Inc., petitioner, *v.* Harris S. McMann. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment reversed and case remanded to the

Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Burger. Opinion by Mr. Justice Stewart concurring in the judgment. Opinion by Mr. Justice White concurring in the judgment. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Brennan joins.

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Adjourned until Monday, January 9, 1978, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

### OPINIONS PER CURIAM

No. 77-267. Chase Manhattan Bank (National Association), petitioner, *v.* South Acres Development Company, a partnership. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Petition for writ of certiorari granted, judgment reversed, and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*.

No. 77-308. Philadelphia Newspapers, Inc., et. al., appellants *v.* Domenic D. Jerome, Judge of the Court of Common Pleas of Delaware County, Pennsylvania. <sup>Set al</sup> Appeal from the Supreme Court of Pennsylvania, Eastern District. Judgment vacated and case remanded to the Supreme Court of Pennsylvania, Eastern District, for further proceedings as it may deem appropriate to clarify the record. See *California v. Krivda*, 409 U.S. 33 (1972). Opinion *per curiam*. Dissenting opinion by Mr. Justice Rehnquist with whom Mr. Justice Stevens joins.

### APPEALS—SUMMARY DISPOSITION

No. 77-397. Robert R. Scott, dba Slick Nick's, appellant, *v.* Department of Alcoholic Beverage Control of the State of California et al. Appeal from the Court of Appeal of California, Second Appellate District. The appeal is dismissed for want of a substantial federal question.

No. 77-5375. Charles Wayne Brantley, appellant, *v.* James G. Ricketts, Warden, et al. Appeal from the Supreme Court of Georgia. The appeal is dismissed for want of a substantial federal question.

No. 77-5492. Lori Juanita Henry et al., appellants, *v.* Flint River Mills. Appeal from the Supreme Court of Georgia. The appeal is dismissed for want of a substantial federal question.

No. 77-410. City of Philadelphia et al., appellants, *v.* Securities and Exchange Commission et al. Appeal from the United States District Court for the Eastern District of Pennsylvania. The appeal is dismissed for want of jurisdiction. *MTM v. Baxley*, 420 U.S. 799 (1975).

No. 77-644. John Julian Wild, appellant, *v.* James C. Otis et al. Appeal from the Supreme Court of Minnesota. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied. Mr. Justice Blackmun took no part in the consideration or decision of this appeal.

No. 77-5525. Jose Raul Pagan Torres et al., appellants, *v.* Pedro Negron Ramos, Secretary of Natural Resources, et al. Appeal from the Supreme Court of Puerto Rico. The appeal is dismissed for want of jurisdiction.

No. 77-5623. Lillian B. Edens, appellant, *v.* Joseph A. Califano, Jr., Secretary of Health, Education and Welfare. Appeal from the United States Court of Appeals for the Fourth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 77-5659. Sarah Bad Heart Bull and Robert High Eagle, appellants, *v.* South Dakota. Appeal from the Supreme Court of South Dakota. Motion of appellants to dismiss informations denied. The appeal is dismissed for want of a substantial federal question.

#### ORDERS IN PENDING CASES

No. A-563. Western Union International, Inc., applicant, *v.* Federal Communications Commission et al. Application for stay of mandate of United States Court of Appeals for the Second Circuit and stay of orders and authorizations of the Federal Communications Commission, presented to Mr. Justice Marshall and by him referred to the Court, denied. Order heretofore entered by Mr. Justice Marshall on December 30, 1977, vacated.

No. D-114. In the Matter of Disbarment of Anthony V. Consoldane. Disbarment entered.

No. D-130. In the Matter of Disbarment of Royal E. Spurlark, Jr. It is ordered that Royal E. Spurlark, Jr., of Chicago, Illinois, be suspended from the practice of law in this Court and that a rule issue,

returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 76-1184. E. I. Malone, Commissioner of Labor and Industry for Minnesota, appellant, *v.* White Motor Corporation and White Farm Equipment Company. Motion of The Chamber of Commerce of the United States for leave to file a brief, as *amicus curiae*, granted. Motion of American Federation of Labor and Congress of Industrial Organizations for leave to file a brief, as *amicus curiae*, granted. Mr. Justice Blackmun took no part in consideration or decision of these motions.

No. 76-1471. Federal Communications Commission, petitioner, *v.* National Citizens Committee for Broadcasting et al.;

No. 76-1521. Channel Two Television Company et al., petitioners, *v.* National Citizens Committee for Broadcasting et al.;

No. 76-1595. National Association of Broadcasters, petitioner, *v.* Federal Communications Commission et al.;

No. 76-1604. American Newspaper Publishers Association, petitioner, *v.* National Citizens Committee for Broadcasting et al.;

No. 76-1624. Illinois Broadcasting Company, Inc., et al., petitioners, *v.* National Citizens Committee for Broadcasting et al.; and

No. 76-1685. Post Company et al., petitioners, *v.* National Citizens Committee for Broadcasting et al. Motion of Office of Communication of the United Church of Christ et al. for leave to file a brief, as *amici curiae*, granted. Motion of National Emergency Civil Liberties Foundation for leave to file a brief, as *amicus curiae*, granted.

No. 76-1484. James Zurcher, etc., et al., petitioners, *v.* The Stanford Daily et al.; and

No. 76-1600. Louis P. Bergna, District Attorney, and Craig Brown, petitioners, *v.* The Stanford Daily et al. Motion of National Association of Criminal Defense Lawyers, Inc., for leave to participate in oral argument, as *amicus curiae*, denied.

No. 76-1650. Albert Ohralik, appellant, *v.* Ohio State Bar Association; and

No. 77-56. In the Matter of Edna Smith, appellant. Motion of Public Citizen et al. for leave to participate in oral argument, as *amici curiae*, denied.

No. 76-1726. Mobil Oil Corporation, petitioner, *v.* Frances Neil Higginbotham, Administratrix of the Estate of Marshall K. Higginbotham, et al. Motion of respondents for divided argument denied.

No. 76-1750. Harold D. Stump et al., petitioners, *v.* Linda Kay Sparkman and Leo Sparkman. Motion of American Coalition of Citi-

zens with Disabilities et al. for leave to file a brief, as *amici curiae*, granted. Motion of American Civil Liberties Union et al. for leave to file a brief, as *amici curiae*, granted. Motion of National Center for Law and the Handicapped, Inc. for leave to file a brief, as *amicus curiae*, granted. Motion of petitioners for divided argument denied.

No. 76-1767. National Society of Professional Engineers, petitioner, *v.* United States. Motion of petitioner to compel Solicitor General to file brief of the United States granted.

No. 76-1796. Albert E. Ottoboni et al., petitioners, *v.* United States. Solicitor General invited to file a response to the motion for leave to file petition for rehearing within thirty days.

No. 77-10. Exxon Corporation et al., appellants, *v.* Governor of Maryland et al.;

No. 77-11. Shell Oil Company, appellant, *v.* Governor of Maryland et al.;

No. 77-12. Continental Oil Company et al., appellants, *v.* Governor of Maryland et al.;

No. 77-47. Gulf Oil Corporation, appellant, *v.* Governor of Maryland et al.; and

No. 77-64. Ashland Oil, Inc., et al., appellants, *v.* Governor of the State of Maryland et al. Motion of National Congress of Petroleum Retailers for leave to file a brief, as *amicus curiae*, granted. Motion of Day Enterprises, Inc., et al., for leave to file a brief, as *amici curiae*, granted. Motion of Day Enterprises, Inc., et al. for leave to participate in oral argument, as *amici curiae*, denied. Mr. Justice Stewart and Mr. Justice Powell took no part in the consideration or decision of these motions.

No. 77-25. Flag Brothers, Inc., etc. et al., petitioners, *v.* Shirley Herriott Brooks et al.;

No. 77-37. Louis J. Lefkowitz, Attorney General of New York, petitioner, *v.* Shirley Herriott Brooks et al.; and

No. 77-42. American Warehousemen's Association, and The International Association of Refrigerated Warehouses, Inc., petitioners, *v.* Shirley Herriott Brooks et al. Motion of New York State Consumer Protection Board for leave to file a brief, as *amicus curiae*, granted. Motion of Legal Aid Society of New York City for leave to file a brief, as *amicus curiae*, granted.

No. 77-653. William Swisher et al., appellants, *v.* Donald Brady et al. Motion of appellees for appointment of counsel granted and it is ordered that Peter S. Smith, Esquire, of Baltimore, Maryland, is appointed to serve as counsel in this case.

No. 77-885. Commissioner of Education of New Jersey et al., petitioners, *v.* Board of Education of the North Hunterdon Regional High School, Township of Franklin, et al. Application for stay, presented to Mr. Justice Brennan and by him referred to the Court, denied.

No. 77-5582. Eric J. Randall, petitioner, *v.* United States. Motion of petitioner to consolidate with No. 76-1596, *U.S. v. Mauro et al.* denied.

## CERTIORARI GRANTED

No. 77-528. Federal Communications Commission, petitioner, *v.* Pacifica Foundation. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 77-677. Owen Equipment and Erection Company, petitioner, *v.* Geraldine Kroger, Administratrix of the Estate of James D. Kroger, deceased. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 77-693. Hubert L. Will, Judge, United States District Court, Northern District of Illinois, petitioner, *v.* Calvert Fire Insurance Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 77-510. United States, petitioner, *v.* New Mexico. Motion of National Wildlife Federation et al. for leave to file a brief as *amici curiae*, granted. Petition for writ of certiorari to the Supreme Court of New Mexico granted.

No. 77-529. Wes Wise, Mayor of the City of Dallas, et al., petitioners, *v.* Albert L. Lipscomb et al. Motion of respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 77-598. The Greyhound Corporation et al., petitioners, *v.* Mt. Hood Stages, Inc., etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted limited to Question 3 presented by the petition.

## CERTIORARI DENIED

No. 76-1157. Southwestern Bell Telephone Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 76-1375. William F. Zinger, petitioner, *v.* Robert W. Blanchette et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-1609. Indiana, petitioner, *v.* Scottsdale Mall. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 76-1645. General Dynamics Corporation, petitioner, *v.* Bob Bullock, Comptroller of Public Accounts of the State of Texas, et al. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 76-6983. Jacob Keefer, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District denied.

No. 77-63. Richard D. Cooper, petitioner, *v.* State Tax Commission of Utah. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 77-79. Equal Employment Opportunity Commission, petitioner, *v.* Children's Hospital of Pittsburgh. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-143. Vito Mango, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-164. Earl Leppo, petitioner, *v.* United States; and

No. 77-169. Reuben Goldstein, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-214. C. Clyde Atkins et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 77-217. Robert P. Bageris, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-237. William Netterville, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-252. Alfonso Rivera, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 77-275. Arthur Lipper Corporation and Arthur Lipper III, petitioners, *v.* Securities and Exchange Commission; and

No. 77-291. Securities and Exchange Commission, petitioner, *v.* Arthur Lipper Corporation and Arthur Lipper III. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.



No. 77-294. Abraham Thomas Oliva, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 77-296. Duane Owen Hestnes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-321. Upper West Fork River Watershed Association, etc., petitioner, *v.* Corps of Engineers, United States Army, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-333. James W. Wellham et al., petitioners, *v.* Union Bank et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-337. Charles G. Castor, William T. Robinette and James A. James, petitioners, *v.* United States; and

No. 77-500. Henry Y. Dein, petitioner, *v.* United States et al. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-338. Sandra Wetzel and Mari Ross et al., petitioners, *v.* Liberty Mutual Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-357. Larry Dale Patty, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 77-368. Kenneth Berdick, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-381. Lamont Atkinson, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 77-396. Vincent Pacelli, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-406. California et al., petitioners, *v.* Federal Communications Commission et al.; and

No. 77-434. National Association of Regulatory Utility Commissioners, petitioner, *v.* Federal Communications Commission et al. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-416. Joseph Michael Gardner, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-425. Paul H. Gibson, Sheriff of Guilford County, petitioner, *v.* Voulyne Small. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-429. Lawrence R. Fry et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-431. William Van Lewis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-458. Robert David Ward, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 77-470. Chauffeurs, Teamsters and Helpers Local Union No. 391, etc., petitioner, *v.* Pilot Freight Carriers, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-473. District No. 9, International Association of Machinists and Aerospace Workers, petitioner, *v.* John Schultz et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-474. Jefferson Parish School Board, petitioner. *v.* City Park Improvement Association et al. Petition for writ of certiorari to the Court of Appeal of Louisiana, Fourth Circuit, denied.

No. 77-478. Pennsylvania et al., petitioners, *v.* Interstate Commerce Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-480. Local 259, United Automobile, Aerospace, and Agricultural Implement Workers of America, petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-484. Garland C. Cochran, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-486. William C. McCorkle, Jr., etc., petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-488. Sea-Land Service, Inc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 77-489. City of Willcox and Arizona Electric Power Cooperative, Inc., petitioners, *v.* Federal Energy Regulatory Commission et al.

Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-490. William G. Barter et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-505. Donald C. Irwin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-540. William A. Moore et al., petitioners, *v.* Hampton Roads Sanitation District Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-542. James D. Furrate, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-548. Irving Berlin et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-564. Huntington Towers, Ltd., et al., petitioners, *v.* Federal Reserve Bank of New York et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-572. Harold James Jenks, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-577. William C. Coleman et al., petitioners, *v.* Baxter Rice, etc., et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 77-594. Richard (Dick) Stone, petitioner, *v.* Export-Import Bank of the United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-597. Eph H. Hoover, Jr., et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-601. The Fouke Company, petitioner, *v.* Animal Welfare Institute et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-607. Homer Clifford Clark, Jr., petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 77-608. Louis Nizer et al., petitioners, *v.* Michael Meeropol and Robert Meeropol. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-609. Frank Andre et al., petitioners, *v.* Board of Trustees of the Village of Maywood, Cook County, Illinois, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-611. Kwang-Wei Han, petitioner, *v.* Anderson Air Conditioning, Inc. Petition for writ of certiorari to the Appellate Department of Superior Court of California, County of Orange, denied.

No. 77-612. United Mine Workers of America, petitioner, *v.* Charles Nedd, etc., et al., Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-617. Terminal-Hudson Electronics, Inc., dba Opti-Cal, petitioner, *v.* Dundas et al. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 77-618. Howard Bramblett, petitioner. *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 77-619. International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, petitioner, *v.* Pilot Freight Carriers, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-620. John Guyton, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Summit County, denied.

No. 77-626. Columbus Municipal Separate School District et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-627. Austin National Bank, Individually, and as Guardian of the Estate of Robert O. Walters, III, petitioner, *v.* John E. Norton, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-629. Ashby Leach et al., petitioners, *v.* Eugene Sawicki. Judge, Cuyahoga County Common Pleas Court. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 77-632. H. Max Murray et al., petitioners, *v.* Lawrence S. Wagle. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-640. E. Cody Laird and Joanne H. Laird, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-647. Samuel F. Yette, petitioner, *v.* Newsweek Magazine et al. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-649. Demopolis City School System, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-650. Louise Spencer, petitioner, *v.* Floyd E. Skelton et al. Petition for writ of certiorari to the Supreme Court of Idaho denied.

No. 77-655. James Walter Crouch, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-666. Vesco & Co., Inc., petitioner, *v.* International Controls Corp. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-679. Roberto Domingo Vale, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-680. Wall Street Transcript Corporation and Richard A. Holman, petitioners, *v.* Wainwright Securities, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-696. Leonard Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-700. Boyd D. Evans and Lois A. Evans, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-702. AMREP Corporation et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-703. James Sinclair, petitioner, *v.* Gloria Ella Spatocco et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 77-704. John William Gibbs, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-711. Lester J. Millet, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-718. Margaret Townsend, petitioner, *v.* Nassau County Medical Center at al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-720. Edmund A. Rosner, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-735. Albert Anzalone, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-756. Odessa Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-775. Robert P. Marchand, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-797. Herbert O. La Morder, petitioner, *v.* Sherrill E. La Morder. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-807. Anna A. Phelps, petitioner, *v.* William H. Christison, Trustee, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-824. Irving Davis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5250. Victor Hubert Linkletter, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 77-5271. Thomas Anthony Flowers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5287. Ralph Luther Blevins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5328. L. D. Hilliard, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5332. Shawn Beasley and Robert Chatman, petitioners, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.



No. **77-5333**. George V. Taliaferro, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the fourth Circuit denied.

No. **77-5337**. Billy Ray Dawson and Wendell Wayne Sellers, petitioners, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **77-5340**. Ronald Louis Casebeer, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **77-5358**. Joseph Robert Schillaci, petitioner, *v. John L. Smith et al.* Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **77-5360**. Larry H. Robinson, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **77-5371**. Pasquale Falcone, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **77-5373**. Mark Andrew Miller, petitioner, *v. Virginia*. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. **77-5378**. Des E. Schick, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **77-5379**. Marvin Eugene Hodges, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **77-5382**. Stanley Juzenas, petitioner, *v. City of Southfield*. Petition for writ of certiorari to the Circuit Court for the County of Oakland, Michigan, denied.

No. **77-5387**. Richard Rudman, petitioner, *v. California*. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **77-5397**. Martin Allen, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **77-5403**. Calvin Trudo, petitioner, *v. United States Parole Commission*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

- No. 77-5414. Ulysses McMillan, Jr., petitioner, *v.* Joe S. Hopper, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.
- No. 77-5418. Johnnie Lee Brooks, petitioner, *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Division Three, denied.
- No. 77-5426. George Heath, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.
- No. 77-5428. Robert Vernon Bruce, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.
- No. 77-5454. Michael A. Kelly, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.
- No. 77-5455. William L. Nichols, petitioner, *v.* Darold R. Treffert et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.
- No. 77-5460. Sylister Williams, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, First District denied.
- No. 77-5506. George Daniel Gates, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.
- No. 77-5508. Vernon Leroy Woodson, petitioner, *v.* Floyd E. Arnold, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.
- No. 77-5509. Edward Earl Dillingham, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.
- No. 77-5532. Enrique Ramirez, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.
- No. 77-5540. Oscar Timothy Robinson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.
- No. 77-5560. James Errol Gaulden, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.



No. 77-5593. Thomas E. Reese, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5598. Stephen Franklin, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 77-5601. Randolph Joseph X. Greene, petitioner, *v.* Marvin R. Hogan, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5615. James Melvin Green, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5643. Melvin Morales, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 77-5644. Maxine M. Jenkins, petitioner, *v.* District of Columbia. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-5646. Theodore Thompson, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 77-5648. Hector Cruz et al., petitioners, *v.* Benjamin Ward, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5650. John Franklin Burrell, petitioner, *v.* Ralph Lee Aaron, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5651. Gene Ham, petitioner, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 77-5652. Marvin Reiter, petitioner, *v.* City of Keene et al. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 77-5654. John Houston Sellars, petitioner, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 77-5655. Jack Joe Ingram, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5656. C. Allen Christopher, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5664. Marion Meier, petitioner, *v.* Frank D. Sandefur et al. Petition for writ of certiorari to the Court of Appeals of Indiana denied.

No. 77-5665. Robert Eugene Carroll, petitioner, *v.* B. F. Turner, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5670. Frederick JX Martin, petitioner. *v.* Donald Wyrick. Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5674. Charlotte Carson, petitioner, *v.* Frances Elrod, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5676. John Thomas Beard, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5678. Mohammed Sayeed Quraishi, petitioner, *v.* Ewald B. Nyquist, Commissioner of Education, New York State. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 77-5679. George Eugene Young, petitioner, *v.* T. L. Clanon, Superintendent, California Medical Facility, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5680. Larry Eugene Wright, petitioner, *v.* Oklahoma et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5686. Vernon Frank Stone, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5696. John J. Timmins, petitioner, *v.* Gore Newspapers Co., Inc. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 77-5700. Dorothy Mae Hamilton, petitioner, *v.* United States;

No. 77-5704. John Christopher, Jr., petitioner, *v.* United States;

No. 77-5705. Herbert Lee Christopher et al., petitioners, *v.* United States; and

No. 77-5707. Herbert Lee Bryant, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5712. Frank J. Berard, Jr., petitioner, *v.* Cornelius Hogan, Commissioner of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5716. Frank Sanders, III, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5717. Rush O. Nichols, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5718. Charles Stafford Jackson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5722. John W. Wilson, petition, *v.* Volkswagen of America, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5723. Otha Taylor, petitioner, *v.* Walter Riddle, Superintendent, James River Correctional Center. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5726. Edward Dixon, petitioner, *v.* Louie L. Wainwright, Secretary, Department of Offender Rehabilitation of Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5729. Robert Vasarab, petitioner, *v.* Arnold R. Jago, Superintendent, Southern Ohio Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5739. Theodore B. Holt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5745. Jimmy Earl Hall, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 77-5752. Mike Covington and Arthur W. Wilson, petitioners, *v.* Jack G. Ford, Judge of the LaPorte Superior Court No. 2. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 77-5765. Gary Don Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5788. Robert H. Wilson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5795. Ronald V. Dorsey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5796. Miguel Vasquez-Cazares, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5799. Fidel G. Ramos, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals Tenth Circuit denied.

No. 77-5800. Johnny Ray Mancil, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5810. L. C. Jones and Richard Jones, Jr., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5812. Sangvian Ford, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5813. William Bruce Elliott, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5815. Henry Albert Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5816. Percy Perrine Carter, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5818. Thomas Richard Hartford, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5821. Coy Hines, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5823. Charles Xavier Hale, aka Ken Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5830. David W. Clayton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5835. Harry Andrew Swets and Gary Christopher Weeks, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5844. Miguel Aguilar-Garcia, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5847. Clyde Graham, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 76-1451. Gladys E. Rogers and Margaret A. Rogers, etc., petitioners, *v.* Exxon Research and Engineering Co. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Stewart and Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 77-26. Elizabeth Jane Young Chin, petitioner, *v.* United States; and

No. 77-32. Kenneth Chin, petitioner, *v.* United States. Motion of Asian-American Legal Defense and Education Fund for leave to file a brief, as *amicus curiae*, granted. Motion of Asian Law Caucus, Inc., et al. for leave to file a brief, as *amici curiae*, granted. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-263. Central South Carolina Chapter, Society of Professional Journalists, Sigma Delta Chi, et al., petitioners, *v.* J. Robert Martin, Jr., United States District Court for the District of South Carolina, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice White and Mr. Justice Powell would grant certiorari.

No. 77-322. Dennis Hogan, petitioner, *v.* People of the State of Illinois ex rel. Peyton H. Kunce, Circuit Judge. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice White, Mr. Justice Marshall and Mr. Justice Blackmun would grant certiorari.

No. 77-383. International Amusements, dba Adult Book and Cinema Store, et al., petitioners, *v.* Utah. Petition for writ of certiorari to the Supreme Court of Utah denied. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice Marshall join.

No. 77-624. Richard F. Nestler et al., petitioners, *v.* Exxon Corporation. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 77-683. Miller Brewing Company, petitioner, *v.* G. Heileman Brewing Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 77-662. L & J Press Corporation, petitioner, *v.* David Radford Murphy et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit and/or motion for leave to file petition for writ of mandamus denied.

No. 77-682. Village of Arlington Heights et al., petitioners, *v.* Metropolitan Housing Development Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Stevens took no part in the consideration or decision of this petition.

No. 77-5427. William A. Bossinger and Johnny Robert Johnson, petitioners, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied. Mr. Justice Powell would grant certiorari.

#### LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 77-615. Arthur H. Keyes, Jr., et ux., etc., petitioners, *v.* District of Columbia Court of Appeals et al.;

No. 77-5516. Don Carroll Beachem, petitioner, *v.* United States et al.;

No. 77-5677. Roger H. Corley, petitioner, *v.* Norman H. Johnson, Judge of the District of Columbia Superior Court; and

No. 77-5703. Edward Ray Stacy, petitioner, *v.* Frederick B. Karl, Associate Justice, Supreme Court of Florida. Motions for leave to file petitions for writs of mandamus denied.

#### REHEARINGS DENIED

No. 76-1057. John W. Key et al., appellants, *v.* Michael M. Doyle et al.;

No. 76-1684. Super Tire Engineering Co. et al., petitioners, *v.* Lloyd W. McCorkle, etc., et al.;

No. 76-6839. Michael J. Downing, petitioner, *v.* District Attorney of Northampton County, Pennsylvania;

No. 76-6909. Narciso Rosario, petitioner, *v.* J. E. LaVallee, Super-



intendent, Clinton Correctional Facility;

No. 76-6974. John A. DeVaughn, petitioner, *v.* United States;

No. 77-370. Joseph F. Kenny et al., petitioners, *v.* City of Philadelphia; Gordon MacDonald et al., petitioners, *v.* City of Philadelphia;

No. 77-374. Samuel H. Sloan, petitioner, *v.* Gertrude J. Bonime et al.;

No. 77-385. John Franklin Davis, Jr., petitioner, *v.* Mary Louise Davis;

No. 77-415. James E. Salyers, petitioner, *v.* Board of Governors of State Colleges and Universities of Illinois et al.;

No. 77-437. Rogelio Martinez et al., petitioners, *v.* United States;

No. 77-517. Richard J. Dolwig, petitioner, *v.* United States;

No. 77-5026. Johnny Paul Witt, petitioner, *v.* Florida;

No. 77-5235. Frances Owen Warriner, petitioner, *v.* Florida et al.;

No. 77-5438. Ivan E. Crum, petitioner, *v.* Walter H. Bryan, Inc., et al.;

No. 77-5498. Alan Stuart, petitioner, *v.* Arkansas;

No. 77-5514. Virgil H. Smith, petitioner, *v.* White Stores, Inc.;

No. 77-5542. Anthony Martin Zilka, petitioner, *v.* Joseph Y. Walker et al.;

No. 77-5558. Oliver Gio. West, Jr., petitioner, *v.* Harold J. Smith; and

No. 77-5618. Rudolf Baloun, petitioner, *v.* United States. Petitions for rehearing denied.

No. 75-855. Frances Hilliard Brown, petitioner, *v.* United States District Court for the Northern District of Texas et al.; and

No. 77-290. Orlin Gentry Cole, petitioner, *v.* United States. Motions for leave to file petitions for rehearing denied.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ida Cardona-Hernandez de Orenstein	San Juan, P.R.	Max Ramirez de Arellano.
Philip B. Abramowitz	Buffalo, N.Y.	Irving M. Shuman.
Robert Taft Alhandy	Whittier, Calif.	Donald Raymond Mark Mizener.
Jean F. De Villeneuve Allain	New Orleans, La.	Donald A. Lindquist.
Noel Lee Allen	Raleigh, N.C.	Jean A. Benoy.
Sam Y. Allgood, Jr.	New Port Richey, Fla.	Jack B. Mc- Pherson.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David R. Aufdenspring	Atlanta, Ga.	Edward Eugene Dorsey.
Jerry Michael Aufox	Highland Park, Ill.	Allen Channon Engerman.
Mark David Averbach	Cleveland, Ohio	Kenneth Samuel Kabb.
Isaac T. Avery III	Raleigh, N.C.	Rufus L. Edmisten.
Y. Judd Azulay	Chicago, Ill.	Howard B. Rockman.
Jon D. Baker	Connersville, Ind.	Richard Nelson Smith.
William E. Ball	Alexandria, Va.	Solicitor General Wade H. McCree, Jr.
John Patrick Barry	Denver, Colo.	John S. Walker, Jr.
John Peter Baumgartner	San Francisco, Calif.	Richard F. Locke.
Richard I. Beattie	Washington, D.C.	Joseph A. Califano, Jr.
Arnold J. Bennett	St. Davids, Pa.	Robert A. DiFilippo.
Maurice A. Benson	Long Beach, Calif.	Leonard Banks Hankins.
Arthur Joel Berger	Miami, Fla.	Bruce S. Rogow.
Barbara Lang Betts	Sacramento, Calif.	Earl Warren, Jr.
John Watson Bodwell	Connersville, Ind.	Richard Nelson Smith.
Leon Baer Borstein	New York, N.Y.	Philip Mandel.
Jose E. Bosch Roque	Bayamon, P.R.	Abelardo Ruiz-Suria.
Salvatore Bovino	Bayonne, N.J.	Edmond M. Kirby.
Jeffrey Michael Bower	Lemont, Pa.	Joseph N. Ingolia.
David E. Brand	Wilmington, Del.	Richard W. Pell.
Louis E. Braswell	Mobile, Ala.	Travis Massey Bedsole.
Howard Breindel	New York, N.Y.	Daniel R. Solin.
Stephen J. Bronis	Miami, Fla.	John James McQuirk.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kent Masterson Brown	Lexington, Ky.	Robert Murray Odear.
Nancy Lillian Buc David P. Buck	Ira M. Millstein. Knoxville, Tenn.	New York, N.Y. Michael J. Barrett, Jr.
Daniel Joseph Burke	Alexandria, Va.	James I. Burkhardt.
William I. Burke	Melvindale, Mich.	Patrick George Casey.
Robert P. Burns	Chicago, Ill.	James David Weill.
Theron Eugene Burts, Jr.	Florence, Ala.	Judge Frank L. Eddens, Jr.
Joseph Calderon	New York, N.Y.	George L. Weasler.
Reynold L. Caleen, Jr.	Tallahassee, Fla.	Winifred Sheri- dan Smallwood.
John Edward Calior	Sharon, Pa.	Herman M. Rodgers.
Angelo T. Calleri William Mack Cameron	Rochester, N.Y. Laurel, Miss.	Donald F. Potter. Ernest F. Hollings.
Thomas B. Champion	Ketchum, Idaho	Terry Glynn Hogue.
Robert Carl Cannon	Atlanta, Ga.	Edward Eugene Dorsey.
Douglas G. Caroom Al Carrion	Austin, Tex. Colusa, Calif.	John L. Hill. Donald William Littlejohn.
Peter S. Casey Robert Forrester Cissel	Milford, Mass. College Park, Md.	Charles J. Hely. Myra Kammer- man Kurzbard.
Mark Philip Cohen	Chicago, Ill.	Judge Latham Castle.
Steven Jeffrey Cohen John L. Collinsworth	Miami, Fla. Oklahoma City. Okla.	Julio Pastoriza. Daniel R. Murdock.
Stanley Albert Coolidge, Jr. Michael Joseph Corso Theodore Edward Corvette, Jr.	Marysville, Calif. Paoli, Pa. Raleigh, N.C.	Lyle Devon Gisi. Stephen R. Bloss. Irving Burchard Tucker, Jr.
Frank Cosentino	Chicago, Ill.	Harry J. Rosenzweig.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Arthur A. Crais, Jr. Richard E. Crow	New Orleans, La. Sacramento, Calif.	Jack C. Benjamin. Gerald J. Adler
Bernard Allen Cumbie	Bay City, Tex.	Joel W. West- brook III.
James L. Cunningham	San Buenaventura Calif.	Robert Millard Sirois.
Frederick Mark Dahlmeier	Riviera Beach, Fla.	George Donald Beverly.
George E. Dalton	Los Angeles, Calif.	Howard Lawrence Mayo.
Robert Michael Dangel David A. Davis	Mt. Holly, N.J. Oklahoma City, Okla.	Martin L. Haines. Daniel R. Murdock.
Joseph M. Davis	Bel Air, Md.	Lawrence Robert Daniels.
Malcolm Loren Debnam Earl Lamar Denham	Dayton, Ohio Ocean Springs, Miss.	John T. Murphy. Bobby Gene O'Barr.
L. Morris Dennis	Los Angeles, Calif.	Robert Edward Lewis.
Robert J. Desmond	Jersey City, N.J.	Edmond M. Kirby.
Joseph Francis Devereux, Jr.	Saint Louis, Mo.	David James Curtin.
Steven Allan Diaz	San Francisco, Calif.	Thomas Martin O'Connor.
Charles Henson Dick, Jr.	San Diego, Calif.	David Michael Waltz.
Lee Terry Dicker	Los Angeles, Calif.	Thomas Robert Sheridan.
Denver D. Dillard	Mount Vernon, Iowa	John C. Culver.
David Blair Douds	Hermitage, Pa.	Charles Sylvan Hersh.
Milton E. Douglass, Jr.	Wichita Falls, Tex.	Robert Moore Helton.
Stephen J. Draisin	Hackensack, N.J.	Edwin Hirschberg.
Stephen J. Egan	Sacramento, Calif.	Talmadge Richard Jones.
Israel N. Eisenberg	Marlton, N.J.	Edmond M. Kirby.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard Hall Elliott	Dallas, Tex.	Morris Harrell.
Theodore Grant Eppenstein	New York, N.Y.	Robert G. Sullivan.
Joseph D. Epps, Jr.	Los Angeles, Calif.	Theodore Richard Brown.
Guy O. Farley, Jr.	Fairfax, Va.	Paul H. Harrington, Jr.
Gary Michael Farmer	Hollywood, Fla.	Gerald Mager.
T. Brooke Farnsworth	Houston, Tex.	Paul William Wright.
Albert Littleton Fary, Jr.	Portsmouth, Va.	Lester Eugene Schlitz.
Joseph John Ferrara	Newark, N.J.	Seymour Margulies.
Robert E. Ferris	Fort Lauderdale, Fla.	Carl A. Hiaasen.
Fred F. Filsoof	Atlanta, Ga.	Ernest C. Lee.
Robert Burns Fisher, Jr.	New Orleans, La.	Donald A. Lindquist.
John W. Frasco	Bloomfield Hills, Mich.	David Gray Barnett.
Robert G. Frederick	Urbana, Ill.	Robert James Steigmann.
Leslie E. Freed	Washington, D.C.	Lawrence Moses Mann.
John E. Fulker	Troy, Ohio	William M. Harrelson.
Alan L. Fulkerson	Chicago, Ill.	Bernard Carey.
William Embry Fullingim	Dallas, Tex.	Roy C. Coffee, Jr.
Raymond Alan Fylstra	Chicago, Ill.	John B. Huck.
Allen K. Gailor	Louisville, Ky.	Donald M. Heavrin.
Roy Ellis Gainsburg	New York, N.Y.	Benjamin V. Cohen.
Jim Luis Garcia	Houston, Tex.	William Rollins Hurt.
Maurice M. Garcia	Hollywood, Fla.	Jack F. Weins.
I. Lawrence Gelman	Harrisburg, Pa.	Theodore Arthur Adler.
Michael W. George	Denton, Tex.	Mervin Bernard Waage.
Charles A. Goldmark	Seattle, Wash.	William L. Dwyer.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Alan Grauman	Los Angeles, Calif.	Joseph William Blocker.
Leonard J. Grabow	Bloomfield Hills, Mich.	David A. Goldman.
Robert Karp Gosney	New York, N.Y.	Ross David Pollack.
Peter Kuntz Graves, Jr.	Dayton, Ohio	Wm. B. Saxbe.
Donald Ray Gray	Dallas, Tex.	John Baxter Ellis.
Joseph F. Greco	Schaumburg, Ill.	Charles B. Fiduccia.
Robyn Greene	Miami, Fla.	Lawrence B. Craig III.
David B. Gubits	Walden, N.Y.	Gerald N. Jacobowitz.
Fidencio M. Guerra, Jr.	McAllen, Tex.	Joseph A. Connors III.
Michael K. Guest	Indianapolis, Ind.	William F. Welch.
William Bernard Haller	Saint Louis, Mo.	Judge Arthur Litz.
Richard F. Halliburton	Kansas City, Mo.	Dale K. Irwin.
John A. Halpern	Minneapolis, Minn.	Elliot Calvin Rothenberg.
Edward Jackson Hamilton, Jr.	Columbia, S.C.	John Light Napier.
Timothy Patrick Hannon	Palo Alto, Calif.	Fred W. Arm- strong.
Willard Benson Hardesty	Wheat Ridge, Colo.	Ronald J. Hardesty.
Harvey L. Harmon, Jr.	Oklahoma City, Okla.	Harvey L. Har- mon.
Falcon B. Hawkins	Charleston, S.C.	Ernest F. Hol- lings.
Robert E. Hedicke	El Paso, Tex.	Melvin Jerry Tanzy.
John H. Henn	Boston, Mass.	J. Harold Flan- nery.
John Raymond Henriksen	Silverton, Oreg.	Maitland Guy Freed.
John C. Hepworth	Buhl, Idaho	Michael Hoyt Felton.
Ellis R. Herbon	Milwaukee, Wis.	Patrick Thomas Sheedy.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Linda Collins Hertz	Miami, Fla.	Robert L. Shevin.
Claude W. Hicks, Jr.	Macon, Ga.	George Neil Skene.
Perry Walton Hodges, Jr.	Hollywood, Fla.	James G. Larche, Jr.
Dianna Zbarsky Hoffman	Sacramento, Calif.	Gerald J. Adler
Gary B. Homsey	Oklahoma City, Okla.	Charles A. Shadid.
Bryan Charles Hugo	Altamonte Springs, Fla.	Lon S. Cornelius, Jr.
John M. Humphrey	Williamsport, Pa.	John C. Young- man, Sr.
Elenie Kostopoulos Huszagh	Northbrook, Ill.	John Steve Ma- randas.
Alan Stephen Hut, Jr.	Washington, D.C.	William Truman Lake.
Richard W. Iler	Louisville, Ky.	Bert T. Combs.
Charles Bennett Jackson, Jr.	Newport Beach, Calif.	William D. Camp- bell, Jr.
Paul S. James	Fresno, Calif.	Russell R. McKinney.
John David Jessep	Bridgeport, Conn.	Lucy Virginia Katz.
Geoffrey Guy Johnson	Chicago, Ill.	William F. Patterson.
Robert L. Kaczmarek	Saginaw, Mich.	Edward Joseph McArdle.
Joel H. Kaplan	Chicago, Ill.	Robert Theodore Clark, Jr.
Kent Karlsson	New York, N.Y.	Roy A. Satine.
Stanley Jay Katz	Laurel, Md.	Avrom David Spevack.
Bruce Fraser Kiely	Washington, D.C.	Charles M. Darling IV.
Arthur C. Kirkland, Jr.	Detroit, Mich.	Edward J. Reilly.
Marvin E. Klitsner	Milwaukee, Wis.	Steven E. Keane.
Thomas D. Kolpacoff	Santa Ana, Calif.	Robert A. Sams.
Richard Allen Krimen	San Francisco, Calif.	Theodore Groezinger.
Peyton Lacy, Jr.	Monroe, La.	Robert P. McLeod.
Nicholas M. Lamanna	Priest River, Idaho	Thomas Edward Cooke.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Lane	New York, N.Y.	Anthony J. Cerrato, Jr.
Charles Boyce Lang	East Liverpool, Ohio	Francis Harover Lang.
Mary Sue Lang	East Liverpool, Ohio	Francis Harover Lang.
Evan Joseph Langbein	Miami, Fla.	Alan E. Greenfield.
Eli Stewart Lawrence	Blue Bell, Pa.	Robert D. Klages.
William C. Leach	Moore, Okla.	Kenneth P. Craig.
Robert E. Lehrer	Chicago, Ill.	Sheldon Howard Roodman.
Craig Douglas Leister	Columbus, Ohio	John C. Burkholder.
David Lawrence Levin	Houston, Tex.	Leonard Arthur Cruse.
Richard H. Levin	Los Angeles, Calif.	James Michael Epstein.
Robert Allen Levine	Milwaukee, Wis.	John Richard Kuhnmuensch, Jr.
Arnold Ira Levy	Miami, Fla.	Julio Pastoriza.
Russell T. Lewis	New York, N.Y.	Floyd Abrams.
J. Dwight LeBlanc, Jr.	New Orleans, La.	Leon Sarpy.
Lovell Brown Lieurance	Phoenix, Ariz.	George S. Wright.
C. Orville Light	Madison, N.C.	John Chisman Hanes.
Michael Alexander Lilly	Honolulu, Hawaii	John Campbell, Jr.
Robert D. Links	San Francisco, Calif.	Reynold Henry Colvin.
Robert Murray Lipshutz	Philadelphia, Pa.	W. Mark Sendrow.
Richard M. Lipsman	New York, N.Y.	Paul Landsman.
James Eugene Long	Graham, N.C.	George Attmore Long.
Laura Jean Guy Long	Raleigh, N.C.	George Attmore Long.
Daryll Norman Love	Atlanta, Ga.	Edward Eugene Dorsey.
Thomas J. LoSavio	San Francisco, Calif.	Melvin Belli.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Alton H. Maddox, Jr.	New York, N.Y.	Tyrone Mark Powell.
Joseph James Maltese	Staten Island, N.Y.	James G. Burke, Jr.
Barry A. Mandelkorn	Fort Lauderdale, Fla.	Terrence Joseph Russell.
J. Thomas Mann	Chattanooga, Tenn.	W. Neil Thomas, Jr.
Andrew William Maron	Bainbridge Island, Wash.	Robert B. Clarke.
John Keith Martensen II	Fayetteville, Ark.	Raymond Dean Cole.
Frank D. Masters	San Antonio, Tex.	Blair Reeves.
Roger J. McClure	Washington, D.C.	Arnold D. Berkeley.
John J. McHugh	Chicago, Ill.	Glenn W. McGee.
Phillip H. McMath	Little Rock, Ark.	Henry Woods.
Robert Turner Meadows III	Montgomery, Ala.	Thomas Glenn Mancuso.
Samuel M. Mecum	Lancaster, Pa.	Michael Jay Minney.
W. C. Melcher	Beverly Hills, Calif.	F. Lee Bailey.
Douglas Wayne Meyer	Plainfield, Ind.	Charles D. Johnson.
Steven Ray Milby	Dayton, Ohio	Joseph Anthony Sawyer.
Baron Lewis Miller	San Francisco, Calif.	David Peter Weaver, Jr.
Richard N. Molchan	Peoria, Ill.	William J. Voelker, Jr.
Robert Allen Moore	Odessa, Tex.	Jack N. Price.
Eric H. Moss	New York, N.Y.	Taylor Rastrick Briggs.
Ann Mostoller	Oak Ridge, Tenn.	Dean Hill Rivkin.
E. Dennis Muchnicki	Columbus, Ohio	William J. Brown.
Robert Lawrence Mukai	Loomis, Calif.	Talmadge Richard Jones.
Henry Dillon Murchison II	Alexandria, La.	John L. Pitts.
James Paul Murphy	Bradenton, Fla.	John C. Manson.
Gordon Cumming Murray	Baltimore, Md.	Patrick A. O'Doherty.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Murray Nannes	Washington, D.C.	John C. Fricano.
Patrick J. Nash	Kansas City, Mo.	John C. Danforth.
Vickie Lois Neemeyer	Los Angeles, Calif.	Christian E. Markey, Jr.
Anita Liotta Neff	Brick Town, N.J.	Peter J. Giovine.
H. Alton Neff	Brick Town, N.J.	Peter J. Giovine.
Eduardo Negron-Rodriguez	San Juan, P.R.	Salvadore E. Casellas.
Eric Robert Neisser	New York, N.Y.	William E. Hellerstein.
Bruce A. North	New Orleans, La.	Lawrence J. Molony.
Randell Hunt Norton	Washington, D.C.	James C. Gregg.
Chester W. Nosal	Chicago, Ill.	George B. Christensen.
Kevin E. O'Neill	Milwaukee, Wis.	William H. Coffey.
Timothy Allen Oliver	Lebanon, Ohio	Judge William Wesley Young.
Clifford Bruce Olson	Hallowell, Maine	Joseph E. Brennan.
Engene Ostrowe	Southfield, Mich.	E. Donald Goodman.
William Councilman Owens, Jr.	Houston, Tex.	Russell E. Brooks.
Rein Paabo	Washington, D.C.	Earl H. Stockdale, Jr.
Patrick A. Parenteau	Arlington, Va.	Oliver Austin Houck.
Archie William Parnell, Jr.	Washington, D.C.	Daniel Patrick Mullarkey.
James R. Paxton	Palestine, Tex.	Wright Matthews.
Lynn M. Pearlstein	Phoenix, Ariz.	Joseph Erlichman.
Robert Edward Pearson	Tustin, Calif.	Cal. H. Coleman.
Alan Gail Perkins	Davis, Calif.	William Adolph Gould, Jr.
Robert Bryon Perry	Washington, D.C.	Stuart Evan Seigal.
Michael Carnahan Phillips	Los Angeles, Calif.	Kenneth Edgar Lewis.
Ronald A. Phillips	Old Tappan, N.J.	Sanford S. Dranoff.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Lawrence Pinnix	Raleigh, N.C.	L. Richardson Preyer.
William Amis Pipkin Richard L. Powell	Moore, Okla. Augusta, Ga.	Kenneth P. Craig. Judge Oliver K. Mixon.
Ralph Wilson Powers, Jr.	Upper Marlboro, Md.	Joseph S. Casula.
George Proctor Herbert Louis Raiche	Augusta, Ark. Baton Rouge, La.	John D. Eldridge. William Hunter Gammon.
Harry F. Randow	Alexandria, La.	David Peter Smith.
Robert Lee Ratliff III	Cape Coral, Fla.	Richard Gary Rumrell.
Jimmy Dean Reeves	West Jefferson, N.C.	Wade Eugene Vannoy, Jr.
Weldon Ray Reeves	Sacramento, Calif.	J. B. Tietz.
Robert Roosevelt Reilly, Jr. Paul D. Renner Thomas M. Rhoads	Raleigh, N.C. Denver, Colo. Madisonville, Ky.	James F. Bullock. Walter A. Steele. Richard L. Frymire.
F. Kelleher Riess	New Orleans, La.	Lawrence J. Molony.
Edward P. Riley Richard W. Riley Edward P. Riley, Jr. Le Roy W. Robinson, Jr.	Greenville, S.C. Greenville, S.C. Greenville, S.C. Gainesville, Ga.	J. D. Todd, Jr. J. D. Todd, Jr. J. D. Todd, Jr. Wm. Hammond Johnson, Jr.
Nicholas H. Rodriguez	Dover, Del.	Harold C. Schmittinger.
Carl William Rose Alan Michael Rosenfeld	Miami, Fla. New York, N.Y.	Marvin S. Davis. Bernard A. Kesselman.
Scott Hendricks Rupert	Akron, Ohio	Nicholas Theodore George.
John A. Rupp	Richmond, Va.	Stuart Hamilton Dunn.
John Michael Ryan	Chicago, Ill.	Paul Sullivan Dunn.
Roman Saliwanchik Kendall Thaine Sanford	Richland, Mich. Denver, Colo.	Dean S. Lewis. John S. Walker, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Martin Johnston Saunders	Pittsburgh, Pa.	Charles Richard Volk.
Stephen Jay Schaeffer	Jersey City, N.J.	Gerald D. Miller.
Daniel M. Schember	Washington, D.C.	Richard Samuel Kohn.
Michael S. Schenker	Simsbury, Conn.	Robert B. Hempstead.
Dale William Schiming	Columbus, Ohio	James Douglas Booker.
William Edward Schkeeper	Livingston, N.J.	Myron W. Kronisch.
Warren C. Schrempp	Omaha, Nebr.	John J. Hanley.
Gary Michael Schweickart	Columbus, Ohio	James Kura.
Irene Feagin Scott	Montgomery, Ala.	Judge Norman O. Tietjens.
Lawrence Litrico Scott	Tampa, Fla.	William Benjamin Plowman.
Philip C. Segal	New York, N.Y.	William Kinsman Broudy.
Michael Benson Serling	Southfield, Mich.	E. Donald Goodman.
Richard Henry Sforzini, Jr.	Montgomery, Ala.	James Jerry Wood.
Stanley Charles Shapiro	Southfield, Mich.	E. Donald Goodman.
Donald Cahill Shine	Chicago, Ill.	Judge William J. Bauer.
Sam B. Sibley, Jr.	Augusta, Ga.	Howard P. Jolles.
Barry James Siegel.	Miami, Fla.	Leonard W. Lewis.
Thomas J. Skane, Jr.	Santa Ana, Calif.	Noel G. Conway.
Norman H. Smedegaard	Tustin, Calif.	Paul J. Cooksey.
Jack Frederick Smith	Denver, Colo.	Judge William Hurt Erickson.
Stephen Mark Smith	Hampton, Va.	Henry Rothblatt.
Richard George Smoley	Chicago, Ill.	Richard A. Makarski.
Roland N. Smoot	Los Angeles, Calif.	James W. Geriak.
George B. Snelling, Jr.	North Augusta, S.C.	Judge Oliver K. Mixon.
Maxwell David Solet	Newton, Mass.	Chester M. Howe.
Richard A. Sonntag	Jersey City, N.J.	Edmond M. Kirby.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Franklin Southworth, Jr.	Memphis, Tenn.	Jack Edward Seaman.
Madison Sowder	Idalou, Tex.	Ralph Brock.
Robert Y. Sperling	Chicago, Ill.	Donald E. Egan.
James Ernest Spiotto	Chicago, Ill.	John B. Huck.
Clifford Charles Spohn	Marion, Ohio	Eugene Allen Yazel.
Eugene E. Stearns	Miami, Fla.	Bruce Wayne Greer.
David Tillman Stitt	Washington, D.C.	William Davies Pease.
Dorothy Bonnell Stulberg	Oak Ridge, Tenn.	Dean Hill Rivkin.
Donald James Sullivan	San Francisco, Calif.	John F. Donovan.
Edna Rubin Sussman	New York, N.Y.	Macdonald Flinn.
Robert Jon Sussman	Houston, Tex.	William Adam Duerk III.
Donald Harry Taube	Marion, Ohio	Eugene Allen Yazel.
Stephen L. Taylor	Sikeston, Mo.	George Weber Gilmore, Sr.
Stephen W. Terry, Jr.	Indianapolis, Ind.	Karl J. Stipher.
Raymond Toufic Theep	San Diego, Calif.	James Brian Mehalick.
Robert Ellsworth Thomas III	Orange, Calif.	Oretta D. Sears.
John H. Thomas, Jr.	Walden, N.Y.	Gerald N. Jacobowitz.
Patricia Belle Tucker	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
William Robert Tunkey	Miami, Fla.	N. Joseph Durant, Jr.
Karl Otto Tuschka	Los Angeles, Calif.	James Peter Watson.
Dale R. Ulin	Seattle, Wash.	Robert H. Whaley.
Stephen L. Urbanczyk	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
William Van Hagey	Chicago, Ill.	James E. Hastings.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Eugene Jamms Vierra	Los Banos, Calif.	Robert M. Falasco.
Joaquin Villarreal III	Robstown, Tex.	Daniel V. Alfaro.
Melville Graham Merlin Walwyn	Harrisburg, Pa.	Thomas Edward Munce, Jr.
James Steven Ward	Montgomery, Ala.	William Joseph Baxley.
David Warren	Newport Beach, Calif.	Donald N. Belveal.
Robert Van Patten Waterman	Davenport, Iowa	Charles E. Miller.
Garth A. Webster.	Miami, Fla.	Thomas Havens Wakefield.
Edward F. Wegmann	New Orleans, La.	Leonard B. Levy.
Jeffrey Stuart Weiner	Miami, Fla.	N. Joseph Durant, Jr.
Richard I. Wernet	West Palm Beach, Fla.	James T. Carlisle.
Neil N. Werb	Los Angeles, Calif.	Kenneth Charles Crawford.
Robert Ellis Wilson	Marion, Ohio	Eugene Allen Yazel.
William Russell Winship, Jr.	San Diego, Calif.	Melvin Roger Segal.
Michael Kendall Wyatt	Arlington, Va.	Thaddeus Goode Holt, Jr.
Hubert E. Yarborough III	Greenville, S.C.	J. D. Todd, Jr.
William F. York	Boston, Mass.	Terence P. O'Malley.
Richard Lawrence Zweig	Indianapolis, Ind.	William E. Marsh.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Alan Sugarman	Miami, Fla.	Joseph Herbert Kaplan.
Howard S. Susskind	Miami, Fla.	Joseph Herbert Kaplan.
Gerald Arthur Rosenthal	West Palm Beach, Fla.	Joseph Herbert Kaplan.
Mark Lawrence Zientz	Miami, Fla.	Joseph Herbert Kaplan.

## ORAL ARGUMENT

No. 76-5729. Mark David Oliphant, petitioner, *v.* The Suquamish Indian Tribe et al.; Daniel B. Belgarde, petitioner, *v.* The Suquamish Indian Tribe et al. One and one half hours allowed for oral argument. Argued by Mr. Philip P. Malone for the petitioners, by Mr. Slade Gorton for the State of Washington, as *amicus curiae*, by special leave of Court, by Mr. Barry D. Ernstoff for the respondents, and by Mr. H. Bartow Farr, III, for the United States, as *amicus curiae*, by special leave of Court.

No. 76-1143. Ray Marshall, Secretary of Labor, et al., appellants, *v.* Barlow's, Inc. Argued by Mr. Solicitor General Wade H. McCree, Jr. for the appellants and by Mr. John L. Runft for the appellee.

No. 75-1892. United States, petitioner, *v.* Jeffrey R. MacDonald. Argued by Mr. Kenneth S. Geller for the petitioner and by Mr. Bernard L. Segal for the respondent.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John F. Sherlock III	Pawtucket, R.I.	Arthur John Keefe.
John P. Sumner	Minneapolis, Minn.	Roger W. Jensen.
Gary J. Haugen	Minneapolis, Minn.	Lloyd L. Duxbury, Jr.
Thomas Campbell Smith	Annapolis, Md.	Joseph Edward Owens.
Ronald Morgan Smith	Oklahoma City, Okla.	John Frederick Lymburner.
Stephen Schaaf Phillips	Clarence, Iowa	John Frederick Lymburner.

### OPINIONS

No. **76-911**. Adamo Wrecking Co., petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rehnquist. Concurring opinion by Mr. Justice Powell. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Brennan and Mr. Justice Blackmun join. Dissenting opinion by Mr. Justice Stevens.

No. **76-5325**. Ben Earl Browder, petitioner, *v.* Director, Department of Corrections of Illinois. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Powell. Concurring opinion by Mr. Justice Blackmun with whom Mr. Justice Rehnquist joins.

No. **76-6372**. Leon Webster Quilloin, appellant, *v.* Ardell Williams Walcott et al. Appeal from the Supreme Court of Georgia. Judgment affirmed. Opinion by Mr. Justice Marshall.

## ORAL ARGUMENT

No. 76-1608. Michigan, petitioner, *v.* Loren Tyler and Robert Tompkins. Argued by Mr. Jeffrey Butler for the petitioner, *pro hac vice*, by special leave of Court and by Mr. Jesse R. Bacalis for the respondents.

No. 76-1750. Harold D. Stump et al., petitioners, *v.* Linda Kay Sparkman and Leo Sparkman. Argued by Mr. George E. Fruechtenicht for the petitioners and by Mr. Richard H. Finley for the respondents.

No. 76-1184. E. I. Malone, Commissioner of Labor and Industry for Minnesota, appellant, *v.* White Motor Corporation and White Farm Equipment Company. Argued by Mr. Richard B. Allyn for the appellant, by Mr. Allan A. Ryan, Jr. for the United States, as *amicus curiae*, by special leave of Court, and by Mr. Frank C. Heath for the appellees.

No. 76-1726. Mobil Oil Corporation, petitioner, *v.* Frances Nell Higginbotham, Administratrix of the Estate of Marshall K. Higginbotham, et al. Argument commenced by Mr. Carl J. Schumacher, Jr. for the petitioner and continued by Mr. Jack C. Benjamin for the respondents.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

---

Present: Mr. Chief Justice Burger, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Ralph Taylor	Washington, D.C.	Richard Bevins Kale, Jr.
Abraham G. Schwartz	Silver Spring, Md.	Penrose Lucas Albright.
Joseph Bruno Pritti	Washington, D.C.	Jack H. Olender.

### OPINION

No. 76-749. Pfizer, Inc., et al., petitioners, *v.* Government of India et al. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment affirmed. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Chief Justice Burger with whom Mr. Justice Powell and Mr. Justice Rehnquist join. Dissenting opinion by Mr. Justice Powell. Mr. Justice Blackmun took no part in the consideration or decision of this case.

### ORAL ARGUMENT

No. 76-1726. Mobil Oil Corporation, petitioner, *v.* Frances Nell Higginbotham, Administratrix of the Estate of Marshall K. Higginbotham, et al. Argument concluded by Mr. Jack C. Benjamin for the respondents.

No. 76-1450. Landmark Communications, Inc., appellant, *v.* Virginia. Argued by Mr. Floyd Abrams for the appellant and by Mr. James E. Kulp for the appellee.

No. 76-1629. United States, petitioner, *v.* Anthony Robert Wheeler. Argued by Mr. Stephen L. Urbanczyk for the petitioner and by Mr. Thomas W. O'Toole for the respondent.

No. 77-142. United States, petitioner, *v.* Donald Lavern Culbert. Argued by Mrs. Sara S. Beale for the petitioner and by Mr. James F. Hewitt for the respondent.

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Adjourned until Monday, January 16, 1978, at 10 o'clock.



## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## OPINION PER CURIAM

No. 76-6799. Gary David Smith, petitioner, *v.* James F. Digmon, Warden, et al. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Order of Court of Appeals and judgment of the District Court reversed, and case remanded to the United States District Court for the Northern District of Alabama for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Concurring opinion by Mr. Justice Rehnquist with whom the Chief Justice and Mr. Justice Blackmun join.

## APPEALS—SUMMARY DISPOSITION

No. 77-422. National Education Association et al., appellants, *v.* South Carolina et al.; and

No. 77-543. United States, appellant, *v.* South Carolina et al. Appeals from the United States District Court for the District of South Carolina. Judgment affirmed. Dissenting opinion by Mr. Justice White with whom Mr. Justice Brennan joins. Mr. Justice Marshall and Mr. Justice Blackmun took no part in the consideration or decision of these appeals.

No. 77-450. Larry Pressler, Member, United States House of Representatives, appellant, *v.* W. M. Blumenthal, Secretary of the Treasury, et al. Appeal from the United States District Court for the District of Columbia. Motion of James M. Jeffords et al. for leave to file a brief, as *amici curiae*, granted. Judgment affirmed. Concurring opinion by Mr. Justice Rehnquist.

No. 77-524. Fred G. Moritt, appellant, *v.* Governor of the State of New York et al. Appeal from the Court of Appeals of New York. The appeal is dismissed for want of a substantial federal question.

No. 77-574. In the Matter of John Joseph Murray, appellant. Appeal from the Supreme Court of Indiana. The appeal is dismissed for want of a substantial federal question.

No. 77-582. Chase Brass and Copper Co., Incorporated, appellant, *v.* Franchise Tax Board of the State of California. Appeal from the Court of Appeal of California, First Appellate District. The appeal is dismissed for want of a substantial federal question.

No. 77-749. A. P. F., appellant, *v.* C. M. C., a minor by Martin Conway, her guardian ad litem, et al. Appeal from the Supreme Court of Minnesota. The appeal is dismissed for want of a substantial federal question.

No. 77-5740. In the Matter of James Del Rio, Judge, Recorder's Court, City of Detroit. Appeal from the Supreme Court of Michigan. The appeal is dismissed for want of a substantial federal question.

#### CERTIORARI—SUMMARY DISPOSITION

No. 76-653. Allied-General Nuclear Services et al., petitioners, *v.* Natural Resources Defense Council, Inc., et al.;

No. 76-762. Commonwealth Edison Company et al., petitioners, *v.* Natural Resources Defense Council, Inc., et al.;

No. 76-769. Westinghouse Electric Corporation, petitioner, *v.* Natural Resources Defense Council, Inc., et al.; and

No. 76-774. Baltimore Gas and Electric Company et al., petitioners, *v.* Natural Resources Defense Council, Inc., et al. On writs of certiorari to the United States Court of Appeals for the Second Circuit. Judgment vacated and cases remanded to the Court of Appeals to consider the question of mootness. Mr. Justice Stewart and Mr. Justice Powell took no part in the consideration or decision of these cases.

No. 77-459. J. Norton Haas, Jr., petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of the position presently asserted by the Solicitor General in his memorandum filed December 22, 1977.

No. 77-508. GTE Sylvania, Incorporated, et al., petitioners, *v.* Consumers Union of the United States, Inc., et al. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Petition for writ of certiorari granted. Judgment



vacated and case remanded to the Court of Appeals for further consideration in light of the permanent injunction entered by the United States District Court for the District of Delaware on December 8, 1977, in Civil Action No. 75-104.

No. **77-631**. Douglas M. Costle, Administrator, Environmental Protection Agency, et al., petitioners, *v.* Republic Steel Corporation et al. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of Public Law 95-217.

#### ORDERS IN PENDING CASES

No. **54, Original**. United States of America, plaintiff, *v.* States of Florida and Texas. Upon consideration of the Report of the Special Master and the joint motion to dismiss, it is ordered that this case is dismissed.

No. **75, Original**. State of Idaho et al., plaintiffs, *v.* Cyrus R. Vance et al. Motion of plaintiff to strike brief in opposition or in the alternative for an allowance of time to respond denied. Motion for leave to file bill of complaint denied.

No. **75-1690**. James Parham, individually and as Commissioner of Department of Human Resources, et al., appellants, *v.* J. L. and J. R., minors, etc.; and

No. **76-1193**. United States, petitioner, *v.* Estelle Jacobs, aka "Mrs. Kramer." These cases restored to the calendar for reargument.

No. **76-1484**. James Zurcher, etc., et al., petitioners, *v.* The Stanford Daily et al.; and

No. **76-1600**. Louis P. Bergna, District Attorney, and Craig Brown, petitioners, *v.* The Stanford Daily et al. Motion of Reporters Committee for Freedom of the Press et al. for leave to participate in oral argument, as *amici curiae*, denied. Motion of respondents to continue oral argument denied.

No. **76-1560**. United States, petitioner, *v.* United States Gypsum Company, et al. Motion of respondents for additional time for oral argument granted and ten additional minutes allotted for that purpose. United States allotted ten additional minutes for oral argument. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. 76-1596. United States, petitioner, *v.* John Mauro and John Fusco; and

No. 77-52. United States, petitioner, *v.* Richard Thompson Ford. Motion of Solicitor General to consolidate these cases for oral argument denied.

No. 76-6767. Frank R. Scott, etc. and Bernis L. Thurmon, etc., petitioners, *v.* United States. Motion of Chloe V. Daviagne for leave to participate in oral argument, as *amicus curiae*, denied. Motion of petitioners for divided argument denied.

No. 77-117. National Broiler Marketing Association, petitioner, *v.* United States. Motion of American Farm Bureau Federation for leave to file a brief, as *amicus curiae*, granted.

No. 77-285. California et al., petitioners, *v.* United States. Motion of petitioners for additional time for oral argument granted and fifteen additional minutes allotted for that purpose. United States allotted fifteen additional minutes for oral argument.

No. 77-689. Indiana & Michigan Electric Company, petitioner, *v.* City of Mishawaka, Indiana, et al. Solicitor General invited to file a brief in this case expressing the views of the United States.

#### APPEALS—JURISDICTION POSTPONED

No. 77-575. Smith John and Harry Smith John, appellants, *v.* Mississippi. Appeal from the Supreme Court of Mississippi. Motion of Mississippi Band of Choctaw Indians for leave to file a brief, as *amicus curiae*, granted. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits; and

No. 77-836. United States, petitioner, *v.* Smith John and Harry Smith John. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted. Cases consolidated and a total of one hour allotted for oral argument.

#### CERTIORARI GRANTED

No. 77-152. Beth Israel Hospital, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit granted.

No. 77-642. Lutrelle F. Parker, Acting Commissioner of Patents and Trademarks, petitioner, *v.* Dale R. Flook. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals granted.

#### CERTIORARI DENIED

No. 76-1464. The University of Chicago and Argonne, petitioners, *v.* Louis Allen McDaniel, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-246. Ernest Turley, petitioner, *v.* Donald Wyrick, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-483. Edward Saffron, petitioner, *v.* Department of the Navy et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-521. General Motors Corporation, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-581. R. H. Macy & Co., Inc., et al., petitioners, *v.* United States District Court for the Eastern District of Michigan (Micro-electronic Systems Corporation of America, Real Party in Interest). Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-587. Jeanne Harr and L. J. Harr, etc., petitioners, *v.* Prudential Federal Savings and Loan Association; L. J. Harr et al., petitioners, *v.* Federal Home Loan Bank Board. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-599. Parkhill-Goodloe Co., Inc., et al., petitioners, *v.* Rudolph McIntosh et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-613. Richard Cleveland Nolan, petitioner, *v.* National Transportation Safety Board. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-639. City of Hartford, Miriam Jordan, and Fannie Mauldin, petitioners, *v.* Towns of Glastonbury, West Hartford, and East Hartford. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-660. Hugh Otis Bynum, Jr., petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 77-664. Lorn Leroy Hinish, petitioner, *v.* Hilda R. Hinish Somers. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 77-670. Stockham Valves and Fittings, Inc., petitioner, *v.* Patrick James et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-675. John E. Ring, petitioner, *v.* John A. Waddington, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-678. Atlantic Shipping, Inc., etc., petitioner, *v.* Stephen Edynak et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-698. Richard Van Cura, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 77-699. Archie Dale Carson, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 77-701. Alexander T. Arthurs, petitioner, *v.* Chris O. Stern, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-705. Browning-Ferris Industries, Inc., petitioner, *v.* Tiger Trash, a division of Joe W. Morgan, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-706. Clarence H. Bennett et al., petitioners, *v.* Gilbert Kiggins et al. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-709. David P. Weinberger, petitioner, *v.* Equifax, Inc., etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-712. John I. Marvin, petitioner, *v.* Central Gulf Lines, Inc., etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-717. Charles Gross, petitioner, *v.* Newburger, Loeb & Co., et al.; and

No. 77-727. Finley, Kumble, Wagner, Heine, Underberg & Grutman, etc., petitioners, *v.* Charles Gross et al. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-738. Richard J. Stull, petitioner, *v.* Nicholas H. Bayard et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-739. Peter Barry Gurtenstein, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 77-741. Mizokami Bros. of Arizona, Inc., petitioner, *v.* Baychem Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-745. Owens-Illinois, Inc., petitioner, *v.* John Schultz et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-748. Burlington Northern, Inc., petitioner, *v.* Helen Torchia, etc. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 77-750. James P. D'Angelo, etc., petitioner, *v.* Petroleos Mexicanos, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-766. Samuel G. Albert, petitioner, *v.* First National Bank and Trust Company of Marquette, Michigan, etc. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 77-767. International Brotherhood of Electrical Workers, AFL-CIO, etc., petitioner, *v.* Westinghouse Electric Corporation, Aerospace Division. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-817. Donald L. Brisendine and John Bass, petitioners, *v.* National Movie-Dine, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-820. Alexander Benjamin Chases, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-821. Alexander Benjamin Chases, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-825. Stanley V. Tucker, petitioner, *v.* Hartford National Bank and Trust Company. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 77-840. Robert Nieves, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-876. Albert Samuel Wright, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5214. Mauricio Perez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5312. George Leon Sweetwine, petitioner, *v.* Warden, Maryland State Penitentiary. Petition for writ of certiorari to the Baltimore City Court, Maryland denied.

No. 77-5389. Collin Fearon, Jr., petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 77-5406. Charles Adams, petitioner, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 77-5431. Melvin Leroy Tyler, petitioner, *v.* Leslie Dyer, Clerk, Circuit Court of Platte County. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5447. Robert Edward Lipscomb, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5452. Orlando Diaz, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5461. Stanley A. Partyka, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5468. Terry Lee Douglas, petitioner, *v.* Warden, Petersburg Federal Reformatory, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5469. Michael A. Blackwell, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-5555. James Leroy Breeden, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 77-5563. Frank J. Sasiadek, petitioner, *v.* United States Veterans Administration Board of Veterans Appeals et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-5571. Grandville Tennent, petitioner, *v.* Roger Aucoin, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5577. Joseph Anthony Roden, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 77-5591. James E. McCracken, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5626. Ted Dudek, aka Ted Landers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.



No. 77-5658. James Henry Rollins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5663. Wilbert Denarvel Lyday, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5698. Melvin Gale, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-5738. Arthur J. Nathaniel, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5741. Arthur Richard Gates, petitioner, *v.* Robert J. Henderson, Superintendent, Auburn Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5743. Johnnie L. Blake, petitioner, *v.* Vinson Thompson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5749. Samuel L. Gladney, petitioner, *v.* Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 77-5753. Juan Anthony Greer, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 77-5756. Robert M. Layne, petitioner, *v.* Frank O. Gunter. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-5758. Howard W. Joplin, petitioner, *v.* Otis Garrett. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5759. John Richard Stegmann, petitioner, *v.* Samuel Garrison. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5761. Aaron Holsey, petitioner, *v.* Allen D. Greif et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5764. Bobby Edward Ash, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of cer-

tiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5766. John R. Degler, petitioner, *v.* James Mabry, Commissioner, Arkansas Department of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5767. Benjamin Santana, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 77-5770. Siegfried Golston, petitioner, *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 77-5773. Curtis L. Mann, Trustee in Bankruptcy of William Henry Blakely, petitioner, *v.* Chrysler Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5779. Michael Charles Jones, petitioner, *v.* Thomas Israel. Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5783. Leveston Kincade, petitioner, *v.* Joe S. Hopper. Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5793. Napier Talton, petitioner, *v.* Carl Robinson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5794. James Fivecoat, petitioner, *v.* Louie L. Wainwright, Secretary, Florida Department of Offender Rehabilitation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5802. Robert L. Tinder, petitioner, *v.* Massachusetts. Petition for writ of certiorari to the Municipal Court of West Roxbury District, Massachusetts, denied.

No. 77-5829. George Salazar, petitioner, *v.* Colorado. Petition for writ of certiorari to the Court of Appeals of Colorado denied.

No. 77-5833. Naftali N. Vilensky, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5851. Glen Thomas Beverly, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.



No. 77-5853. Alfredo Sanchez-Huerta, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5860. Frank Sacco, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5896. Donald McKay Crane, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5899. Joseph P. Sedule, petitioner, *v.* Capital School District et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-189. Peter Reid Watson, petitioner, *v.* United States; and

No. 77-219. Arnold Dee Plumlee, Sr., petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Brennan and Mr. Justice Stewart would grant certiorari.

No. 77-420. United States Independent Telephone Association, petitioner, *v.* MCI Telecommunications Corporation et al.;

No. 77-421. American Telephone and Telegraph Company, petitioner, *v.* MCI Telecommunications Corporation et al.;

No. 77-436. Federal Communications Commission, petitioner, *v.* MCI Telecommunications Corporation, et al. Motion of the National Association of Regulatory Utility Commissioners for leave to file a brief, in No. 77-436, as *amicus curiae*, granted. Motion of Tennessee Public Service Commission for leave to file a brief, in No. 77-436, as *amicus curiae*, granted. Motion of State Public Service Commissions of the District of Columbia, et al. for leave to file a brief, in No. 77-436, as *amici curiae*, granted. Motion of State of Michigan and Michigan Public Service Commission for leave to file a brief, as *amici curiae*, granted. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Stewart and Mr. Justice Powell would grant certiorari.

No. 77-512. Robert Morford, Acting Warden, Tennessee State Penitentiary, petitioner, *v.* Otis Elliott. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-694. International Business Machines Corporation, petitioner, *v.* Greyhound Computer Corporation, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-707. Roger Barthuli, petitioner, *v.* Board of Trustees of Jefferson Elementary School District. Petition for writ of certiorari to the Supreme Court of California denied. Mr. Justice Stewart would grant certiorari.

No. 77-5657. Billie Joe Battie, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Mr. Justice Brennan and Mr. Justice Marshall, dissenting: Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentence in this case.

#### LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 77-5710. Jack Speights, petitioner, *v.* Carl O. Bue, Jr., United States District Court Judge, Southern District of Texas. Motion for leave to file petition for writ of mandamus and/or prohibition denied.

#### REHEARINGS DENIED

No. 77-201. Mark Brian Price, petitioner, *v.* Peter J. Pitchess, Sheriff of Los Angeles County, California;

No. 77-496. William Lee Cargile and Thomas Frank Morgan, petitioners, *v.* Michigan;

No. 77-566. James Houston Howie, petitioner, *v.* United States Rubber Co., Inc., et al.;

No. 77-590. Annie Mary Timmons, petitioner, *v.* John B. McGrath;

No. 77-5286. John Edward Morris, petitioner, *v.* United States;

No. 77-5357. Alex J. Bottos, Jr., petitioner, *v.* Charles M. Avakian et al.;

No. 77-5381. Andrew Lee White, petitioner, *v.* United States;

No. 77-5439. Jack Carlton House, petitioner, *v.* Leroy Stynchcombe et al.;

No. 77-5458. Leroy Gibson, petitioner, *v.* United States;

No. 77-5467. Jessie L. Townes, petitioner, *v.* United States;

No. 77-5482. Timothy W. McCorquodale, petitioner, *v.* Leroy Stynchcombe et al.;

No. 77-5512. Dwight E. Murphy, petitioner, *v.* Harold R. Fatzer, Chief Justice of the Supreme Court of Kansas, et al.;

No. 77-5552. William Robinson, petitioner, *v.* Indiana;

No. 77-5564. Richard Allen Poston, petitioner, *v.* South Carolina;

No. 77-5565. Marian E. Galbraith, petitioner, *v.* City of Columbus, Ohio; and

No. 77-5614. Jack E. Fairchild, petitioner, *v.* Municipal Court of California, Imperial County, Imperial Judicial District. Petitions for rehearing denied.

No. 76-678. Shell Oil Company, petitioner, *v.* Anne M. Dartt. Petition for rehearing denied. Mr. Justice Stewart took no part in the consideration or decision of this petition.

No. 76-6913. William R. Kinsley, petitioner, *v.* Robert E. Brent, etc., et al. Motion for leave to file petition for rehearing denied.

No. 77-571. Shearn Moody, Jr., petitioner, *v.* Texas. Motion for consolidation and petition for rehearing denied.

## RECESS ORDER

The Court will take a recess from Monday, January 23, 1978, until Tuesday, February 21, 1978.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David Kenny Anderson	Radnor, Pa.	Robert D. Klages.
Donald Stuart Baillie	Cheshire, Conn.	Anthony J. Fazzone.
Axel Helmuth Baum	New York, N.Y.	Philip Allen Lacovara.
Larry L. Bean	Dallas, Tex.	Samuel G. Winstead, Jr.
Donald Lee Becker	Boston, Mass.	Ralph E. Becker.
Armando T. Belly	New York, N.Y.	Louis A. Craco.
Benjamin Thomas Benedum	Norman, Okla.	Fielding Dale Haas.
Kennith William Blan, Jr.	Danville, Ill.	John P. Meyer.
James Richard Bodnar	Medford Lakes, N.J.	Jan M. Schlesinger.
Clarence Emile Bourassa	Pittsburg, N.H.	Walter Laughn Lewis.
C. E. Bourg II	Morgan City, La.	Robert Stuart Robertson.
Richard G. Bright	Philadelphia, Pa.	Richard A. Francis Jr.
Stanley R. Bright	Springfield, N.J.	Sanford Jay Becker.
Benjamin Frank Bucceri, Jr.	Loomis, Calif.	Donald Jay Licker.
Richard F. Buckley	Longmeadow, Mass.	John R. Auchter.
Robert Bruce Burdette	Alexandria, Va.	Joseph E. Ross.
M. Edward Burns, Jr.	Denver, Colo.	Maurice Reuler.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jack William Burtch, Jr.	Richmond, Va.	Paul Michael Thompson.
Paul M. Cadra	Huntington, Beach, Calif.	John Ohanian.
Robert H. Clark	Los Angeles, Calif.	Stanley C. Lagerlof.
Donald F. Copeland	Philadelphia, Pa.	Joseph N. Bongiovanni, Jr.
Vincent A. Cunningham	New York, N.Y.	William F. O'Connor.
Patrick R. Darby	Houston, Tex.	David L. Zuber.
Charles B. Draper	Buffalo, N.Y.	Richard B. Dopkins.
Nora Kathryn Duncan	Baton Rouge, La.	Booth Kellough.
John C. Esposito	Albany, N.Y.	Carl Gordon Dworkin.
Richard Duane Faus	Sutherlin, Oreg.	Ross R. Runkel.
Daniel Henry Felton III	Marianna, Ariz.	Dan Dane.
William Berndt Finkelstein	Dallas, Tex.	Judge Joe R. Greenhill.
Michael Allan Floyd	Washington, D.C.	Thomas Hale Boggs, Jr.
Antonio Gnocchi Franco	San Juan, P.R.	Juan Enrique Geigel.
Gordon V. Frederick	Sanford, Fla.	Mack N. Cleveland, Jr.
William C. Fundenberg, Jr.	Newport Beach, Calif.	William B. Haughton.
Carol L. Gerstl	Denver, Colo.	Lee J. Belstock.
Nunzio Giambalvo	Chicago, Ill.	James William Collins.
Michael A. Glass	New York, N.Y.	John J. McCloy.
Daniel L. Goldberg	Boston, Mass.	E. Susan Garsh.
Gary Kenneth Green	San Diego, Calif.	Leif Francis Tessem.
Kenneth Lloyd Greenman, Jr.	San Diego, Calif.	Leif Francis Tessem.
Howell Jackson Gregory	Columbia, S.C.	L. Henry McKellar.
Guy Newell Harrison	Longview, Tex.	Philip Louis Burleson.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Peter Scott Hendrixson	Minneapolis, Minn.	Curtis Lloyd Roy.
Arthur M. Hoffeins	Detroit, Mich.	Ellis Robert Whinham, Jr.
Winfrey D. Houston	Stillwater, Okla.	Clee Fitzgerald.
Frederick G. Huggins	Louisville, Ky.	Robert K. Salyers, Jr.
Jack I. Hyatt	Baltimore, Md.	Morgan Louis Amaimo.
Christopher A. Iannella	Boston, Mass.	Edward A. Crane.
N. Richard Janis	Washington, D.C.	Soilcitor General Wade H. McCree, Jr.
William S. Jonassen	Indian Rocks Beach, Fla.	Fletcher Nathaniel Baldwin, Jr.
Glower Whitehead Jones	Atlanta, Ga.	Luther P. House, Jr.
Donald A. Kaplan	Washington, D.C.	Douglas Eurico Rosenthal.
David Rock Kinneer	Fredericksburg, Va.	Eugene Albert Steffen.
James R. Kniffen	Nashville, Tenn.	George Edward Barrett.
George Edward Kroenert, Jr.	Tulsa, Okla.	Mary Constance T. Matthies.
Kenneth A. Kuney	Tulare, Calif.	J. Thomas Crowe.
Grayson P. Lane	Brunswick, Ga.	William Russell Killian.
Arnold Herbert Loewy	Chapel Hill, N.C.	Daniel Hubbard Pollitt.
Frederick Jacob Lotterhos, Jr.	Jackson, Miss.	Walter Richard Bivins.
Thomas Wm. Malone	Albany, Ga.	Jerry W. Brimberry.
Joseph Philip Manck	Annapolis, Md.	William A. Franch.
Dominic Joseph Mastruserio	Cincinnati, Ohio.	Marlene Penny Manes.
Louis Domenic Mattielli	Bayonne, N.J.	William J. Fitzpatrick.
Edward J. McAniff	Los Angeles, Calif.	William T. Coleman, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David L. McComb	New Orleans, La.	John L. Toler.
James Douglas McElvy	Tuscaloosa, Ala.	Ralph Irving Knowles, Jr.
William F. McNagny	Fort Wayne, Ind.	Robert James Parrish.
Neal E. McNeill, Jr.	Tulsa, Okla.	Patrick Malloy.
D. G. Menchetti	Incline Village, Nev.	Robert Frank List.
Donald A. Muncy	Dallas, Tex.	Thomas L. Fiedler.
Brian Michael Murtagh	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Alexander Roderick O'Neill	Long Valley, N.J.	Arthur R. Scott, Jr.
Phillip Lewis Paley	Piscataway, N.J.	Daniel Lewis Golden.
Mark Thomas Petty	Arcola, Ill.	Felix Lasceller Callis.
John Alfred Picard	Saginaw, Mich.	Carl W. Doozan.
Barnard M. Portman	Savannah, Ga.	Edward T. Brennan.
Raymundo Campos Quiroz	Los Angeles, Calif.	Jerry Fine.
John A. Ramsey	Houston, Tex.	Roger Layne Brandt.
Alan M. Rauss	Cleveland, Ohio	Gerald Kurland.
Robert Douglass Reber, Jr.	Pottstown, Pa.	Henry T. Crocker.
Bradford Whitman Rich	Philadelphia, Pa.	John Albert Murphy, Jr.
Dana G. Rinehart	Columbus, Ohio	George Curtis Smith.
Jared Ingersoll Roberts	Philadelphia, Pa.	William R. Traub.
Larry E. Robinson	Los Angeles, Calif.	Gerald Wayne Murphy.
William Robert Robison	Springfield, Mass.	Irving D. Labovitz.
Paul Joseph Roshka, Jr.	New Haven, Conn.	Joseph T. Gormley, Jr.
David Richard Schlee	Washington, D.C.	Robert N. Ford.
Norene Ruth Scott	San Buena-ventura, Calif.	William John Stewart.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Randall Wayne Scott	Washington, D.C.	Richard F. Babcock.
Barry F. Selig	Bethesda, Md.	James Laurence Kent.
Barney Joseph Skladany, Jr.	Washington, D.C.	James Charles Hughes.
Girardeau A. Spann	Washington, D.C.	Alan B. Morrison.
Chester J. Straub	New York, N.Y.	Louis A. Craco.
Leslie M. Swanson, Jr.	Eugene, Oreg.	James P. Harrang.
Fred L. Tinsley, Jr.	Dallas, Tex.	James H. Anderson, Jr.
Eugene Dennis Ulterino	Rochester, N.Y.	Ruth Borsuk Rosenberg.
Elliott H. Vernon	Shrewsbury, N.J.	Robert E. Cohen.
Rafael E. Vivero	Los Angeles, Calif.	Jerry Fine.
Daniel Weber	San Diego, Calif.	Joseph Kenneth Davis.
Kenneth Charles Whalen	Pittsburgh, Pa.	John Sebastian Sherry.
Daniel L. Wieneke	Mobile, Ala.	Karl Wiesenburg.
Thomas Newton Williams	Texarkana, Tex.	Francis Stephen Moran, Jr.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Sondra I. Harris	Woodmere, N.Y.	Tracy Ellsworth Mulligan, Jr.
Robert H. Harris	Woodmere, N.Y.	Tracy Ellsworth Mulligan, Jr.
Matthew Jeremiah Green, Jr.	Philadelphia, Pa.	Anthony L. Mondello.
Edwin Michael Epstein	Berkeley, Calif.	Stephen Roger Barnett.

## ORAL ARGUMENT

No. 76-1650. Albert Ohralik, appellant, *v.* Ohio State Bar Association. Argued by Mr. Eugene Gressman for the appellant and by Mr. John R. Welch for the appellee.

No. 77-56. In the Matter of Edna Smith Primus, appellant. Argued by Mr. Ray McClain for the appellant and by Mr. Richard B. Kale, Jr., for the appellee.

No. 76-1471. Federal Communications Commission, petitioner, *v.* National Citizens Committee for Broadcasting et al.;

No. 76-1521. Channel Two Television Company et al., petitioners, *v.* National Citizens Committee for Broadcasting et al.;

No. 76-1595. National Association of Broadcasters, petitioner, *v.* Federal Communications Commission et al.;

No. 76-1604. American Newspaper Publishers Association, petitioner, *v.* National Citizens Committee for Broadcasting et al.;

No. 76-1624. Illinois Broadcasting Company, Inc., et al., petitioners, *v.* National Citizens Committee for Broadcasting et al.; and

No. 76-1685. Post Company et al., petitioners, *v.* National Citizens Committee for Broadcasting et al. One and one half hours allowed for oral argument. Argued by Mr. Erwin N. Griswold for all private petitioners, by Mr. Daniel M. Armstrong III, for the petitioner and respondent, Federal Communications Commission, by Mr. Lawrence G. Wallace for the respondent United States, and by Mr. Charles M. Firestone for the respondent National Citizens Committee for Broadcasting.

No. 76-1706. Department of Revenue of the State of Washington, petitioner, *v.* Association of Washington Stevedoring Companies et al. Argument commenced by Mr. Slade Gorton for the petitioner.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

Applicant	City and State	Movant
Mark Lloyd Lezell	Washington, D.C.	Judge Aubrey E. Robinson, Jr.
Richard Keith Abdalah	San Jose, Calif.	Eugene William Kaster.
Selby V. I. Brown, Jr.	San Jose, Calif.	Eugene William Kaster.
Michael Evan Gold	Ithaca, N.Y.	Robert Maltby Dohrmann.
Barbara H. Dohrmann	Los Angeles, Calif.	Robert Maltby Dohrmann.

### OPINIONS

**No. 76-719.** National Labor Relations Board, petitioner, *v.* Local Union No. 103. International Association of Bridge, Structural and Ornamental Iron Workers, AFL-CIO, et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Blackmun and Mr. Justice Stevens join.

**No. 76-1171.** James Y. Carter, etc., petitioner, *v.* Luther Miller, etc. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment affirmed by an equally divided Court. Opinion *per curiam* announced by Mr. Chief Justice Burger. Mr. Justice Blackmun took no part in the consideration or decision of this case.

### ORAL ARGUMENT

**No. 76-1706.** Department of Revenue of the State of Washington, petitioner, *v.* Association of Washington Stevedoring Companies et al. Argued continued by Mr. Slade Gorton for the petitioner and concluded by Mr. John T. Piper for the respondents.

No. 76-6513. Willie Lee Bell, petitioner. *v.* Ohio. Argued by Mr. H. Fred Hoefle for the petitioner and by Mr. Leonard Kirschner for the respondent.

No. 76-6997. Sandra Lockett, petitioner. *v.* Ohio. Argued by Mr. Anthony G. Amsterdam for the petitioner and by Mr. Carl M. Layman, III, for the respondent.

No. 76-1484. James Zurcher, etc., et al., petitioners, *v.* The Stanford Daily et al.; and

No. 76-1600. Louis P. Bergna, District Attorney, and Craig Brown, petitioners, *v.* The Stanford Daily et al. Argued by Mr. W. Eric Collins for the petitioners in No. 76-1600, by Mr. Robert K. Booth, Jr. for the petitioners in No. 76-1484 and by Mr. Jerome B. Falk, Jr. for the respondents.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Cleveland Carr III	Brookline, Mass.	Frank Edward Devine.
Lois C. Hochhauser	New York, N.Y.	Henry Halvor Jones, Sr.

### OPINIONS

No. **76-879**. Thomas E. Zablocki, Milwaukee County Clerk, etc., appellant, *v.* Roger C. Redhail, etc. Appeal from the United States District Court for the Eastern District of Wisconsin. Judgment affirmed. Opinion by Mr. Justice Marshall. Concurring opinion by Mr. Chief Justice Burger. Opinion by Mr. Justice Stewart concurring in the judgment. Opinion by Mr. Justice Powell concurring in the judgment. Opinion by Mr. Justice Stevens concurring in the judgment. Dissenting opinion by Mr. Justice Rehnquist.

No. **76-1334**. Don Bordenkircher, Superintendent, Kentucky State Penitentiary, petitioner, *v.* Paul Lewis Hayes. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Blackmun with whom Mr. Justice Brennan and Mr. Justice Marshall join. Dissenting opinion by Mr. Justice Powell.

### ORAL ARGUMENT

No. **76-1810**. City of Los Angeles, Department of Water and Power, et al., petitioners, *v.* Marie Manhart et al. Argued by Mr. David J. Oliphant for the petitioners and by Mr. Robert M. Dohrmann for the respondents.

No. **77-25**. Flagg Brothers, Inc., etc., et al., petitioners, *v.* Shirley Herriott Brooks et al.;

No. **77-37**. Louis J. Lefkowitz, Attorney General of New York, petitioner, *v.* Shirley Herriott Brooks et al., and

No. 77-42. American Warehousemen's Association, and The International Association of Refrigerated Warehouses, Inc., petitioners, *v.* Shirley Herriott Brooks et al. Argued by Mr. Alvin Altman for the petitioners Flagg Brothers, Inc., etc., et al., by Mr. A. Seth Greenwald for the petitioner Louis J. Lefkowitz and by Mr. Martin A. Schwartz for the respondents.

No. 76-6942. Ensio Ruben Lakeside, petitioner, *v.* Oregon. Argued by Mr. Phillip M. Margolin for the petitioner and by Mr. Thomas H. Denney for the respondent.

No. 76-1767. National Society of Professional Engineers, petitioner, *v.* United States. Argued by Mr. Lee Loevinger for the petitioner and by Mr. Howard E. Shapiro for the respondent.

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Adjourned until Monday, January 23, 1978, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Stevens.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## OPINION PER CURIAM

No. **76-156**. Vendo Company, petitioner, *v.* Lektro-Vend Corporation et al. On motion for clarification of judgment. Motion for clarification of judgment denied without prejudice to the filing of a motion for leave to file petition for mandamus. Opinion *per curiam*.

## APPEALS—SUMMARY DISPOSITION

No. **77-525**. Douglas Spicer, appellant, *v.* Board of Trustees of the University of Alabama, etc., et al. Appeal from the Supreme Court of Alabama. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. **77-658**. ASARCO Incorporated, appellant, *v.* Montana Department of Revenue. Appeal from the Supreme Court of Montana. The appeal is dismissed for want of jurisdiction.

No. **77-725**. George Hunt Peacock, appellant, *v.* North Carolina. Appeal from the Supreme Court of North Carolina. The appeal is dismissed for want of a substantial federal question.

No. **77-757**. William L. Fisher, appellant, *v.* Omaha Indemnity Co. Appeal from the Court of Appeals of Michigan. The appeal is dismissed for want of a substantial federal question.

No. **77-801**. Flora Daun Fowler, appellant, *v.* Maryland State Board of Law Examiners. Appeal from the Court of Appeals of Maryland. The appeal is dismissed for want of a substantial federal question.

## ORDERS IN PENDING CASES

No. **D-68**. In the Matter of Disbarment of Alvin Eugene Honoroff. Disbarment entered.

- No. **D-115**. In the Matter of Disbarment of Oliver J. McCarron. Disbarment entered.
- No. **D-116**. In the Matter of Disbarment of Richard William Butler. Disbarment entered.
- No. **D-118**. In the Matter of Disbarment of Marshall Jack Ruttenberg. Disbarment entered.
- No. **D-119**. In the Matter of Disbarment of Manuel Jerome Sugar. Disbarment entered.
- No. **D-121**. In the Matter of Disbarment of George John Skontos. Disbarment entered.
- No. **76-1621**. John L. McClellan et al., petitioners, *v.* Alan McCurely et ux. Motion to substitute Herbert H. McAdams, III, as Executor of Estate of John L. McClellan, in place of John L. McClellan, deceased, as a party petitioner, granted.
- No. **77-52**. United States, petitioner, *v.* Richard Thompson Ford. Motion of Phylis Skloot Bamberger, Esquire, to permit David J. Gottlieb, Esquire, to present oral argument, *pro hac vice*, granted.
- No. **77-240**. St. Paul Fire & Marine Insurance Company et al., petitioners, *v.* David M. Barry et al. Motion of Blue Shield Association for leave to file a brief, as *amicus curiae*, granted. Motion of American Insurance Association et al. for leave to file a brief, as *amici curiae*, granted. Motion of National Association of Insurance Commissioners for leave to file a brief, as *amicus curiae*, granted.
- No. **77-262**. Duke Power Company, appellant, *v.* Carolina Environmental Study Group, Inc., et al.; and
- No. **77-375**. United States Nuclear Regulatory Commission et al., appellants, *v.* Carolina Environmental Study Group, Inc., et al. Motion of Southeastern Legal Foundation for leave to file a brief, as *amicus curiae*, granted. Motion of Pacific Legal Foundation for leave to file a brief, as *amicus curiae*, granted. Motion of the Solicitor General for additional time for oral argument granted and fifteen additional minutes allotted for that purpose. Appellees allotted fifteen additional minutes for oral argument.
- No. **77-475**. Roger Alstair Williams Fry, petitioner, *v.* United States. Motion to grant petition as sanction for the United States' failure to file a timely brief denied.
- No. **77-643**. United Steelworkers of America, AFL-CIO-CLC, petitioner, *v.* Edward Sadlowski and Ray Marshall, Secretary of Labor; and



No. 77-765. Bruce W. Wadsworth, Administrator, etc., petitioner, *v.* Francis E. Whaland, Commissioner, Department of Insurance, New Hampshire; and

No. 77-772. James M. Dawson, Administrator, etc., petitioner, *v.* Francis E. Whaland, Commissioner, Department of Insurance, New Hampshire. Solicitor General invited to file briefs in these cases expressing views of the United States.

No. 77-878. Warren Dale Keefer, petitioner, *v.* California. Reapplication for stay, presented to Mr. Justice Brennan and by him referred to the Court, denied.

No. 77-5176. Jerome Franks, petitioner, *v.* Delaware. Motion of Solicitor General for leave to participate in oral argument, as *amicus curiae*, denied.

#### APPEAL—JURISDICTION NOTED

No. 77-747. Walter J. Fleck et al., appellants, *v.* Warren Spannaus et al. Appeal from the United States District Court for the District of Minnesota. In this case probable jurisdiction noted.

#### CERTIORARI GRANTED

No. 77-453. Eastex, Incorporated, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

#### CERTIORARI DENIED

No. 77-314. Chester Paul Swonger et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-405. George H. Lustig, petitioner, *v.* United States; and

No. 77-417. George H. Lustig, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-424 Ernest Tucker and Gail Ann Tucker, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-448. National Airlines, Inc., petitioner, *v.* Civil Aeronautics Board et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-495. Manfred Swarovski, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **77-589**. Daniel Cahalane and Neil Byrne, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **77-595**. U.S. Industries, Inc., petitioner, *v.* John D. Page and Don Thomas; and

No. **77-838**. John D. Page and Don Thomas, petitioners, *v.* U.S. Industries, Inc. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **77-651**. United Broadcasting Company, Inc., petitioner, *v.* Federal Communications Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **77-710**. Hubert Call, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. **77-715**. MariAnne Beach Edwards, petitioner, *v.* Superior Court of California for the County of El Dorado (Joette Beach Carter et al., real parties in interest). Petition for writ of certiorari to the Supreme Court of California denied.

No. **77-721**. Edward Emery, petitioner, *v.* Superior Court of California, Riverside County (California, real party in interest). Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. **77-730**. Gene Thomas Reeves, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. **77-751**. Gabriel Hagendorfer, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. **77-758**. Paul A. Richter, dba the Body Shop, petitioner, *v.* Department of Alcoholic Beverage Control of the State of California et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **77-760**. Robert Levine et ux., petitioners, *v.* Robert M. Stein et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **77-774**. Paul Lee Sweeny, Executor and Trustee under the will of Gervais Joseph Sewell, petitioner, *v.* Gilbert R. Knowlton et al. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 77-776. Forte Towers, Inc., et al., petitioners, *v.* City of Miami Beach. Petition for writ of certiorari to the Circuit Court of Eleventh Judicial Circuit of Florida, Dade County, denied.

No. 77-778. Cyrus Hashemi, petitioner, *v.* Inter-Regional Financial Group, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-781. Pentagon City Coordinating Committee, Inc., et al., petitioners, *v.* Arlington County Board et al. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 77-789. Carl Zaby et al., petitioners, *v.* California <sup>Angela Zaby, Bellarco et al. v. California</sup> Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 77-796. International Union, United Mine Workers of America, et al., petitioners, *v.* Cedar Coal Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-799. Tony Aquilino et al., petitioners, *v.* McGraw-Edison Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-811. Phelps Dodge Corporation et al., petitioners, *v.* State Tax Commission of Arizona et al. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 77-816. Michael Drielick, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 77-5422. Jerry F. Brinklow, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5423. Peter McManus, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5449. Margaret S. Rodriguez, petitioner, *v.* Donald E. Ritchey et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5476. David Richard Jackson, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 77-5478. Cruz Jaquez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **77-5529**. Joseph Mark DeRose, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **77-5545**. Lewis Jones, petitioner, *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, St. Louis District, denied.

No. **77-5548**. Harold T. Bradley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **77-5570**. Jose Rosa, Jose Vega and Rafael A. Rodriguez, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **77-5692**. Walter Woe, by his mother and guardian, Wilma Woe, petitioner, *v.* Joseph A. Califano, Jr., Secretary of Health, Education, and Welfare, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **77-5709**. Antonine Lafata Sottile, petitioner, *v.* Secretary of Health, Education, and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **77-5746**. Mary Donald, True Name—Mary Davis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **77-5762**. Rudy Johnson, petitioner, *v.* Linda Johnson. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. **77-5768**. Louise Taylor, petitioner, *v.* Mississippi Employment Security Commission et al. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. **77-5771**. Jim Fair, aka James S. Farrior, petitioner, *v.* Nelson Rockefeller, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **77-5778**. Alvin Gene Schwartz, petitioner, *v.* Jerry Pitts, Sheriff, Hamilton County. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **77-5782**. Delton G. Souza, petitioner, *v.* Hawaii. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. **77-5798**. Herb Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5803. Tommy English Bryant, petitioner, *v.* Donald Byrd, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5805. Donald Windows, aka Alan K. Windows, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Western District, denied.

No. 77-5808. Bobby Hardwick, petitioner, *v.* Ollie Doolittle, Jailer, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5809. John James Turner, petitioner, *v.* Robert J. Landry. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5811. T. C. Gilbert, petitioner, *v.* Sam C. Yalanzon. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 77-5819. Louis Teplitsky, petitioner, *v.* Bureau of Compensation, U.S. Department of Labor, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5825. Roger C. Myers, petitioner, *v.* Ampex, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5828. Larry C. Washington, petitioner, *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Kansas City District, denied.

No. 77-5840. Leo V. Savage, petitioner, *v.* City of Worthington, Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Franklin County, denied.

No. 77-5841. Robert Hollis, petitioner, *v.* New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5842. Colin Joseph Hockings, petitioner, *v.* Oregon. Petition for writ of certiorari to the Court of Appeals of Oregon denied.

No. 77-5843. John E. Hill, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5849. Rayford Pearson, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 77-5850. Richard Emmett Smiley, petitioner, *v.* California, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 77-5856. Louis Cedrone, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-5866. Paul L. Morgan, Darrell Nickell, and Ance M. Sutton, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5868. David Louis Brooks, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5880. Alberto Garcia-Rodriguez et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5881. Robert Eugene Robideau, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5883. Francis J. Ray, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-5885. James Bobby Impson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5886. William Eugene Robinson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5888. Thomas W. Schlaebitz, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5894. John Paul Steele, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5897. Harold Nisnewitz, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5904. Donald Blachowiak, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5906. Stoney Travis Sizemore, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.



No. 77-5912. Leticia Thalia LaFontaine, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5914. Steven David Cloud, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5917. James L. Dillard, petitioner, *v.* New York et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5924. Donald Reafus Lemons, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5925. Fred Lee Jones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5929. Gregory T. McBride, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-97. Allied Chemical Corporation, petitioner, *v.* Anthony White and Henry Clark, Sr. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun would grant certiorari.

No. 77-665. United States, petitioner, *v.* Stephen Pitcairn, Agent for Shareholders of Autogiro Company of America. Motion of Bell Helicopter Textron for leave to file a brief, as *amicus curiae*, granted. Motion of Eltra Corporation for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Claims denied. Mr. Justice White and Mr. Justice Blackmun would grant certiorari.

No. 77-823. Weyerhaeuser Company, petitioner, *v.* Patricia Anne Shepler, etc., et al. Petition for writ of certiorari to the Supreme Court of Oregon denied. Mr. Justice White would grant certiorari.

#### LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 77-5807. Carl H. Alley, petitioner, *v.* United States Court of Appeals for the District of Columbia Circuit et al. Motion for leave to file petition for writ of mandamus denied.

#### REHEARINGS DENIED

No. 77-443. Joseph Skilken and Company et al., petitioners, *v.* City of Toledo et al. ;

No. 77-554. Globe Linings, Inc., et al., petitioners, *v.* City of Corvallis et al.;

No. 77-5553. Kenneth Albert Brock, petitioner, *v.* Texas; and

No. 77-5620. John Young, petitioner, *v.* Georgia. Petitions for rehearing denied.

No. 76-1333. William J. Beer et ux., petitioners, *v.* Commissioner of Internal Revenue. Motion for leave to file petition for rehearing denied. Mr. Justice Stevens took no part in the consideration or decision of this motion.

#### ORDER

It is ordered that Roger Jacobs be, and he is hereby, appointed Librarian of this Court effective January 22, 1978.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Josefina Lopez de Victoria Picornell	San Juan, P.R.	Olaguibeet A. Lopez Pacheco.
Leonard A. Antinoro	Atlanta, Ga.	Harvey A. Monroe.
Robert M. Baum	Brooklyn, N.Y.	Lawrence Goldhirsch.
Bruce Robert Becker	Peoria, Ill.	Arthur Gordon Greenberg.
Robert Charles Bernius	Rochester, N.Y.	Richard Merrill Rosenbaum
James R. Bieke	Washington, D.C.	Francis M. Shea
Lance W. Billingsley	Riverdale, Md.	James Chris Chapin
Stephen Gramling Birr	Fort Lauderdale, Fla.	William I. Munsey, Jr.
John Robert Bolton	Washington, D.C.	Daniel M. Gibbon.
Saunders M. Bridges	Florence, S.C.	David Laurence McIntosh.
Dale Pat Campbell, Jr.	Lubbock, Tex.	James H. Milam.
Colin Joseph Carl	Austin, Tex.	John L. Hill.
Tomas Cespedes	San Juan, P.R.	Olaguibeet A. Lopez Pacheco.
Carl C. Chase, Jr.	Corpus Christi, Tex.	Robert Carl Wolter.
Terry G. Collins	Houston, Tex.	Craig Mitchell Shivers.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Elliott G. Courtright	New Orleans, La.	Kent Satterlee, Jr.
Eugene Chatham Crew	San Francisco, Calif.	Michael N. Khourie.
Stanley J. Cygan, Jr.	Chicago, Ill.	Robert R. Harring, Jr.
James G. Dolan, Jr.	Boston, Mass.	Joseph H. Elcock, Jr.
William Merrill Earnest	Atlanta, Ga.	Fred W. Elarbee, Jr.
Russell Joseph Ferraro, Jr.	Stuart, Fla.	Elton Howard Schwarz.
Hugh Dozier Finley	Piedmont, Calif.	Carlisle Martin Moore.
Samuel Theodore Foutz	Dallas, Tex.	Walter L. Irvin.
Robert A. Francis	Aspen, Colo.	James Thomas Moran.
James Thomas Freeman	Sacramento, Calif.	Cyrus A. Johnson.
William Walker Gallogly	Coral Gables, Fla.	Edmonson Shorter Couric, Jr.
Steven T. Greene	Newark, Ohio.	E. Clark Morrow
John Lunsford Gregory III	Martinsville, Va.	R. Reid Young, Jr.
E. B. Grimes	Robstown, Tex.	Francis Marshall Boykin III.
Daniel Louis Grossman	Belleville, N.J.	David S. Baime.
Edward Jay Gudeman	Ann Arbor, Mich.	James M. Deimen.
Lawrence M. Hauptman	New York, N.Y.	William Kinsman Broudy.
C. E. Heiligenstein	Belleville, Ill.	John E. Norton.
William A. Hicks	Glen Burnie, Md.	David T. Gray.
Howard Jay Hochman	Miami, Fla.	Barry Mayefsky.
Richard Fred Johnson	Chicago, Ill.	Clark Chapman King, Jr.
Charles Barnard Kaufman III	Greenwich, Conn.	Alexander John Holland.
Joseph A. Kelly	Providence, R.I.	Kirk Hanson.
David Paul Kuhfal	El Cajon, Calif.	Thomas Dale Parker.
Carmen Frank Lamancusa	New Castle, Pa.	Samuel S. Kantz.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David J. Letvin	St. Louis, Mo.	Rex Carr.
Richard Owen Levine	Chevy Chase, Md.	John Hale Shenefield.
William Alan Linnell	Marlborough, Mass.	Nicholas Prasinos.
Lawrence R. Magee	Kansas City, Mo.	Edward Taylor Matheny, Jr.
R. E. Mansfield	Okanogan, Wash.	Charles B. Roe, Jr.
Barbara W. Mather	Philadelphia, Pa.	John G. Harkins, Jr.
Arthur F. McGinn, Jr.	Albany, N.Y.	John T. DeGraff.
Joe R. McCray	San Francisco, Calif.	Allan Brotsky.
J. Patrick McDavitt	Minneapolis, Minn.	Matthew J. Levitt.
Thomas G. McQuade	Omaha, Nebr.	John J. Hanley.
William V. Meyers	Riverdale, Md.	James Chris Chapin.
John Philip Miller	Baltimore, Md.	Searle Elliott Mitnick.
Richard A. Miller	Whittier, Calif.	Robert Taft Alhandy.
Stephen Henry Miller	Reedsport, Oreg.	William Farnum White.
Roland Morris	Philadelphia, Pa.	Henry T. Reath.
Michael L. Muenich	Hammond, Ind.	Timothy P. Galvin.
Stephen Lewis Parr	Houston, Tex.	Robert Michael Perry.
Forrest A. Plant	Sacramento, Calif.	Cyrus A. Johnson.
Jorge Cantu Rangel	Corpus Christi, Tex.	M. Harvey Weil.
Robert Ratimorszky	Cleveland, Ohio.	Edwin F. Woodle.
David Andrew Riegels	Sacramento, Calif.	Cyrus A. Johnson.
Michael Lewis Rigsby	Richmond, Va.	Walter Scott Street III.
Robert H. Rosenbaum	Laurel, Md.	James Chris Chapin.
Henry Philip Ruffolo	West Palm Beach, Fla.	Alvin E. Schlechter.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Michael J. Santarsieri	Terryville, N.Y.	Samuel S. Buchholtz.
John Everett Seddelmeyer	Houston, Tex.	Richard P. Ryan.
Charles R. Shaddox	San Antonio, Tex.	Edward Paul Fahey.
John E. Shannon, Jr.	Stevens Point, Wis.	Thomas Alfred Shannon.
Donald A. Shapiro	Chicago, Ill.	Joel J. Sprayregen.
John Cary Sims	Washington, D.C.	Alan B. Morrison.
Thomas W. Smith	Hicksville, N.Y.	George F. Adams.
John Walter Solomon	Akron, Ohio	Karl S. Hay.
John Jos. Stafford	Schaumburg, Ill.	John C. Menk.
Robert Gary Stafford	Columbus, Ohio	John C. Burkholder.
Frederick John Sternberg	Graham, N.C.	George Attmore Long.
Bruce Alan Sucher	Louisville, Ky.	Edwin Frederick Kagin, Jr.
William A. Swendson II	Oconomowoc, Wis.	Patrick Lee Snyder.
Charles Clark Tarbox	Mountain View, Calif.	David M. Alexander.
John Troyer	Minneapolis, Minn.	Matthew J. Levitt.
Mark Roche Weber	Robinson, Ill.	Denis Joseph Weber.
Ross Weiss	Norristown, Pa.	William T. Nicholas.
Robert William West III	Memphis, Tenn.	Roy S. Fischbeck.
David Eugene Wilder	Washington, D.C.	Richard Lowry Handley.
James David Zirin	New York, N.Y.	Edward J. Ross.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Judith C. Chirlin	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Albert Mishkin	Monroe, N.Y. Greenville, S.C.	Solicitor General Wade H. McCree, Jr.
Thomas Moore Patrick, Jr.		Solicitor General Wade H. McCree, Jr.
David Alan Hess	Lubbock, Tex.	George H. Mahon.
James Lee Warren	San Francisco, Calif.	William Ramsey Clark.
William Robert Cochran	Denver, Colo.	George John Keto.
Michael L. Brustein	Washington, D.C.	Paul J. Woodman.
James Arthur Winstead	Chesapeake, Va.	Jesse Lincoln Woodard.
James Leeper Ellis	Baton Rouge, La.	Leonard A. Salters.
A. Thomas Amabile	Toms River, N.J.	Peter J. Giovine.
Thomas L. Bace	Toms River, N.J.	Peter J. Giovine.
James M. Blaney	Toms River, N.J.	Peter J. Giovine.
Stephen James Boyle	Brant Beach, N.J.	Peter J. Giovine.
John F. Briscoe	Brick Town, N.J.	Peter J. Giovine.
Howard Butensky	Tuckerton, N.J.	Peter J. Giovine.
John W. Christie	Oceanport, N.J.	Peter J. Giovine.
James D. Clyne	Brick Township, N.J.	Peter J. Giovine.
Michael Eaton	Brick Township, N.J.	Peter J. Giovine.
.Cunningham		
John J. DeVincens	Toms River, N.J.	Peter J. Giovine.
Frank J. Dupignac, Jr.	Toms River, N.J.	Peter J. Giovine.
Terrence Philip Farley	Toms River, N.J.	Peter J. Giovine.
John J. Foti, Jr.	Manahawkin, N.J.	Peter J. Giovine.
Martin P. Gertner	Toms River, N.J.	Peter J. Giovine.
Arnold Buddy Goldman	Lakewood, N.J.	Peter J. Giovine.
Thomas J. Gunning	Point Pleasant Beach, N.J.	Peter J. Giovine.
Richard Godfrey Hyer	Forked River, N.J.	Peter J. Giovine.
Daniel David Hyman	Howell, N.J.	Peter J. Giovine.
Robert J. Kantor	Asbury Park, N.J.	Peter J. Giovine.
Bernard V. Kelly	Manahawkin, N.J.	Peter J. Giovine.
David P. Loughran	Mantoloking, N.J.	Peter J. Giovine.
Frank A. Louis	Toms River, N.J.	Peter J. Giovine.
Nicholas C. Montenegro	Brick Town, N.J.	Peter J. Giovine.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Douglas T. Mundy, Jr.	Toms River, N.J.	Peter J. Giovine.
Steven I. Pfeffer	Jackson, N.J.	Peter J. Giovine.
Dominic Ravaschiere	Toms River, N.J.	Peter J. Giovine.
Garry Joseph Roettger	Toms River, N.J.	Peter J. Giovine.
Robert Alan Rothstein	Lakewood, N.J.	Peter J. Giovine.
Richard M. Sevrin	Forked River, N.J.	Peter J. Giovine.
Gerald Simpson	Toms River, N.J.	Peter J. Giovine.
Richard D. Stanzone	Toms River, N.J.	Peter J. Giovine.
Arthur Gerald Stein	Toms River, N.J.	Peter J. Giovine.
James N. Tracy, Jr.	Toms River, N.J.	Peter J. Giovine.
Michael E. Wilbert	Brick Township, N.J.	Peter J. Giovine.
Richard H. Woods	Lavallette, N.J.	Peter J. Giovine.

#### OPINION

No. **76-1383**. Christiansburg Garment Company, petitioner, *v.* Equal Employment Opportunity Commission. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment affirmed. Opinion by Mr. Justice Stewart. Mr. Justice Blackmun took no part in the consideration or decision of this case.

The Chief Justice said:

“The Court is in Special Session this afternoon to receive the Resolutions of the Bar of the Supreme Court in tribute to our late brother Mr. Justice Tom Clark. The Solicitor General is recognized for the purpose of presenting the Resolutions adopted by the Bar.”

Mr. Solicitor General McCree addressed the Court as follows:

“Mr. Chief Justice, May it Please the Court:

“At a meeting of the members of the Bar of the Supreme Court this afternoon a resolution memorializing our regard for the Honorable Tom C. Clark and expressing our profound sorrow at his death was unanimously adopted.”

The resolutions unanimously adopted are as follows:

#### “RESOLUTIONS

“The members of the Bar of the Supreme Court of the United States have met today to record our respect, admiration, and affection for Tom C. Clark, who served with distinction as Associate Justice for 18 years, from 1949 until his retirement in 1967, and who thereafter served the public interest with undiminished vigor until the very day of his death on June 13, 1977.

"Tom C. Clark lived the law successfully, and to the fullest: as a private practitioner, state prosecutor, federal attorney, Assistant Attorney General, Attorney General, Associate Justice of the Supreme Court, and finally, as an active senior judge and a roving ambassador of justice dedicated to improving the American legal system.

"While easygoing and casual in his ways, he left a monumental record of achievement. His legacy includes not only his contributions to the annals of the Supreme Court, but ranges far beyond the letter of the law to the improved functioning of the machinery of justice, and its greater appreciation by judges, administrators, practitioners, and people throughout the United States.

"Above all, Tom C. Clark gave of himself, with selfless diligence and devotion, with a genuine care for people's needs, and with a warm and friendly manner which brought out the best in others and evoked their loyalty and affection. Never arrogant, pompous, or sanctimonious, always modest and unassuming, his diaries are writ large in the hearts of all those who were touched by his radiance over the years.

## I

"Justice Clark came to his understanding of the legal process, and his easy rapport with its practitioners, from his own experiences in reaching the legal summit.

"An outgoing Texan, in manner and spirit, he was born in Dallas on September 23, 1899. He received his legal education at the University of Texas, graduating in 1922. In 1924, he married Mary Ramsey, the lovely daughter of a Justice of the Supreme Court of Texas. Mary Clark remained his lifelong companion, whose love and devotion he credited as the inspiration for all his accomplishments in later years.

"Over fifteen years at the bar of Texas, he became a successful legal practitioner. During part of this time he worked in his father's family law firm, Clark & Clark. Later he served as Civil District Attorney in his home county for six years. His personal charm and gift for dealing with people propelled him into local politics, which paved the way for his move to Washington in 1937 at the start of the second Roosevelt administration.

"In January 1937, Tom Clark reported for work at the Department of Justice. There he tried wage and hour, war fraud, espionage, and antitrust cases. His competence, personality, and diligence made for his rapid rise in the Justice Department. As young Ben Tillman, Pitchfork Ben Tillman's son, who travelled with Tom Clark all over the South trying wage and hour cases, once said: "A man who had invoices spread out all over his hotel bed at night—a man who works like that deserves to succeed."

“Succeed he did. He worked with the famous trust-buster Thurman Arnold, heading the Antitrust Division’s West Coast Regional Offices, where he acquired a zeal for antitrust enforcement. Antitrust law became a favorite source of his legal learning, as revealed in his many antitrust opinions for the Court. In 1943, he became Assistant Attorney General, first in charge of the Antitrust Division and then in charge of the Criminal Division. There he prosecuted many major war fraud cases referred to the Justice Department by a junior senator from Missouri, Harry Truman, who headed a Senate investigating committee—a man whom he later came to call the ‘best client of my life.’

“In 1945, Tom C. Clark was appointed by President Truman as Attorney General of the United States, the first head of the Justice Department to come up through the ranks. A vigorous Attorney General, he pressed for active antitrust enforcement, and personally argued key cases before the Supreme Court. A Texan, he filed the first *amicus curiae* brief by an Attorney General in support of civil rights, challenging racially restrictive covenants, culminating in the 1948 landmark *Shelley v. Kraemer* decision.<sup>1</sup> At a time of domestic insecurity and strife, dramatized by Congressional investigations, he implemented a loyalty program for federal employees, and promulgated the first Attorney General’s list of subversive political organizations, followed by the prosecutions of the American Communist Party leaders under the Smith Act. His concern with internal security matters carried forward into some of the judicial conflicts which would divide the Court in the years to come.

“As Attorney General, his reverence for the Supreme Court, as an institution, was profound. He believed that the Attorney General had a symbolic duty to appear personally before the Court from time to time to present oral argument in landmark cases. At the opening of every Term of Court, Attorney General Clark and his top assistants, dressed in ceremonial cutaways, would show their respect for the Court by their personal attendance.

## II

“Appointed by President Truman as Associate Justice of the Supreme Court, Tom C. Clark took his oath of office on August 24, 1949. His service over the next seventeen years spanned the eras of the Vinson and the Warren Courts.

“In his early years on the Court, Tom Clark often followed the leadership of Chief Justice Vinson. He cast not a single dissenting vote in his first term. At first, he regularly voted with the Truman

<sup>1</sup> 334 U.S. 1, 68 S. Ct. 836, 92 L. Ed. 1161 (1948). See Remarks of Justice Marshall on Justice Clark at 63 A. B. A. J. 984, 985 (1977).



appointees, disparaged by the Court's critics as the Four Horsemen, to uphold the constitutionality of the government's internal security and loyalty programs.<sup>2</sup>

"But at crucial junctures, Justice Clark declared his judicial independence. In the famous Steel Seizure Case<sup>3</sup> in 1952, Tom Clark not only voted against his 'best client,' the President who had appointed him, but split with the Chief Justice who would have upheld President Truman's extraordinary exercise of executive authority.

"While convinced of the Government's rights of self-defense against the Communist conspiracy, Justice Clark perceived constitutional limits on those powers. In 1952, he wrote the Court's unanimous opinion holding unconstitutional an Oklahoma loyalty oath forcing state employees to swear that for five years they had not belonged to any organization listed as 'subversive' or a 'Communist front' by the Attorney General of the United States.<sup>4</sup> In the Court's view, membership alone, possibly without knowing the character of the organization, did not itself prove disloyalty. Such a statutory restraint on 'individual freedom of movement is to stifle the flow of democratic expression and controversy. . . .'

"Similarly, Justice Clark joined the majority opinion invalidating state sedition laws under the Federal Supremacy Clause.<sup>5</sup> He wrote the majority opinion invalidating a New York City charter provision requiring dismissal, without notice and hearing, of a municipal employee who claimed the Fifth Amendment privilege against self-incrimination in the course of an investigation concerning his official conduct.<sup>6</sup>

"Despite his firm belief in strong law enforcement, he authored the landmark opinion in *Mapp v. Ohio*, extending the constitutional bans on unreasonable searches and seizures as a deterrent to illegal law enforcement activities by State officials.<sup>7</sup>

"As for the rights of racial minorities, Justice Clark was committed to ensuring all citizens' rights to equal justice under the law. Notwithstanding his Texan roots, his 1953 opinion striking down the Texas 'Jaybird' White Primary<sup>8</sup> gave wide sweep to the concept of 'state action' to bar evasion of the constitutional prohibition on discriminatory activities against racial minorities.

<sup>2</sup> *Adler v. Board of Education*, 342 U.S. 485, 72 S. Ct. 380, 96 L. Ed. 517 (1952); *Garner v. Los Angeles Board of Public Works*, 341 U.S. 716, 71 S. Ct. 909, 95 L. Ed. 1317 (1951).

<sup>3</sup> *Youngstown Sheet & Tube Co. v. Sawyer*, 343 U.S. 579, 72 S. Ct. 863, 96 L. Ed. 1153 (1952).

<sup>4</sup> *Wieman v. Updegraff*, 344 U.S. 183, 73 S. Ct. 215, 97 L. Ed. 216 (1952).

<sup>5</sup> *Pennsylvania v. Nelson*, 350 U.S. 497, 76 S. Ct. 477, 100 L. Ed. 640 (1956).

<sup>6</sup> *Slochower v. Board of Higher Education*, 350 U.S. 551, 76 S. Ct. 637, 100 L. Ed. 692 (1956).

<sup>7</sup> 367 U.S. 643, 81 S. Ct. 1684, 6 L. Ed. 2d 1081 (1961). See also *Sheppard v. Maxwell*, 384 U.S. 333, 86 S. Ct. 1507, 16 L. Ed. 2d 600 (1966) (massive, prejudicial publicity concerning murder prosecution violated due process clause); *Estes v. Texas*, 381 U.S. 532, 85 Ct. 1628, 14 L. Ed. 2d 543 (1965) (televising of courtroom proceedings in criminal trial constituted denial of due process).

<sup>8</sup> *Terry v. Adams*, 345 U.S. 461, 73 S. Ct. 809, 97 L. Ed. 1152 (1953).



"Although a deeply religious man, Justice Clark wrote the controversial 1963 opinion that outlawed Bible reading exercises in the public schools as prohibited by the Constitution's ban on the 'establishment' of religion.<sup>9</sup>

"History will render its verdict on the work of the Vinson and Warren Courts, as the pendulum moves toward its ultimate balance. But the annals of the Supreme Court plainly record that Justice Clark steadily grew taller in office, and kept making important judicial contributions to the Court that he served with such diligence and devotion.

"Transcending Justice Clark's role in the Supreme Court's decisional functions was his tireless effort to improve the American system of justice—a mission which he carried out for years above and beyond his Supreme Court judicial duties. To that task he devoted his boundless energy in his second career, which began upon his retirement from the Court in 1967 to avoid any appearance of conflict arising out of President Johnson's appointment of his son Ramsey Clark as Attorney General.

"At the peak of his judicial powers, Justice Clark retired from the Supreme Court on June 12, 1967, with the blessings of Chief Justice Warren, who remarked at the Court's farewell ceremonies that 'he has been a great companion for us, and he departs with the affection of every member of the Court.'

### III

"As he gained confidence and stature in his judicial responsibilities, Justice Clark devoted more and more of his energies to his consuming passion—the improvement of our nation's legal institutions.

"To him, the law was far more than rhetoric or abstractions. He believed that the law remained an empty promise unless the institutions that administered it were able to deliver justice to all the people efficiently and effectively, and unless the people themselves appreciated and understood the role of their legal institutions in a democratic society.

"His warm personality and easy charm, gracing a missionary zeal to improve the administration of justice, ideally suited him to his task. He was at home among judges and lawyers everywhere; he addressed hundreds of bar associations; he participated in countless committees, seminars, and programs. His ready smile, his colorful bow-ties, his corny automatic alarm watch, became legendary at conventions, banquets, and meetings everywhere. He drove himself untiringly; he worked on nights and weekends; he mobilized funds and people in support of his causes.

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<sup>9</sup> *Abington School Dist. v. Schempp*, 374 U.S. 203, 83 S. Ct. 1560, 10 L. Ed. 2d 844 (1963). See also *United States v. Seeger*, 380 U.S. 163, 85 S. Ct. 850, 13 L. Ed. 2d 733 (1965) (interpreting conscientious objector statute to extend to any sincere belief occupying "a place in the life of its possessor parallel to that filled by the orthodox belief in God of one who clearly qualifies for the exemption").

"His ceaseless travels criss-crossed the country to spread the gospel, and to lend the Supreme Court's prestige to noble causes. He spoke to citizens' conferences, Boy Scout meetings, students in grade and high schools throughout the nation, to broaden their understanding of the American system of justice and the role of law in a democratic society.

"Justice Clark was a fervent advocate of the merit selection of judges, a cause for which he provided institutional leadership as Chairman of the Board of the American Judicature Society.

"A champion of upgrading professional discipline and ethics, Justice Clark was Chairman of a Special Committee of the American Bar Association whose recommendations for strong self-disciplinary machinery sought to enhance public confidence in the integrity of the legal process.

"But his prime preoccupation was the improvement of the judicial system and its administration. In 1956, he became Chairman of the American Bar Association's Section of Judicial Administration, which served as a platform for the coordination of the federal and state judiciary in joint efforts to improve the machinery of justice. He met with state chief justices to identify their problems and work toward effective solutions. He organized state trial judges in common efforts to modernize courts, culminating in the ABA's National Conference of State Trial Judges in 1958. In 1961, the Joint Committee for the Effective Administration of Justice unified and mobilized the efforts of the leading national organizations working toward the improvement of the quality of justice. He served as the Joint Committee's Chairman, driving force, and guiding light. The Joint Committee organized state and regional training seminars, which highlighted the need for an enlarged and permanent program of continuing education for state judges. Under Justice Clark's leadership, The National Judicial College (formerly the National College of the State Judiciary) was born. The College has issued certificates of completion to over 7500 judges, and has expanded its programs to include appellate court judges, as well as administrative law and special court judges.

"After his retirement from the Court in 1967, his activities never slowed. As a senior judge, he sat on the Courts of Appeals in all eleven circuits. He even held trial in district court.

"Justice Clark also became the first Director of the Federal Judicial Center, which pioneered judicial training programs everywhere. Chief Justice Warren aptly remarked, 'It is almost as though his entire career had been preparing him for the mission of the Center.'<sup>10</sup>

"He was truly a leader of the legal profession. In 1962, he received the American Bar Association's Gold Medal, the ABA's highest award

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<sup>10</sup> Address before the American Law Institute, Washington, D.C., May 21, 1968.

for meritorious service. As Justice Powell once said, 'It is likely that Mr. Justice Clark was known personally and admired by more lawyers, law professors, and judges than any justice in the history of the Supreme Court of the United States.'<sup>11</sup>

"His monumental achievements have made the law a living reality, by elevating the quality of justice through better performance by judges, practitioners, and every participant in the legal process.

#### IV

"Above all, in the final reckoning, underneath the robe and the high office, was Tom Clark, the gentle man who cared, and who loved people.

"As his son Ramsey observed in his memorable eulogy for his father, 'the best man [he had] every known':

'People come first. He wants to do things that are good for people. He knows it will be possible only with reason, tolerance, gentleness, and perseverance. A wholly constructive human being, a man of giant and gentle strength; a man who works from morning to night—not for work, or as an end in itself. Meaningful work, well done. . . .

. . . 'He always has a good word. Around him let no evil be spoken of any person.'

"His efforts were not reserved for the high and mighty. He did not condescend to people; he was everyone's friend. At the Justice Department, he promoted the interests of career employees and civil servants. He pushed for the desegregation of bar associations. At the Court, he befriended every secretary, messenger, guard, and barber, and was interested in their families and their problems. He personally wrote out and answered every note and Christmas card. He remembered birthdays and anniversaries. He responded to thank-you notes with thank-you notes. His hand-written cards, signed T. C. C., were received and treasured by thousands who knew that he cared.

"His chambers at the Court became the home of his judicial family. Alice O'Donnell, who he graciously called 'Miss Alice,' was a perennially youthful fount of efficient cheer for judges, lawyers, law clerks, and wayfaring strangers. Oscar was the Court's most pampered messenger. Every Clark law clerk became a Clark family member, who shared Justice Clark's confidences and soul-searching in the decisional process. He did not summon his law clerks, but always visited with them. One of them recalls, typically, being welcomed by the Justice to his new duties with the words, 'you treat me as your father, and I'll treat you as my son. If you ever need anything, you just whistle.' Justice Clark's law clerks joined the Clark family for Thanksgiving din-

<sup>11</sup> 63 A. B. A. J. 984, 985 (1977).

ners. He drove by their homes in his battered Oldsmobile, visited their wives at the hospital, and godfathered their children. They responded with a fierce loyalty and affection.

"The Clark Law Clerks have recently founded a Justice Tom C. Clark Memorial Judicial Fellowship, to honor and continue Justice Clark's work as a 'living memorial' for the improvement of justice.

"As he walks into the eternal sunset, the friendly Texan who grew taller and taller over the years will remain among us forever as a good man and as a gentle spirit."

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"Wherefore, it is accordingly

*Resolved*, That we, the Bar of the Supreme Court of the United States, express our profound sorrow at the passing of Associate Justice Tom C. Clark, declare our deep gratitude for his great contributions to the legal system of the United States, and record our appreciation for his personal warmth and generosity, which have touched countless members of our profession and of our people with a lasting glow of affection for this good man whose life has graced and inspired all of us; and it is further

*Resolved*, That the Solicitor General be asked to present these Resolutions to the Court and that the Attorney General be asked to move that they be inscribed upon the Court's permanent records."

The Chief Justice said:

"Thank you, Mr. Solicitor General, and I recognize the Attorney General of the United States."

Mr. Attorney General addressed the Court as follows:

"Mr. Chief Justice, and May it Please the Court:

The Bar of the Court met today to honor the memory of Tom C. Clark, Associate Justice of the Supreme Court from 1949 to 1967.

Mr. Justice Clark sat on this Court for eighteen of the most challenging and turbulent years of the law in modern America. It was a time when this Court found itself at the vortex of nearly every social upheaval of its day, and few citizens were untouched in their daily lives by its decisions. In 1949, when Tom Clark took his seat, segregation was the law of the land; defendants in state courts could be convicted on evidence seized with no regard for the protection of the Fourth Amendment; school children participated in daily religious observances; indigent citizens were regularly denied rights available to those who could afford to pay; states could ban the commercial expression of views they found "sacrilegious;" citizens who espoused unpopular political beliefs found themselves distant from the sanctuary of the law.

When Mr. Justice Clark retired in 1967, these wrongs had been banished by a Court that found them unable to survive the bright

and healing light of the Constitution. Time after time, Mr. Justice Clark spoke for this Court as it set aright these injustices.<sup>1</sup>

The years of Tom Clark's tenure were truly years of revolution in American life—a revolution brought about not by force, but by the utter and irrevocable shift in fundamental concepts of justice. During these years, Mr. Justice Clark was a sturdy linchpin of this Court, a conciliatory and centripetal force.

He was a man whose humanity and common sense and deep concern for his fellow citizen made him a natural spokesman for the Court in those decisions which touched so many common people. He calmly and forthrightly expressed his dissent when he believed the Court had gone too far or too fast, but it is a measure of his achievement that he was never consistently far from the center of the Court in these often difficult years. Perhaps we might more truly say that the Court never went far in any direction if Tom Clark was not there. The keel of a great sailing vessel is not always visible as it exerts its steadying force, and if occasionally the ship must heel or pitch in its mighty attempts to follow its course in difficult waters, the keel will keep it steady. Of Mr. Justice Clark, it may be said that he was the keel of this Court in difficult waters—sturdy and steady and indispensable to the integrity of the voyage.

In every area of the law, Mr. Justice Clark's opinions vividly demonstrate his deep belief that the legitimacy of democratic government—indeed, its very survival—depends upon its keeping faith with the people. "Nothing can destroy a government more quickly," he wrote for the Court in *Mapp v. Ohio*,<sup>2</sup> "than its failure to observe its own laws, or worse, its disregard of the charter of its own existence."

When he was Attorney General, Tom Clark promulgated the Attorney General's list of subversive organizations; he remained genuinely concerned over the possibility that disloyal Americans might bring harm to this country.<sup>3</sup> But this concern, however heartfelt, could not move him to retreat from his steadfast loyalty to the due process of law. In striking down a loyalty oath that the Court thought too sweeping, Mr. Justice Clark reminded us all: "Democratic government is not powerless to meet this threat [of disloyalty], but it must do so without infringing the freedoms that are the ultimate values of all democratic living."<sup>4</sup>

<sup>1</sup> See *Burton v. Wilmington Parking Authority*, 365 U.S. 715 (1961); *Heart of Atlanta Motel, Inc. v. United States*, 379 U.S. 241 (1964); *Katzenbach v. McClung*, 379 U.S. 294 (1964); *Mapp v. Ohio*, 367 U.S. 643 (1961); *School District v. Schempp*, 374 U.S. 203 (1963); *Smith v. Bennett*, 365 U.S. 708 (1961); *Anders v. California*, 386 U.S. 738 (1967); *Wieman v. Updegraff*, 344 U.S. 183 (1952); *Stochower v. Board of Education*, 350 U.S. 551 (1956); *Joseph Burstyn, Inc. v. Wilson*, 343 U.S. 495 (1952).

<sup>2</sup> 367 U.S. 643, 659.

<sup>3</sup> *E. g.*, *Aptheker v. Secretary of State*, 378 U.S. 500, 524-529 (1964) (Clark, J., dissenting).

<sup>4</sup> *Wieman v. Updegraff*, 344 U.S. 183, 188 (1952).



It was fitting then, that Mr. Justice Clark articulated for the Court—and for the nation—a principle so simple and so just that it has become one of the foundations of public law—that once a government agency or official has set forth regulations, it is not at liberty to disregard them.<sup>5</sup> Few concepts are more necessary to the integrity of government which Tom Clark so constantly strove to preserve.

Yet Mr. Justice Clark was no foe of strong, effective government. In his opinions for the Court one finds a realistic recognition, perhaps nurtured by his experience as Assistant Attorney General in charge of the Antitrust Division and of the Criminal Division, and later as Attorney General, that the Executive Branch must be able to meet new challenges with new solutions.<sup>6</sup> But he was a constant foe of irresponsible government, and seldom did his opinions for this Court uphold new governmental approaches to problems without also carefully setting down limitations to insure that those powers would be lawfully and justly exercised.<sup>7</sup> And he was ever ready to extend the hand of humaneness to correct government action when he perceived that it was being wielded arrogantly or without compassion.<sup>8</sup>

In doing so, Mr. Justice Clark was unfailingly sensitive to “the imperative of judicial integrity,”<sup>9</sup> recognizing that judicial integrity is fundamental to due process of law and thus to the integrity of government itself. He demonstrated that sensitivity in writing for the Court in one of its earliest encounters of what has proved to be a nettlesome and recurring problem—the conflict between the right to a fair trial and the demands of a free press. One has only to read his description of the intrusion of the press in *Estes v. Texas*<sup>10</sup> and *Sheppard v. Maxwell*<sup>11</sup> to realize, as he did, how fragile judicial integrity can be, and how closely its preservation depends upon the protection of the rights of the defendant. Every defendant, said Mr. Justice Clark for the Court, is entitled to “judicial serenity and calm,”<sup>12</sup> free of prejudicial publicity and disruption of the jury’s deliberative process:

“Due process [he wrote] requires that the accused receive a trial by an impartial jury free from outside influences. . . . The courts must take such steps by rule and regulation that will protect their processes from prejudicial outside interferences. Neither prosecu-

<sup>5</sup> *Accardi v. Shaughnessy*, 347 U.S. 260 (1954).

<sup>6</sup> See, e. g., *Goldblatt v. Town of Hempstead*, 369 U.S. 590 (1962); *Atlantic Refining Co. v. Federal Trade Commission*, 381 U.S. 357 (1965); *Federal Trade Commission v. Simplicity Pattern Co.*, 360 U.S. 55 (1959).

<sup>7</sup> See, e.g., *Holland v. United States*, 348 U.S. 121 (1954); *Federal Trade Commission v. National Lead Co.*, 352 U.S. 419 (1957); see also *Wisconsin v. Federal Power Commission*, 373 U.S. 294, 315–333 (1963) (Clark, J. dissenting).

<sup>8</sup> See, e. g., *Hatahley v. United States*, 351 U.S. 173 (1956); *Cox v. Roth*, 348 U.S. 207 (1955).

<sup>9</sup> *Mapp v. Ohio*, 367 U.S. 643, 659 (1961), quoting *Elkins v. United States* 364 U.S. 206, 222 (1960).

<sup>10</sup> 381 U.S. 532 (1965).

<sup>11</sup> 384 U.S. 333 (1966).

<sup>12</sup> *Estes v. Texas*, *supra*, 381 U.S., at 536; *Sheppard v. Maxwell*, *supra*, 384 U.S., at 355.

tors, counsel for defense, the accused, witnesses, court staff nor enforcement officers coming under the jurisdiction of the court should be permitted to frustrate its function."

Mr. Justice Clark understood well that no government could keep faith with its citizens without vigorously guaranteeing those citizens their rights under the law. Throughout his career on this Court, he unequivocally expressed this Court's dedication to the advancement of civil rights for all Americans. In his first Term, he voted to reverse the conviction of a Negro who had been indicted by a grand jury from which the only Negro known to the white jury commissioners was excused because he was too old to serve. Said Mr. Justice Clark, with characteristic directness, "[The commissioners'] responsibility was to learn whether there were persons among the Negroes they did not know who were qualified and available for service."<sup>14</sup>

His opinion for the court in *Burton v. Wilmington Parking Authority*,<sup>15</sup> as every judge and lawyer knows, gave new meaning to the concept of "state action" at a crucial time in our history, when the Fourteenth Amendment was called forth as the law's cutting edge in the fight against racial discrimination in America. *Burton* served notice to the States and to all people that public property was no place for private discrimination.

And Mr. Justice Clark again spoke for the Court in the seminal cases of *Heart of Atlanta Motel, Inc. v. United States* and *Katzenbach v. McClung*,<sup>16</sup> the companion cases that upheld the Civil Rights Act of 1964 in its prohibition of discrimination in public accommodations and demonstrated unmistakably to the nation this Court's commitment to a "broad and sweeping"<sup>17</sup> reading of the authority of Congress under the Commerce Clause to combat discrimination.

Tom Clark also firmly believed that law and order are the "wellsprings of democracy,"<sup>18</sup> and he reminded us that "[g]oals, no matter how laudable, pursued by mobocracy in the end must always lead to further restraints of free expression."<sup>19</sup>

Tom Clark was a true populist, trusting almost without limit the goodness of the American people he so deeply loved, and ever suspicious of those who sought to abuse that goodness for narrow gain. His vision of the law and his fellow man were seldom in conflict, for, as he once wrote, "There is no war between the Constitution and common sense."<sup>20</sup>

His opinions, like the man himself, were straightforward—never redundant, never prolix. His style was plain and clear, his language free of pretense or obfuscation. He admitted doubt where there was

<sup>13</sup> *Sheppard v. Maxwell*, *supra*, 384 U.S., at 362-363. Compare *Rideau v. Louisiana*, 373 U.S. 723, 727-733 (1963) (Clark, J., dissenting).

<sup>14</sup> *Cassell v. Texas*, 339 U.S. 298 (1950) (Clark, J., concurring).

<sup>15</sup> 365 U.S. 715 (1961).

<sup>16</sup> 379 U.S. 294 (1964).

<sup>17</sup> 379 U.S. 294 (1964).

<sup>18</sup> *Id.*, at 305. See also *Hamm v. Roch Hill*, 379 U.S. 306 (1964).

<sup>19</sup> *Chapman v. United States*, 365 U.S. 610, 623 (1961) (Clark, J., dissenting); see *Fay v. Noia*, 372 U.S. 391, 447 (1963) (Clark, J., dissenting).

<sup>20</sup> *Mapp v. Ohio*, 367 U.S. 643, 657 (1961).

doubt yet explained the Court's reasoning carefully, as if writing not merely for his fellow lawyers but for all his fellow citizens. Only a great man can explain so effectively his wisdom without the need to flaunt it. Tom Clark was such a man.

Indeed, Tom Clark was an uncommon man. Most of us are privileged to have one and perhaps two careers. He had four. He was a lawyer in private practice for a time; Assistant Attorney General and Attorney General for a time, and a Justice of the Supreme Court for a time. But upon retirement from the Court, he began another career, certainly an important one. He became the foremost expert in and teacher of judicial administration in America. It was in judicial administration that he touched the lives of many young judges. I was among those. He sent me to the Division of Judicial Administration in the American Bar to help. I served under him at the Federal Judicial Center. I worked closely with him in many endeavors.

He was a warm friend. I miss him very much. I miss his wise counsel. One of my first acts as Attorney General was to have his portrait moved into the conference room just outside my office. I then had him for lunch to seek his advice and to show him the new location of his portrait. In typical modesty, he thanked me for taking him, as he said, out of the basement. His modest manner was given meaning in little ways. For example, he spent the night in our home in Atlanta and my wife was shocked to find that he had made his bed before leaving.

On the death of President Lincoln, Tolstoy, the Russian writer and philosopher, described him as being a great man, and he said that his greatness was in his life having been rooted in four eternal principles, humanity, truth, justice and pity. Sandburg recalled this tribute of Tolstoy in his chapter on the Lincoln eulogies, which chapter is entitled "A tree is best measured when it is down." As we measure Mr. Justice Clark, we can say that his life too was rooted in humanity, truth, justice and pity.

May it please this honorable Court:

In the name of the lawyers of this Nation, and particularly the Bar of this Court, I respectfully request that the Resolution presented to you in memory of the late Justice Tom C. Clark be accepted by you, and that it, together with the chronicle of these proceedings, be ordered kept for all time in the records of this Court.

The Chief Justice said:

"Mr. Attorney General, Mr. Solicitor General, the Court thanks you for your presentation here today in memory of our late brother, Mr. Justice Tom Clark. We ask you to convey to the members of the Committee on Resolutions our deep appreciation for these most appropriate resolutions."

Your motion that they be made part of the permanent record of the Court is granted.



The 101 men who have come to this Court since 1790 have each had much in common because, of course, they were all lawyers; but each of them has also had some special and unique attributes. With some of them these special attributes were known before they came here, and perhaps explain why they were selected. With others the uniqueness and special attributes emerged after coming to the Bench. And then Resolutions presented by the Solicitor General and the Attorney General have marked the growth of our late brother, Tom Clark, in all of his activities.

As they have pointed out, Tom Clark had not one career, but three, each of which was readily identified. These Resolutions have spoken eloquently of his work as a practicing lawyer, first in Texas and then in the Department of Justice. His long tenure in that Department culminating in his service as Attorney General gave him an insight into the workings of government surpassed by no man who ever came to this Court.

Certainly no Justice who sat here had a greater understanding of the complexities of the Twentieth Century problems of governing a diverse population of 200 million people. And, as has been said, one can see this rich background and broad experience reflected in the practical common sense of his opinions.

A professional career reaching the high post of Attorney General is ordinarily enough to fulfill the desires and satisfy the ambitions of any American lawyer; but, as we know, it was only a foundation for another career as a Justice of this Court. During his eighteen years here, as the Solicitor General has noted, he participated in some of the most crucial decisions, not only of our time but in the entire history of the Court.

There is a cliché that lawyers who are appointed to the Bench from government service, especially from long service such as he had, have become infected with a pro-government bias. Tom Clark of course did serve in the Department of Justice a long time, but his opinions as a Justice of this Court and later while sitting on the Courts of Appeals in all of the circuits reveal that old cliché for precisely what it is. No one can find any evidence of a pro-government bias in Justice Clark's judicial work.

His service as a Justice has now been eloquently and abundantly covered in the Resolution of the Bar, but, as the Solicitor General noted, retirement from the Court after 18 years, covering this extraordinary period in American history, and something that would ordinarily be the capping of a great career was the beginning of yet another one, the third one, which, happily for this country, covered another decade, literally up to the day of his death.

Long before his retirement from this Bench, Tom Clark had become the vital link between the Supreme Court and the legal pro-

fession, a link which is indispensable to the effective functioning of the system of justice in this country. Crucial as is the matter of maintaining communication with the organized bar, the Justices of this Court, at least for the past 25 or 30 years, have been faced with such heavy burdens and constantly increasing dockets that it has been very difficult for them to maintain the kind of contact they would like to have with the practicing profession. Not so for Tom Clark. Somehow he managed to do both.

But once freed from the heavy burdens of serving as a Justice, he expanded his efforts for the improvement of the judicial system. He has been described as both ambassador and missionary, and, indeed, he was both. No problem of the courts, federal or state, escaped his notice or escaped his powers of persuasion to marshal support for solutions.

Two particular activities deserve comment, even at the risk of some repetition. One year after his retirement from this Court, the Federal Judicial Center was created by an Act of Congress, and it was created to address the very problems that had engaged his attention and energies for so many years. The governing body of that Center wisely selected him as the first Director. It was a case of a man and a position made for each other; the need, the time and the man coincided.

Even though his tenure as Director was relatively brief, due to the statutory age limit fixed by the Congress, his contribution was enormous, and all out of proportion to the length of his tenure as measured by a calendar.

Even as recently as 1968, when the Center was founded, federal judges were far from unanimous as to the need for a research and development program on the problems of the courts. And many were even less sympathetic to the idea of continuing legal education for judges. But Tom Clark before that time, as both the Solicitor General and the Attorney General have noted, was instrumental in the development of the National College of the State Judiciary, as it was known at that time, and he knew the value of that institution and of its educational programs for judges. And that, of course, gave him an enormously valuable foundation to supply the leadership that was needed to launch the new Federal Judicial Center, where continuing education and special training seminars for judges would be a major factor.

Equally important as his knowledge and experience in how to go about his new task was the credibility that he gave to this new enterprise. I recall one very senior federal judge, a man of large standing and reputation in the federal judiciary, who, among a group of judges, expressed skepticism about the need for the Federal Judicial Center, but then he ended up by saying, "If Tom Clark is for it, it

must be sound, and I'm for it." And that was the attitude of the skeptics, shared by many judges, in 1968.

His term as Director of the Center terminated very shortly after I came to this office and when, by statute, I automatically became Chairman of the Center Board. I note that I share an experience with the Attorney General, for on the day the Senate confirmed my nomination I called Tom Clark and asked if he would meet with me and several others for breakfast on June 24th, the morning after I was scheduled to take the oath of office in this Chamber. The purpose was to discuss problems, programs and projects for the future. His typical response was, "Why not sooner?"

I then explained that I thought since he was still in the office of Director, and that until July 23rd I was merely a circuit judge who was Chief Justice-designate, it would be wiser to defer any meetings on that subject until I was formally in office. He agreed. And on the morning of June 24th, less than 24 hours after I took office, we met for breakfast in his chambers with several other judges and leaders in public administration. That was the beginning, or, rather, I should say the beginning of an enlargement of a cooperation with Tom Clark which I had experienced for a good many years before that in the programs and activities that both of us felt were so crucial to the future of the judicial system, in both federal and state courts.

From that day forward, literally to the Saturday preceding his death when I met him in the hall of the Court, and visited on some common problems, my communication with Tom Clark was continuous. There was no problem that reached my desk on which he was not prepared and willing to shoulder responsibilities at my request. Apart from taking specific assignments on programs and projects of the Center, and of the Judicial Conference, I consulted with him frequently informally, at lunch in my chambers or over a cup of tea or a discussion in his chambers.

When the matter of the selection of his successor was before us, as it was at the time I came here, I consulted with him and followed his recommendation as to the appointment of Judge Alfred Murrah as his successor.

And then, once relieved of his duties as Director, in September 1969, Tom Clark resumed the regular sittings in the Courts of Appeals, in special courts and the District Courts that have already been referred to. No one in the history of this Court, after retirement as an Associate Justice, has ever engaged in such constant and steady judicial activity, as well as continuing his missionary work.

At this Court's request, he undertook difficult assignments as a Special Master on cases where not only his rich legal background, but particularly his abundant common sense and his great powers of persuasion made it desirable to call upon him.

During the years from 1969 until his death, there was never any occasion in which he did not respond instantly to any request we made of him to take on special assignments, either at the Center or sitting on other courts or as a Special Master. But, at the same time, his sensitivity was such that he was careful not to interpose his views on his successor, Judge Murrah, as Director of the Federal Judicial Center.

Before I close, I would like to mention just a few personal aspects of his temperament and personality. In the years that I was seeing him frequently, from 1969 until last year, and our friendship had gone back to 1953 when I first began to make appearances in this Court, I noted one thing about him that always puzzled me. He gave the impression of being an unhurried and unharried person. Yet when we came to know him well, we learned that he was about as unhurried as a dynamo, and he gave off the same kind of energy that a dynamo produces. He influenced all those he worked with, and it bears repeating that no one can remember any judge or Justice of this country who had a wider personal acquaintance with so many federal and state judges and bar leaders as did Tom Clark. And these were warm, personal and lasting relationships, which, quite frankly, he exploited to the fullest to carry out programs of improvement for the state and federal courts.

A further aspect was his deep humility, even as he furnished this dynamic and innovative leadership. And by humility, I mean a willingness to listen to others even while they were being persuaded, sometimes unknown to them, by his gentle but very firm advocacy.

I recall one story told me by the wife of a judge in Minnesota on the occasion when Tom Clark came to the city of St. Paul, my home city, to dedicate a memorial to Roscoe Pound, who had made his famous speech on justice, in the State Capitol in 1906.

For some reason the escort judge was late in meeting Tom—or, more likely, Tom was early in arriving at the appointed place. The wife of the Minnesota judge was awaiting her husband at the time, and she told me that she approached Justice Clark with some apprehension and apologized for her husband's delay, and, being conscious that there was some protocol, but not quite sure what it was, she said, "I have never met a Justice of the Supreme Court before; how do I address you?"

With that infectious grin that we all know so well and will never forget, he replied immediately, "Just call me Tom."

This was not an isolated or unusual reaction from Tom Clark, for he was known not to hundreds but literally thousands of state and federal judges and lawyers throughout this country, and except for

some occasions where formality was imperative, I doubt that he was ever addressed in any other way than "Just call me Tom."

So we will remember him, along with his remarkable contributions to the improvement of justices, as a bundle of quiet energy, a dynamo in both ideas and execution of those ideas, all of it concealed under the appearance of a relaxed Texas cowboy.

Before I close, I must add a word as to the part Mary Clark, his wife, played in his remarkable career. I should say remarkable careers, for we have all said there were several—we are divided only as to whether there were two careers or three; I have said he had three.

As with her husband, literally thousands of judges and lawyers and law teachers in this country knew her as "Mary". Her contribution to his life and career was very great. And, in a far lesser way, of course, we share the loss she and her family have experienced.

I speak for all members of this Court, and I will undertake to speak for thousands of state and federal judges and lawyers of the United States, in this final salute to a man who has done so much to make the judicial systems work, to make justice meet the needs of our times in all of our courts.

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Adjourned until Tuesday, February 21, 1978, at 10 o'clock.



SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## APPEALS—SUMMARY DISPOSITION

No. 77-493. Block C-11, Lot 11 and Rose Schoenthal, appellants, *v.* City of Atlantic City, etc. Appeal from the Supreme Court of New Jersey. The appeal is dismissed for want of a substantial federal question.

No. 77-636. Melvin L. Roberts, appellant, *v.* Jesse C. Johnson, Fire Marshal of the State of South Carolina. Appeal from the Supreme Court of South Carolina. The appeal is dismissed for want of a substantial federal question.

No. 77-822. John Lane, Jr., appellant, *v.* Norman F. Gallman, etc., et al. Appeal from the Appellate Division of the Supreme Court of New York, Third Judicial Department. The appeal is dismissed for want of a substantial federal question.

No. 77-842. John P. Davis et ux., appellants, *v.* Franchise Tax Board of the State of California. Appeal from the Court of Appeal of California, Third Appellate District. The appeal is dismissed for want of a substantial federal question.

No. 77-875. William T. Rankin, appellant, *v.* Ohio. Appeal from the Supreme Court of Ohio. The appeal is dismissed for want of a substantial federal question.

No. 77-877. Richard R. Horton et al., appellants, *v.* City of Oklahoma City, Oklahoma, et al. Appeal from the Supreme Court of Oklahoma. The appeal is dismissed for want of a substantial federal question.

No. 77-883. Michael Dappolonia, appellant, *v.* Board of Chiropractic Examiners of the State of Florida. Appeal from the District Court of Appeal of Florida, Fourth District. The appeal is dismissed for want of a substantial federal question.



No. 77-504. Jiro J. Enomoto, etc., et al., appellants, *v.* James C. Wright et al. Appeal from the United States District Court for the Northern District of California. Judgment affirmed. Dissenting opinion by Mr. Justice Rehnquist, with whom the Chief Justice joins.

No. 77-862. Cal-Cut Pipe & Supply, Inc., etc., appellant, *v.* Southern Idaho Pipe & Steel Co. Appeal from the Supreme Court of Idaho. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 77-934. Richard Lawrence and Nicholas Barnes, appellants, *v.* Board of Education of the City of Chicago et al. Appeal from the Appellate Court of Illinois, First District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 77-5908. Herman L. Hampton, appellant, *v.* Alaska. Appeal from the Supreme Court of Alaska. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 77-5938. Louis Layton and Ronald Morehart, appellants, *v.* Ohio. Appeal from the Court of Appeals of Ohio, Hancock County. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 77-5964. Edward Wayland, appellant, *v.* Joseph Furnari. Appeal from the United States Court of Appeals for the First Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 77-899. Carl Miller, et al., appellants, *v.* Gerald J. Heffernan, State Tax Commissioner. Appeal from the Supreme Court of Connecticut. Motion of Connecticut Legal Fund for leave to file a brief, as *amicus curiae*, granted. Motion of Salisbury Taxpayers Association for leave to file a brief, as *amicus curiae*, granted. The appeal is dismissed for want of a substantial federal question.

#### CERTIORARI—SUMMARY DISPOSITION

No. 77-5747. David F. Haddad, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of the views expressed by Solicitor General in his memorandum filed January 31, 1978. Mr. Justice White, Mr. Justice Powell and Mr. Justice Rehnquist dissent.



## ORDERS IN PENDING CASES

No. 74, **Original.** State of Georgia, plaintiff, *v.* State of South Carolina. It is ordered that the Honorable Walter E. Hoffman, Senior Judge of the United States District Court for the Eastern District of Virginia, be appointed Special Master in this case with authority to fix the time and conditions for the filing of additional pleadings and to direct subsequent proceedings, and with authority to summon witnesses, issue subpoenas, and take such evidence as may be introduced and such as he may deem necessary to call for. The Master is directed to submit such reports as he may deem appropriate.

The Master shall be allowed his actual expenses. The allowances to him, the compensation paid to his technical, stenographic, and clerical assistants, the cost of printing his report, and all other proper expenses shall be charged against and be borne by the parties in such proportion as the Court may hereafter direct.

It is further ordered that if the position of Special Master in this case becomes vacant during a recess of the Court, the Chief Justice shall have authority to make a new designation which shall have the same effect as if originally made by the Court.

No. 76, **Original.** State of California, plaintiff, *v.* State of Texas. Motion for leave to file bill of complaint set for oral argument in due course.

No. 76-1610. Pedro Ayala et al., petitioners, *v.* United States et al. Motion of petitioner to reopen and supplement record granted.

No. 77-10. Exxon Corporation et al., appellants, *v.* Governor of Maryland et al.;

No. 77-11. Shell Oil Company, appellant, *v.* Governor of Maryland et al.;

No. 77-12. Continental Oil Company et al., appellants, *v.* Governor of Maryland et al.;

No. 77-47. Gulf Oil Corporation, appellant, *v.* Governor of Maryland et al.; and

No. 77-64. Ashland Oil, Inc., et al., appellants, *v.* Governor of the State of Maryland et al. Motion of California for leave to file a brief, as *amicus curiae*, granted. Motion of National Congress of Petroleum Retailers for leave to participate in oral argument as, *amicus curiae*, denied. Motion of appellees for divided argument granted. Mr. Justice Stewart and Mr. Justice Powell took no part in the consideration or decision of these motions.

No. 77-69. Robert A. Panora, Registrar of Motor Vehicles of Massachusetts, appellant, *v.* Donald E. Montrym et al. Motion of appellees to vacate judgment granted. Court's order of October 31, 1977, vacating judgment of the District Court and remanding case for further consideration hereby vacated, and appeal is restored to the Court's

docket for appropriate action. Should the parties desire to file supplemental briefs in light of the District Court's October 6, 1977, opinion, they may do so on or before March 24, 1978.

No. 77-408. Ingalls Shipbuilding Corporation, Division of Litton Systems, Inc., petitioner, *v.* Dorothy T. Morgan et al. Motion of respondents for attorneys fees denied without prejudice to present a motion to the United States Court of Appeals for the Fifth Circuit.

No. 77-599. Parkhill-Goodloe Co., Inc., et al., petitioners, *v.* Rudolph McIntosh et al. Motion of respondent Rudolph McIntosh for award of attorney's fee denied without prejudice to present motion to the United States Court of Appeals for the Fifth Circuit.

No. 77-627. Austin National Bank, Individually, and as Guardian of the Estate of Robert O. Walters, III, petitioner, *v.* John E. Norton, et al. Motion of respondent to assess damages pursuant to United States Supreme Court Rule 56 (4) denied.

No. 77-910. Government of the Virgin Islands et al., petitioners, *v.* Vitco, Inc. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

#### APPEALS—JURISDICTION NOTED

No. 77-742. Jerome Miller, etc., et al., appellants, *v.* Marcel Youakim et al. Appeal from the United States Court of Appeals for the Seventh Circuit. In this case probable jurisdiction noted. Mr. Justice Stevens took no part in the consideration or decision of this matter.

No. 77-837. New Motor Vehicle Board of the State of California et al., appellants, *v.* Orrin W. Fox Co. et al.; and

No. 77-849. Northern California Motor Car Dealers Association et al., appellants, *v.* Orrin W. Fox Co. et al. Appeals from the United States District Court for the Central District of California. In these cases probable jurisdiction noted. Cases consolidated and a total of one hour allotted for oral argument.

No. 77-888. Joseph Vitek, etc., et al., appellants, *v.* Charles Miller et al. Appeal from the United States District Court for the District of Nebraska. In this case probable jurisdiction noted.

No. 77-5903. McArthur Corbitt, appellant, *v.* New Jersey. Motion of appellant for leave to proceed *in forma pauperis* is granted. Appeal from the Supreme Court of New Jersey. In this case probable jurisdiction noted.

#### CERTIORARI GRANTED

No. 77-539. Zenith Radio Corporation, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals granted.

No. 77-752. National Labor Relations Board, petitioner, *v.* The Catholic Bishop of Chicago et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 77-832. Board of Governors of Federal Reserve System, petitioner, *v.* First Lincolnwood Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 77-911. National Labor Relations Board, petitioner, *v.* Robbins Tire and Rubber Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 77-719. Jerome D. Chapman, Commissioner of Texas Department of Human Resources et al., petitioners, *v.* Houston Welfare Rights Organization et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted. Case set for oral argument in tandem with No. 77-5324.

No. 77-5324. Julia Gonzalez, etc., petitioner, *v.* James F. Young, Director, Hudson County Welfare Board, et al. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the third circuit granted. Case set for oral argument in tandem with No. 77-719.

No. 77-753. International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, petitioner, *v.* John Daniel; and

No. 77-754. Local 705, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, et al., petitioners, *v.* John Daniel. Motion of American Bankers Association for leave to file a brief, as *amicus curiae*, in No. 77-753, granted. Motion of National Association of Manufacturers for leave to file a brief, as *amicus curiae*, granted. Motion of ERISA Industry Committee for leave to file a brief, as *amicus curiae*, granted. Motion of National Coordinating Committee for Multiemployer Plans for leave to file a brief, as *amicus curiae*, granted. Motion of American Federation of Labor and Congress of Industrial Organizations for leave to file a brief, as *amicus curiae*, granted. Motion of Gray Panthers for leave to file a brief, as *amicus curiae*, granted. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit granted, cases consolidated and a total of one hour allotted for oral argument.

#### CERTIORARI DENIED

No. 76-1327. Charles Goodroe, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-466. Louis J. Pomponio, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-475. Roger Alstair Williams Fry, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-498. Manuel Alfonso Rodriguez, petitioner, *v.* United States; and

No. 77-538. Raymond Geraldo, petitioner, *v.* United States petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-522. Walter J. Dozier, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-526. George A. Chitty, petitioner, *v.* United States; Robert Morris Postal, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-527. Charles W. Ramsey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-583. Stanley Forsack, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-584. David Neustein, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-588. Stanley Jerry Piascik, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-596. Gulf Oil Corporation, petitioner, *v.* Federal Energy Regulatory Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-610. Don B. Harding, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-614. U-Anchor Advertising, Inc., petitioner, *v.* N. H. Burt dba Granot Lodge. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 77-621. Dade Christian Schools, Inc., petitioner, *v.* Johnny Brown, Jr., etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-628. Robert T. Magill et al., petitioners, *v.* Dennis M. Lynch et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-630. National Beryllia Corporation, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-633. Charles Irvin et ux., petitioners, *v.* Carleen V. Sims et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-638. Timothy Granaderos, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-641. Mauro Cantu, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-645. Der-Rong Chour, petitioner, *v.* Benedict J. Ferro, District Director, Immigration and Naturalization Service, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-646. Charles D. Brand, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-652. Lewis Nathaniel Dixon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-656. International Association of Machinists and Aerospace Workers, AFL-CIO, petitioner, *v.* Equal Employment Opportunity Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-659. Western Union Telegraph Company, petitioner, *v.* Ray Marshall, Secretary of Labor. Petition for writ of certiorari to the United States for the Third Circuit denied.

No. 77-663. Centeno Super Markets, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-667. Gayetta Barker, Executrix of the Estate of Frank S. Barker and Willis G. Pehl, petitioner, *v.* Lutrelle F. Parker, Acting

Commissioner of Patents and Trademarks. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 77-671. Delta Air Lines, Inc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-673. Warren Quade and Lyle Quade, etc., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-685. County of Suffolk and Concerned Citizens of Montauk, Inc., petitioners, *v.* Secretary of the Interior et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-687. Richard Meredith, petitioner, *v.* Worker's Compensation Appeals Board of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 77-690. John Eli Stone, Richard Carl Biggs, John Dayton Ritter and James William Winningham, petitioners, *v.* United States;

No. 77-724. Reuben Goldstein, petitioner *v.* United States; and

No. 77-5730. Anthony Daidone, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-708. John McGrath, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-723. Donn E. Cassity, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-726. J. P. Stevens & Co., Inc., et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-728. School District of Omaha et al., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-729. The Stouffer Corporation dba Stouffer's Cincinnati Inn, petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-744. Carvel Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.



No. 77-746. Lewis E. Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-768. County of Cook et al., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-777. Alice Miller, petitioner, *v.* Patricia Roberts Harris, Secretary, Department of Housing & Urban Development, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-779. In re Philip A. Gillis, petitioner. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-788. Thomas E. Cole, Diane C. Baker and Burnco, Incorporated, petitioners, *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Eastern Division, denied.

No. 77-791. Crossroads Books, Inc., petitioner, *v.* TOA Enterprises, Inc. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 77-793. Peggie Ann King et al., petitioners, *v.* Public Service Employees Local Union 572, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-798. Gulf Oil Corporation, petitioner, *v.* Lawrence E. Maddox, etc. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 77-800. Ouachita National Bank in Monroe, petitioner, *v.* A. L. Rowan et al. Petition for writ of certiorari to the Court of Appeal of Louisiana, ~~Fourth~~ Circuit, denied.

No. 77-804. Heinrich Joachim, petitioner, *v.* Ursula H. Joachim. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 77-808. Kansas City Area Transportation Authority of the Kansas City Area Transportation District, petitioner, *v.* James G. Ashley, Jr., et al. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 77-810. Edward L. Ford, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-812. Henry Carl Dean, petitioner, *v.* American Security Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-813. Jose Jesus Urias, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-814. Heizer Corporation, petitioner, *v.* Peter Wright et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-815. White Plains Nursing Home, petitioner, *v.* Commissioner of the Department of Health, State of New York et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 77-819. Lee Dudley Hudson and Dennis Joseph Wells, petitioners, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 77-827. Donald J. Wilson, Sr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-828. Frank A. Gunther et al., petitioners, *v.* Maryland-National Capital Park and Planning Commission. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 77-829. Boyce Neal Patterson and Jimmy Wayne Murphy, petitioners, *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 77-830. Edwin J. O'Connor, petitioner, *v.* Washington. Petition for writ of certiorari to the Court of Appeals of Washington, Division Two, denied.

No. 77-831. Lo-Vaca Gathering Company, petitioner, *v.* The Railroad Commission of Texas. Petition for writ of certiorari to the United States Temporary Emergency Court of Appeals denied.

No. 77-833. Joseph Goldman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-834. Morton Fungler et al., petitioners, *v.* Montgomery County, Maryland, et al. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 77-844. Monongahela Power Company, petitioner, *v.* Public Service Commission of West Virginia; and

No. 77-845. Potomac Edison Company, petitioner, *v.* Public Service Commission of West Virginia. Petitions for writs of certiorari to the Supreme Court of Appeals of West Virginia denied.

No. 77-847. The Superior Oil Company, petitioner, *v.* William J. Sterling et al. Petition for writ of certiorari to the Supreme Court of Kansas denied.



No. 77-848. Northern Natural Gas Producing Company and Mobil Oil Corporation, petitioners, *v.* Hazel Nix and Fred Schupbach, Jr., etc., et al. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 77-850. Arthur H. Keyes, Jr., et al., petitioners, *v.* District of Columbia et al. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-853. John W. Walton, Jr., et ux., petitioners, *v.* Louis J. Papagianopoulos et al. Petition for writ of certiorari to the Court of Appeals of California, Third Appellate District, denied.

No. 77-854. Providence Hospital, petitioner, *v.* Manhattan Construction Company of Texas et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-856. Phillips Petroleum Company, petitioner, *v.* Irl Shutts, etc., et al. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 77-858. Public Broadcasting Service, petitioner, *v.* Network Project, et al.; and

No. 77-864. Corporation for Public Broadcasting, petitioner, *v.* Network Project et al. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-860. William Mansker Clubb, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 77-861. Tommie Ann Hildebrand, petitioner, *v.* California Unemployment Insurance Appeals Board et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 77-871. John V. Terry et ux., petitioners, *v.* Klamath Production Credit Association et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-873. Shearn Moody, Jr., and John S. Bleker, petitioners, *v.* Texas et al. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Tenth Supreme Judicial District, denied.

No. 77-878. Warren Dale Keefer, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 77-882. Michael Steve Wodoslawsky, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 77-893. Sadie Gertler et vir, petitioners, *v.* City of New Orleans et al. Petition for writ of certiorari to the Court of Appeal of Louisiana, Fourth Circuit, denied.

No. 77-895. Bernard Ryan and John McDonald, petitioners, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 77-896. Village of Northbrook et al., petitioners, *v.* Northbrook Trust and Savings Bank et al. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 77-897. Yaacov Meridor and Mila Brener, petitioners, *v.* David Goldberg, etc., et al.; and

No. 77-940. Henry A. Singer, petitioner, *v.* David Goldberg, etc., et al. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-905. Mary Cox, Administratrix of the Goods, Chattels and Credits of Bobby Cox, petitioner, *v.* Administrator of the Veterans Administration, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-907. Bruce K. Jordan, petitioner, *v.* U.S. Natural Resources, Inc., etc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-912. Alaska Roughnecks and Drillers Association, petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-913. Michael Papadopoulos, petitioner, *v.* Oregon State University, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-916. Jo Ann Williams and Clarence Webb, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-918. First National Bank of Glen Head, petitioner, *v.* Donald Katz, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-921. Robert Pagliara, aka Robert Sells, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 77-923. Olinkraft, Inc., petitioner, *v.* Mary Evelyn Clark. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-924. Lewis T. Kent, petitioner, *v. Ohio*. Petition for writ of certiorari to the The Court of Appeals of Ohio, Hamilton County, denied.

No. 77-927. Eleanor E. Harris, etc., petitioner, *v. Fireman's Fund American Life Insurance Company*. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-930. Victor Watts, petitioner, *v. Illinois*; and

No. 77-937. Willie Nelson, petitioner, *v. Illinois*. Petitions for writs of certiorari to the Appellate Court of Illinois, First District, denied.

No. 77-931. R. J. Kunkle, dba R. J. Restoration Co., petitioner, *v. Arthur Eggleston*. Petition for writ of certiorari to the Court of Appeals of Ohio, Franklin County, denied.

No. 77-933. Lawrence T. Westervelt, petitioner, *v. Central Illinois Public Service Co.* Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 77-935. Helene Curtis Industries, Inc., petitioner, *v. Church & Dwight Co., Inc., et al.* Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-941. Joel D. Ender, petitioner, *v. Chrysler Corporation et al.* Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-942. Frank Reynolds, petitioner, *v. Joseph L. Wetli*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-954. Arthur Gresen, petitioner, *v. Harold Feikes et al.* Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 77-975. Oliver Paul Summers, petitioner, *v. Alabama*. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 77-1006. Franklin Neil Jacek, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1007. Allen J. Lefferdink, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1009. Herbert L. Hedgeman, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-1014. Survey Engineers, Inc., petitioner, *v. Zoline Foundation and Joseph Zoline*. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 77-1021. Ovidio Omar Urdiales, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1023. A. C. Patee, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5419. Robert L. Twyman, petitioner, *v.* Oklahoma et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5477. Joseph Moore, petitioner, *v.* M. R. Hogan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5494. Richard Atkins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5503. Theodore Walter Harris, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5515. William O. Hampton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5519. Cornelius Dodson, petitioner, *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, St. Louis District, denied.

No. 77-5524. William McKinley Provo, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 77-5554. Robert W. Smith, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-5557. Paul D. Edwards, petitioner, *v.* Edward Lang et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5580. Patrick Murray Keating, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 77-5587. Angel Del Valle-Rojas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5613. Robert Lee Preston, petitioner, *v.* Georgia. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5617. Andrew J. Millhouse, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5621. Monroe Lewis Ward, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5631. James F. Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5633. Carlos Brown Martinez, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 77-5639. Lawrence S. Banks, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 77-5640. Harry Harden Brown, petitioner, *v.* W. D. Blankenship, Superintendent, Bland Correctional Center. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5641. Donald G. Richardson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5645. John C. Petticolas, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-5647. Willie B. Henne, petitioner, *v.* James C. Fike, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5660. Frank E. Hoeker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5666. James Harris, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5667. John Robert Sills, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5668. Ernest Chavez Martinez, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 77-5669. Elmer Eugene Franklin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5684. Charles Lynn Lay, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 77-5688. Anthony Granata, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5693. Harry L. Johnson, petitioner, *v.* Ralph L. Williams, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5701. James Frank Rogers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5702. Steven Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5711. William Edward Klein, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5720. Brent Burroughs, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of Superior Court of California, Los Angeles County, denied.

No. 77-5721. Sammie Thornton, petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 77-5724. Carl M. Birmingham, petitioner, *v.* G. Thomas Eisele, United States District Judge. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5725. Franklin Roosevelt Bumpers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5727. Irving Chappell, petitioner, *v.* Joe S. Hopper, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5731. Kenneth T. Curry, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.



No. 77-5732. Arnulfo Orquiz, Jr., petitioner, *v.* United States; and

No. 77-5791. Ramon Baeza Sanchez, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5734. Felipe L. Barbosa, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 77-5736. Ciro Riccardi, petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5744. Luis Bustamante, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5751. Melvin McMillian, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5754. Ruby Cozad, petitioner, *v.* Emery Johnson, Director, United States Indian Health Service, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5763. Howard Lipinski, petitioner, *v.* New York. Petition for writ of certiorari to the United States of Appeals for the Second Circuit denied.

No. 77-5772. Percy Hodges, Sr., petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 77-5774. Peter J. Vella, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5789. John Gregory Lambros, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5790. Michael Stanley Green, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5797. Michael Joseph Leja, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5801. Adolfo G. Frivaldo, petitioner, *v.* Max Cleland, Administrator, Veterans Affairs, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-5804. Robert F. Simmons, et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 77-5806. James Darrell Weaver, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5827. Walter E. Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-5834. Johnnie Clarence Rogers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5846. Clarke D. Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-5859. Roger Lee Caldwell, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 77-5861. Tommie Heads, Jr., petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 77-5862. Jesse D. Loden, petitioner, *v.* James R. Thompson, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5867. Michael H. Brown, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5870. Bill M. and Cynthia Barnett, etc., petitioners, *v.* Jose Cisneros, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5871. Raymond Edwin Kossa, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5872. Philip Lenford Allen, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.



No. 77-5876. Jimmie Lee Harper, petitioner, *v.* Walter M. Riddle, Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5877. Roy E. Carroll, petitioner, *v.* John R. Manson, Commissioner of Corrections, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5879. Virgil Walker and Shirley Brown, petitioners, *v.* Clovis H. Pierce et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5900. Roger Lee Hall, petitioner, *v.* Louie L. Wainwright, Secretary, Department of Offender Rehabilitation of Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5905. Rico Latimore and Arthur Vesey, petitioners, *v.* Allyn R. Sielaff et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5907. James Butler, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 77-5909. Harry Franklin Phillips, petitioner, *v.* Louie L. Wainwright, Secretary, Department of Offender Rehabilitation of Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5910. Willie Lee Mason, petitioner *v.* William J. Mulligan, etc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5911. Hillard Elmer Smith, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Court of Appeals of North Carolina denied.

No. 77-5913. Michael Lawrence Roche, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5918. Bernard Franklin Beverly, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 77-5920. Charles Edward Sand, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5922. Bobby Ray Kines, petitioner, *v. Massachusetts*. Petition for writ of certiorari to the Appeals Court of Massachusetts denied.

No. 77-5926. Jerry Johnson, petitioner, *v. Rosa Lee Barge*. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Fifth Supreme Judicial District, denied.

No. 77-5928. Jim (MNM) Hendrix, Jr., petitioner, *v. Iowa*. Petition for writ of certiorari to the Court of Appeals of Iowa denied.

No. 77-5932. Edward Farrell and Chauncey Reidout, petitioners, *v. Jack Czarnetzky et al.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5934. Robert Behm, petitioner, *v. Illinois*. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 77-5937. Lester Slotnick, petitioner, *v. Harold Staviskey et al.* Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-5943. Ralph Gutierrez Garza, Jr., petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5944. Andrew Flowers, petitioner, *v. Massachusetts*. Petition for writ of certiorari to the Appeals Court of Massachusetts denied.

No. 77-5945. Victor Lee Taylor, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5946. Dwayne O. Wiggins, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5947. Tyrone Glenn Jefferson, petitioner, *v. Joe W. Sanders, Chief Justice, and the Associate Justices of the Supreme Court of Louisiana*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5950. Julio Orejuela, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5952. Tyrone Lewis Thomas-Bey, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5959. Gregory Pierce, petitioner, *v. Illinois*. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 77-5961. William F. Burnsed, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5963. Eli Raitport, petitioner, *v. Bank & Trust Co. of Old York Road et al.* Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5966. Michael Ray Jolly, petitioner, *v. Richard A. Crisp, Warden*. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5968. Clifford A. Cross, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5969. Ira Spencer Pierce and Robert Arthur Randall, petitioners, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5970. Peter Chinnici, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5973. Charles George Simmons, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5977. Eddie L. Brown, petitioner, *v. Florida*. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 77-5979. Albert J. Bernotas et al., petitioners, *v. Chester County Water Resources Authority*. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 77-5980. Lloyd Laverne Reinert, petitioner, *v. California*. Petition for writ of certiorari to the Appellate Department of Superior Court of California, County of Los Angeles, denied.

No. 77-5981. Gill Redmond, petitioner, *v. Illinois*. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 77-5982. Robert Wayne Smith, petitioner, *v. Arkansas*. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 77-5983. Roy Bowen, petitioner, *v. Williams Abshire, Superintendent*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5986. Emmett Floyd Thrower, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5989. Randall Eugene Brockus, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5990. Terry Eugene Savage, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5993. Lawrence Alfred Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5998. John Leon Anderson, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 77-6001. Jerry Wayne Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6004. David Ernest Young, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6007. John Lawrence Miller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6010. Jerome C. Anthony et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6011. Luis Armando Delgadillo-Ayala, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6012. Ronald Shepard, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6021. Talmon Hegwood, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6034. Terry E. Savage-El, petitioner, *v.* Floyd E. Arnold, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6040. Mario A. Garcia, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-6041. Steven H. Ehnes, petitioner, *v.* Dennis S. Flynn et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6042. Aljandro Miguel Bey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6043. Mose Franklin Pearson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6045. Gretta Scott, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 77-6060. Teresa Byer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6075. Richard Henry Morgan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6076. Jose Luis Oropeza, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6086. Sam Thomas Waldron, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6098. Robert Edward Lipscomb, petitioner, *v.* United States Attorney et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-6105. Eli M. Gorin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-447. C. Brice Ratchford, etc., et al., petitioners, *v.* Gay Lib et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Dissenting opinion by Mr. Justice Rehnquist, with whom Mr. Justice Blackmun joins. The Chief Justice would grant petition and give plenary consideration to this case.

No. 77-481. Greene County Planning Board et al., petitioners, *v.* Federal Energy Regulatory Commission et al. Motion of Pacific Legal Foundation for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the

Second Circuit denied. Mr. Justice Brennan and Mr. Justice Stewart would grant certiorari.

No. 77-681. Tax Analysts and Advocates and Thomas F. Field, petitioners, *v.* W. Michael Blumenthal, Secretary of the Treasury, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice White would grant certiorari.

No. 77-908. John G. Madry, Jr., petitioner, *v.* Otto G. Sorel et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice White would grant certiorari.

No. 77-740. Gulf Oil Corporation et al., petitioners, *v.* Paul J. Bogosian et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Stewart and Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 77-802. Northwest Airlines, Inc., petitioner, *v.* Mary P. Laffey, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision on this petition.

No. 77-904. Daniel L. Shull, petitioner, *v.* Dain, Kalman and Quail, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-843. Benton M. Hensler, petitioner, *v.* Mary Lee Nichols. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Stevens took no part in the consideration or decision of this petition.

No. 77-852. Alabama, petitioner, *v.* Charles William Cannon. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-857. J. W. Patterson et al., petitioners, *v.* Khalieb McKinnon, Laurence Mincy and David Wheeler. Motion of respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-892. Stensaker Schiffahrtsges, petitioner, *v.* Henry Wiley, et al. Motion of respondent Henry Wiley for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari, to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-902. Volkswagenwerk, A.G., et al., petitioners, *v.* Hea-transfer Corporation. Petition for writ of certiorari to the United



States Court of Appeals for the Fifth Circuit denied. Mr. Justice Powell would grant certiorari.

No. 77-909. Jesse Byrd et al., petitioners, *v.* Charles R. Gain et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Stewart would grant certiorari.

No. 77-945. Susie Ivy and I. Goodman Cohen, Co-Administrators of the Estate of Jeanette Vary, petitioners, *v.* Michigan Department of the Treasury. Petition for writ of certiorari to the Supreme Court of Michigan denied. Mr. Justice Stewart would grant certiorari.

No. 77-932. Board of Appeals of Scituate, petitioner, *v.* Housing Appeals Committee et al. Petition for writ of certiorari to the Court of Appeals of Massachusetts denied. Mr. Justice Brennan would grant certiorari.

No. 77-951. Oscar S. Savage et al., petitioners, *v.* Enrique Carrera Lerma. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-969. Thomas Hamlin McGarrity, Jr., petitioner, *v.* United States. Motion to defer and petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5576. Freddie Joseph Phillips, petitioner, *v.* Donald W. Wyrick, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Brennan, Mr. Justice Stewart and Mr. Justice Powell would grant certiorari.

No. 77-5671. Guy Earl Ditmars, petitioner, *v.* Idaho. Petition for writ of certiorari to the Supreme Court of Idaho denied. Mr. Justice Brennan, Mr. Justice White and Mr. Justice Marshall would grant certiorari.

No. 77-5687. Edward Lincoln King, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Mr. Justice Brennan and Mr. Justice Marshall, dissenting: Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentence in this case.

No. 77-5715. Leonard Wilson Freeman, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Mr. Justice Brennan and Mr. Justice Marshall, dissenting: Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Four-



teenth Amendments, *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentence in this case.

No. 77-5921. Bobby Gene Gaddis, petitioner, *v. Georgia*. Petition for writ of certiorari to the Supreme Court of Georgia denied. Mr. Justice Brennan and Mr. Justice Marshall, dissenting: Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia* 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentence in this case.

No. 77-5695. Lyman A. Moore, petitioner, *v. David H. Brierton*, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Brennan and Mr. Justice Marshall would grant certiorari.

No. 77-5901. Wayne Woodard and Eddie Bell, petitioners, *v. Louie L. Wainwright*, Secretary, Department of Offender Rehabilitation of Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Marshall would grant certiorari.

#### LEAVE TO FILE PETITION FOR WRIT OF CERTIORARI DENIED

No. 77-5792. Raymond P. Kordja, petitioner, *v. New Jersey*. Motion for leave to file petition for writ of certiorari denied.

#### LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 77-5960. Jesse Roots, petitioner, *v. Louie L. Wainwright*, Secretary, Department of Offender Rehabilitation of Florida. Motion for leave to file petition for writ of habeas corpus denied.

#### LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 77-5824. Jerald Lee Evers, petitioner, *v. United States*. Motion for leave to file petition for writ of mandamus denied.

No. 77-5878. John William Grant, Jr., petitioner, *v. Connecticut*. Motion for leave to file petition for writ of mandamus denied.

No. 77-5882. Allan G. Kaplan, petitioner, *v. Lawrence A. Whipple, Sr., et al.* Motion for leave to file petition for writ of mandamus denied.

No. 77-5974. Frank Newsome, petitioner, *v. William R. Collinson*, Judge, et al. Motion for leave to file petition for writ of mandamus denied.

No. 77-5873. John Houston Sellars, petitioner, *v. J. P. Busch, Jr., et al.* Motion for leave to file petition for writ of mandamus and/or prohibition denied.

## REHEARINGS DENIED

No. 76-5325. Ben Earl Browder, petitioner, *v.* Director, Department of Corrections of Illinois;

No. 77-26. Elizabeth Jane Young Chin, petitioner, *v.* United States;

No. 77-296. Duane Owen Hestnes, petitioner, *v.* United States;

No. 77-5428. Robert Vernon Bruce, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections;

No. 77-5431. Melvin Leroy Tyler, petitioner, *v.* Leslie Dyer, Clerk, Circuit Court of Platte County;

No. 77-5591. James E. McCracken, petitioner, *v.* United States;

No. 77-5601. Randolph Joseph X. Greene, petitioner, *v.* Marvin R. Hogan, Warden et al.;

No. 77-5626. Ted Dudek, aka Ted Landers, petitioner, *v.* United States;

No. 77-5652. Marvin Reiter, petitioner, *v.* City of Keene et al.; and

No. 77-5761. Aaron Holsey, petitioner, *v.* Allen D. Greif et al. Petitions for rehearing denied.

No. 76-6623. John Charles Johnston and Ronald Day Plumlee, petitioners, *v.* United States. Motion for leave to file second petition for rehearing denied.

No. 77-428. Shearn Moody, Jr., petitioner, *v.* Charles H. Payne, etc.;

No. 77-430. Virgil Ogletree and Donald Moore, petitioners, *v.* United States;

No. 77-5533. Walter A. Kurz and Dolores J. Kurz, petitioners, *v.* Michigan et al.;

No. 77-5605. Lex Newton Braudrick, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections; and

No. 77-5622. Robert M. Stocking, petitioner, *v.* Lillian H. Marsh et al. Petitions for rehearing denied. Mr. Justice Blackmun took no part in the consideration or decision of these petitions.

No. 72-397. Bonelli Cattle Company et al., petitioners, *v.* Arizona et al.; and

No. 77-231. Edwin Nachbaur, petitioner, *v.* National Labor Relations Board et al. Motions for leave to file petitions for rehearing denied.

No. 77-5574. Patricia Stoddard, petitioner, *v.* United States District Court for the Eastern District of Michigan. Motion for leave to file petition for rehearing denied. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Stanley William Abel	Colusa, Calif.	Donald William Littlejohn.
Gail L. Achterman	Salem, Oreg.	Milan C. Miskovsky.
Allan Abel Ackerman	Chicago, Ill.	Thomas P. Durkin.
George Agnost	San Francisco, Calif.	George E. Baglin.
Leo J. Agrillo	Brooklyn, N.Y.	Louis J. Russo.
David Albert	Greenwich, Conn.	Richard Steel Pastore.
Alan Robert Alder	Morristown, N.J.	Ralph Porzio.
Larry Douglas Allen	Houston, Miss.	Richard Grisham Bennett.
Ronald Yoshihiko Amemiya	Honolulu, Hawaii	Daniel K. Inouye.
Robert J. Angerer	Tallahassee, Fla.	C. Dean Reasoner.
Guy Browning Arthur	Vienna, Va.	Robert Mandel.
John T. Avrett	Dalton, Ga.	Lemuel Hugh Kemp.
Gregory Lawrence Ayers	Columbus, Ohio	James Kura.
Donald L. Bach	Madison, Wis.	Jack Richard DeWitt.
Carlton B. Bagby	Columbia, S.C.	Neil Thomas Bradley.
Victor McEver Baird	Atlanta, Ga.	Robert S. Bomar.
Jerome Vincent Bales	Overland Park, Kans.	Lewis Carson Smith.
Steven Balsam	New York, N.Y.	Bert W. Subin.
W. Scears Barnes, Jr.	Alexander City, Ala.	Tom Radney.
C. David Barrier	Kansas City, Mo.	Howard A. Crawford.
James J. Barry	Toms River, N.J.	T. Brent Mauro.
Gary Dane Barton	Ridgefield, N.J.	John F. Martin.
John H. Bauckham	Kalamazoo, Mich.	Vincent T. Early.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Felix H. Bean III	Memphis, Tenn.	Charles J. Cassell.
Robert Michael Becker	Houston, Miss.	Lindell Rex Church.
Thomas Alan Beenck	Tallahassee, Fla.	William Calvin Sherrill, Jr.
Charles Jonathan Benner	Cincinnati, Ohio	Gordon M. Shaw.
Richard Crew Bentley	Montgomery, Ala.	John Sparkman.
David H. Besso	Bay Shore, N.Y.	John E. Long, Jr.
Sebastian R. Betasso	Pittsburgh, Pa.	William H. Eckert.
Stephen Carl Betts	Findlay, Ohio	Margaretta B. Schuck.
James Allen Blackstock	Angelton, Tex.	Ogden Bass.
John Lloyd Blandford	Chamblee, Ga.	Edwin Maxwell Saginar.
Dennis Hull Blumer	Rockville, Md.	Estelle A. Fishbein.
Robert H. Bogucki	New York, N.Y.	Arthur Cooperman.
Mark Healy Bonner	Washington, D.C.	Eric A. Nobles.
James Michael Boyd	Vancouver, Wash.	Jerome W. Scanlon, Jr.
G. Griffin Boyte	Humboldt, Tenn.	Frierson M. Graves, Jr.
John C. Bracy	Atlanta, Ga.	Emmet J. Bondurant II.
Philip L. Brady	Gahanna, Ohio	James C. Hubbard, Jr.
H. Allen Bray	Maryville, Tenn.	William Terry Denton.
John G. Brenon	Rome, N.Y.	Michael D. Wims.
John Xavier Breslin	Ottawa, Ill.	Margaret M. McDonnell.
Edward T. Bresnan	Blue Bell, Pa.	Philip R. Detwiler.
Dale Vincent Bring	Columbus, Ohio	Vincent DePascale.
Estes David Brockman	Detroit, Mich.	Melba A. Kopel.
Francis B. Brogan, Jr.	Fort Lauderdale, Fla.	Robert Alan Kramer.
Nelson Alfred Brooke	Los Angeles, Calif.	Felix Berger.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Douglas Colton Brown	Washington, D.C.	Paul Abbott McCartney.
Winston Perry Brown	Milwaukee, Wis.	Robert E. Bertram.
Edward Parker Brown II	Alexandria, Va.	Harry James Breithaupt, Jr.
Philip Lane Bruner	Saint Paul, Minn.	Richard E. Kyle.
Robert M. Buckalew	Las Vegas, Nev.	Jon R. Collins.
Robert Neil Burman	Columbus, Ohio	Asriel Strip.
William Eugene Butner	Hickory, N.C.	Jesse C. Sigmon, Jr.
Jerome L. Buzzard	Olympia, Wash.	Judge Robert J. Doran.
Joan Herre Byers	Raleigh, N.C.	Richard N. League.
Orbie M. Campbell	Atlanta, Ga.	Tench C. Coxe.
John Udem Carlson	Denver, Colo.	Harry L. Hobson.
Daniel Peter Carmichael	Indianapolis, Ind.	Stephen Adair Stitle.
James D. Carriere	New Orleans, La.	Herve Racivitch.
Tuck Ralston Chapin	San Antonio, Tex.	Earle Cobb, Jr.
Roy Clifton Cheatwood	New Orleans, La.	John Villars Baus.
James Alan Cheslek	Valparaiso, Ind.	Alan Stuart Morrison.
Siegfried B. Christensen	Covington, La.	Guy L. Deano, Jr.
Steven Kent Christensen	Hilo, Hawaii	Harriet Bouslog.
Michael Patrick Clancey	Laguna Hills, Calif.	Tully H. Seymour.
Edith Brown Clement	New Orleans, La.	Robert B. Acomb, Jr.
Michael L. Closen	Chicago, Ill.	Elmer Gertz.
Harry Fahrige Cole	Providence, R.I.	Harry M. Plotkin.
Richard P. Cole	Miami, Fla.	Miller Walton.
Charles Edward Combs, Jr.	Middletown, Ohio	William Ernest Rathman.
Ian M. Comisky	Philadelphia, Pa.	Leonard Dubin.
John L. Connor	Reno, Nev.	John Code Mowbray.
David Cosson	Washington, D.C.	Michael Francis DiMario.
Cecil G. Costin, Jr.	Port St. Joe, Fla.	Douglass Bourne Shivers.

<u>Applicant</u>	<u>City and State.</u>	<u>Movant</u>
Kenneth L. Cunniff	Chicago, Ill.	Richard F. Walsh.
Thomas J. Curry	Denver, Colo.	Robert G. Heiserman.
Benjamin J. Curtis	Poteau, Okla.	Louis Everett Striegel.
Vincent Joseph Curtis, Jr.	Washington, D.C.	Richard Hildreth.
Dale E. Custer	Gary, Ind.	David A. Willis.
Bohdan Danyliw	Hartford, Conn.	Gilbert A. Cuneo.
Donald W. Davis	Oklahoma City, Okla.	Judge Charles L. Owens.
Peter I. J. Davis	Rockville, Md.	Charles Norman Shaffer.
Edward P. Davis, Jr.	San Francisco, Calif.	John H. Lockie.
Raymond J. Dearie	New York, N.Y.	Lawrence Kevin Sheridan.
Denny Martin Dennis	Des Moines, Iowa	Louis A. Lavorato.
William Roy Dickerson	Los Angeles, Calif.	George E. Dalton.
Richard J. Dorn, Jr.	Franklin Lakes, N.J.	Howard Stephen Weiss.
Allan Thompson Downen	Sidney, Ohio	Larry Dean Anderson.
Daniel Goodwin Downer, Jr.	Annapolis, Md.	William A. Franch.
Michael Allen Drew	Kent, Ohio	William Franklin Calhoun.
Fred W. Drogula	Washington, D.C.	Thomas Charles Green.
William P. Dulaney	Tunica, Miss.	John W. Dulaney, Jr.
James Frederick Dumas, Jr.	Denver, Colo.	Rollie R. Rogers.
Eugene Kenneth Duncan	Bowling Green, Ky.	George Phillip Gleitz.
Morris Douglas Dunn	New York, N.Y.	Sutton Keany.
Andrew John Ekonomou	Atlanta, Ga.	Robert Sherwood Stubbs II.
Aurel L. Ekvall	Bagley, Minn.	Thomas L. Fabel
Houghton F. Elias, Jr.	Cleveland, Miss.	Gerald H. Jacks.
Charles M. Elliott	Denver, Colo.	Harry L. Hobson.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Alan Ellis	State College, Pa.	Wendell G. Freeland.
Michael Francis Eng	Honolulu, Hawaii	James A. King.
Julie Ann Epps	Jackson, Miss.	W. S. Moore.
Joseph C. Epsy III	Montgomery, Ala.	Oakley Webster Melton, Jr.
Thomas William Eres	Sacramento, Calif.	Adolphus Moskovitz.
Rodolfo S. Escabi	San Juan, P.R.	Edgardo A. Gonzalez.
Robert F. Estrada	San Antonio, Tex.	Pat Priest.
Nicholas J. Etten	Chicago, Ill.	Thomas Aquinas Foran.
Gordon A. Etzler	Valparaiso, Ind.	Alan Etuart Morrisson.
Frank Evans	San Francisco, Calif.	Robert Marshall Jakob.
Larry G. Evans	Valparaiso, Ind.	Allan Stuart Morrisson.
Joseph Falcone	Union Lake, Mich.	Stuart E. Siegel.
Robert M. Felton	Salt Lake City, Utah	John D. O'Connell.
Randall C. Ferguson	Nashville, Tenn.	Thomas Miller Manier.
Ira Allen Finkelstein	New York, N.Y.	Paul W. Williams.
Thomas D. Flanagan	Chicago, Ill.	Thomas E. Brannigan.
Robert D. Foglia	New York, N.Y.	Daniel R. Solin.
Paul Gabor Foldes	Arlington, Va.	Heidi Packer Sanchez.
Jess E. Forrest	Chicago, Ill.	Edward H. Norton.
Michael T. Fox	Los Angeles, Calif.	Robert D. Brill.
Charles A. Francis	Tallahassee, Fla.	Joseph C. Jacobs.
Thomas Richard Frantz	Virginia Beach, Va.	Donald Hamilton Clark.
Dale E. Fredericks	San Francisco, Calif.	Gunther R. Detert.
Charles Christian Frederiksen	Dallas, Tex.	George Edward Seay.
Charles J. Friedman	Washington, D.C.	Stanley Sporkin.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles Frederick Frishe	Cleveland, Ohio	Gerald Kurland.
Alonzo Hill Gainey, Jr.	Southport, N.C.	Grover Aubret Gore.
William B. Gallagher, Jr.	Asbury Park, N.J.	Abraham R. Klitzman.
Otto Miguel Bustelo Garriga	San Juan, P.R.	Heberto J. De V. Armstrong.
Lawrence M. Gavin	Chicago, Ill.	Barnabas F. Sears.
John J. George	San Jose, Calif.	John Russell Carroll.
Gary Gene Gerlach	Des Moines, Iowa	Robert A. Marmet.
Edward Robert Giacci	New Haven, Conn.	Anthony V. DeMayo.
Frank Brandeis Gilbert	Washington, D.C.	Aloysius B. McCabe.
Daniel O. Glenn	Olympia, Wash.	Judge Robert J Doran.
John Golden	Newark, N.J.	Robert Louis Toomey.
Thomas Goldstein	Miami, Fla.	Stuart L. Simon.
Richard B. Goodner	Dallas, Tex.	Clarence B. Harrison, Jr.
Robert Wilson Goodwin	Des Moines, Iowa	Frederick Marcus Haskins.
L. James Gordon	Newark, Ohio	E. Clark Morrow.
Francis Latimer Gould	Vista, Calif.	William Randolph Eleazer.
Donald Anderson Graham	White River Junction, Vt.	James L. Morse.
Curtis O. Grantham	Houston, Tex.	William E. Hornbuckle III.
Reginald Arthur Gray, Jr.	Hattiesburg, Miss.	Bruce C. Aultman.
Robert M. Greco	Washington, D.C.	David J. Curtin.
Harry L. Green	Lansdale, Pa.	David B. Fitzgerald.
Edwin A. Green II	Tallahassee, Fla.	Charles Graham Carothers.
Jack Greenberg	Philadelphia, Pa.	Thomas Vernon Lefevre.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Craig Homer Greenwood	Bloomington, Ill.	Paul F. Mathias.
Francis X. Grossi, Jr.	Chicago, Ill.	Donald E. Egan.
Anthony Sebastian	Tampa, Fla.	Emiliano J.
Guarisco, Jr.		Salcines, Jr.
Mari M. Gursky	Philadelphia, Pa.	Robert M. Landis.
Edmund Lee Haag III	Dallas, Tex.	Ewell Lee Smith.
		Jr.
Thomas D. Halket	Cambridge, Mass.	Joseph Auerbach.
Peter Herold Haller	Seattle, Wash.	Thomas F.
		Harrison.
E. Douglas Hamilton	New York, N.Y.	Donald G.
		McCabe.
Rosa Gunter Hamlett	Montgomery, Ala.	Walter Sanderson
		Turner.
Aaron L. Handleman	Potomac, Md.	Joseph Davies
		Tydings.
Jeffrey W. Hanes	Tucson, Ariz.	Henry G. Zipf.
William Roger Hansen	Baltimore, Md.	John Martin
		Jones, Jr.
Hoyt H. Harmon, Jr.	Bala Cynwyd, Pa.	Arthur L.
		Vangeli.
Charles Clifford Harper	Miami, Fla.	Jack Stein.
E. Burt Harris	New Orleans, La.	Bernard J.
		Caillouet.
Marvin Hartley, Jr.	Lyons, Ga.	Paul W. Calhoun,
		Jr.
Darrell L. Hartweg	Bloomington, Ill.	Leon Joseph
		Zanoni.
Gary R. Hathaway	Ulysses, Kans.	Theodore F. Fay,
		Jr.
Dale Clifford Hawkins	San Clemente,	Orland K.
	Calif.	Snyder.
Frank Alan Hayes	San Antonio, Tex.	Robert Charles
		Cowan.
Fred Elmore Haynes	Arlington, Va.	Solicitor General
		Wade H.
		McCree, Jr.
Blair Meredith Henderson	Klamath Falls,	Jerry Michael
	Oreg.	Molatore.
George E. Herendeen	South Bend, Ind.	John L. Carey.
Robert Michael Herlihy	Enid, Okla.	Douglas C.
		McKeever.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Wynette Johnson Hewett	Washington, D.C.	Crombie J. D. Garrett.
Larry R. Hicks	Reno, Nev.	William John Raggio.
J. Michael Hines	Washington, D.C.	Billy Dwight Perry.
Delmar R. Hoepfner	Valparaiso, Ind.	Alan Stuart Morrisson.
John Christopher Holden	Dayton, Ohio	Raymond A. White.
Frederick Thomas Holmes	Stockton, Calif.	William E. Kesler.
Lawrence Alan Horn	Washington, D.C.	Harvey L. Pitt.
Louis Phillip Hornthal, Jr.	Elizabeth City, N.C.	Gerald Franklin White.
Hervey Alfred Hotchkiss	Santa Barbara, Calif.	Charles F. Mowery, Jr.
Susan Jane Hotine	Arlington, Va.	Philip Joseph Sweeney III.
Robert Charles Houser, Jr.	Washington, D.C.	Douglas Vernon Rigler.
John P. Howell	Covington, Ga.	Edward A. Crudup, Jr.
John Edward Hughes	Lowell, Ind.	Alan Stuart Morrisson.
Karen L. Hughes	Lowell, Ind.	Alan Stuart Morrisson.
James F. Hury, Jr.	Galveston, Tex.	George Henry Cooley III.
David Edward Jarvis	Milwaukee, Wis.	Bronson C. La Follette.
Keith A. Jenkins	Paradise Valley, Ariz.	John R. Reese.
Horace Edward Johns, Jr.	Eagleville, Tenn.	Thomas A. Wiseman, Jr.
Coyt Randal Johnston	Bellaire, Tex.	Robert Ross Harrison.
J. Don Jones	Marietta, Ga.	Ralph Waldo Walker II.
Lawrence Blake Jones	New Orleans, La.	Jack Peebles.
James Leonard Jorgensen	Valparaiso, Ind.	Alan Stuart Morrisson.
Michael R. Josephs	Miami, Fla.	Gilbert A. Haddad.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jonathan Seth Kahan	Washington, D.C.	George W. Wise.
Charles Laurence Keeseey	Tallahassee, Fla.	Peter Kent Spriggs.
Kay Michael Kimball	Ulysses, Kans.	Theodore F. Fay, Jr.
Andrew M. Kimmel	Morristown, N.J.	Ralph Porzio.
Morris Joseph Kirschberg	San Antonio, Tex.	Richard Grady Weil.
Franklin Jap Kivel	Oklahoma City, Okla.	Gene A. Castleberry.
Richard J. Klein	New York, N.Y.	Tobias A. Russo.
Bernard Kobroff	New York, N.Y.	Alan D. Marrus
John G. Koeltl	New York, N.Y.	Robert J. Geniesse.
Richard B. Koskoff	Los Angeles, Calif.	Leonard S. Sands.
Robert James Francis Koss	Chicago, Ill.	Marshall J. Hartman.
Jonathan Kotler	Los Angeles, Calif.	Leonard S. Sands.
Paul Eric Kritzer	Des Moines, Iowa	Robert A. Marmet.
Robert S. Krockey	Joliet, Ill.	John F. Cirricione.
Robert G. Krupka	Chicago, Ill.	Ronald L. Engel.
Marc G. Kurzman	Minneapolis, Minn.	James H. Manahan.
Glenn Elliot Kushel	Brooklyn, N.Y.	Lloyd Newton Simon II.
Marlene Fay Lachman	Philadelphia, Pa.	Harry A. Blackmun.
Alan D. Laff	Denver, Colo.	Gerald M. Quiat.
Lawrence Coe Lanpher	Washington, D.C.	Herbert Hersh Brown.
James Clement Lanshe, Jr.	Allentown, Pa.	James C. Lanshe.
Stewart Evan Lavey	New York, N.Y.	Martin Fogelman.
Irwin Howard Lawrence	Beverly Hills, Calif.	Ronald D. Lessnor.
Daniel Leibl	Pasadena, Calif.	John W. Joslyn.
Fredric Anthony Leslie	New York, N.Y.	Earl Harold Nemser.
Joanne Leveque	Washington, D.C.	Richard E. Nathan.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Elliott D. Levin	Indianapolis, Ind.	Ronald Edward Elberger.
Benjamin H. Levy	Savannah, Ga.	Alan Sims Gaynor.
Neil I. Levy	Washington, D.C.	Robert Isaac Richter.
Robert Lee Lewis	Gary, Ind.	Benjamin Marcus Yudesis.
Solomon Liss	New York, N.Y	Aaron Teitelbaum.
Philip Armour Lloyd	Akron, Ohio	Charles R. Iden.
Rodolfo Lozano	Valparaiso, Ind.	William S. Spangler.
George Richard Lyles	Las Vegas, Nev.	John L. Thorndal.
Robert I. MacLaren II	Boca Raton, Fla.	Ray C. Osborne.
John Michael Mahoney	San Francisco, Calif.	David Ferber.
William Joseph Maledon	Phoenix, Ariz.	Edwin F. Hendricks.
William Earl Mantle	Los Angeles, Calif.	John Mansfield Coulter, Jr.
William Carl Marietti	Muskegon, Mich.	William P. Spaniola.
Jack P. Martin, Jr.	Dallas, Tex.	David Bruce Baldwin.
Fred W. Mattson, Jr.	Denver, Colo.	Laird S. Campbell.
James Bernard McCabe	Seattle, Wash.	Malachy Roche Murphy.
James Michael McCarthy	Lakeland, Fla.	Eugene W. Harris.
James Andrew McDaniel	Houston, Tex.	Donald Beury McFall.
Daniel J. McDevitt	Boston, Mass.	Lawrence F. O'Donnell.
Bert McElroy	Tulsa, Okla.	Bert Colyar McElroy.
Edward John McIntyre	Philadelphia, Pa.	Matthew J. Broderick.
Franne F. McIntyre	Philadelphia, Pa.	George E. Kandler.
Gerald Robert McKay	San Francisco, Calif.	Arthur Mendelson.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert D. McLean	Chicago, Ill.	H. Blair White.
William V. McLeese	Kansas City, Mo.	John J. Ruddy, Jr.
F. Shields McManus	Stuart, Fla.	Walter M. Meginniss.
James Harlington McMillin	Orange, Calif.	Edward Robert Metz.
Dunstan McNichol	Philadelphia, Pa.	Albert S. Fein.
Michael Rand McQuinn	Washington, D.C.	Neil Eugene Roberts.
Joseph R. Meadows	Gulfport, Miss.	Sherman L. Muths, Jr.
Eric Robert Meierhoefer	Washington, D.C.	John R. Sims, Jr.
Aivars J. Melkus	Lakeland, Fla.	Eugene W. Harris.
Sanford Meltzer	Syracuse, N.Y.	William E. Sugnet.
Marcus Daniel Merchasin	Los Angeles, Calif.	Arthur Lewis.
Richard Thomas Merker	Overland Park, Kans.	Lewis Carson Smith.
James Bruce Merrell	Houston, Tex.	Kenneth H. Burns.
James Earl Merriman	New York, N.Y.	Alan M. Gelb.
Charles J. Meyers	Stanford, Calif.	Barbara Allen Babcock.
Gilbert Carlton Miller	Washington, D.C.	Herbert Hershhal Brown.
Martin Lawrence Miller	Buffalo Grove, Ill.	Elenie Kostopoulos Huszagh.
Susan Shapiro Miller	Baltimore, Md.	Herbert R. O'Connor, Jr.
James P. Mimikos	Detroit, Mich.	Barry David Halpern.
G. Joseph Minetti	Brooklyn, N.Y.	Robert T. Murphy.
John W. Minor, Jr.	Savannah, Ga.	Edward T. Brennan.
James Lowry Mitchell II	Chicago, Ill.	Robert L. Stern.
B. Marc Mogil	Great Neck, N.Y.	John Sherman.
Michael J. Mondschein	Brooklyn, N.Y.	Francis Julius Valentino.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles D. Monk II Guy Thomas Moore	Baltimore, Md. Philadelphia, Pa.	George A. Nilson. Norman R. Bradley.
Richard B. Moore	San Antonio, Tex.	Claiborne B. Gregory.
Larry B. Morris	Xenia, Ohio	Martin David Reid.
Samuel M. Morris	Brick Town, N.J.	Walter Wayne Schoenewolf.
Clarence Dow Moyers	El Paso, Tex.	Malcolm McGregor.
Fred Gray Musick J. Michael Myers Stephen E. Nagin	Knoxville, Tenn. San Antonio, Tex. Washington, D.C.	Clyde W. Key. Edward P. Fahey. Robert L. Shevin.
William Pierce Newkirk	Knoxville, Tenn.	William W. Davis.
Dennis Arthur Norden William Earl Norman	Kankakee, Ill. Dallas, Tex.	Leonard Sacks. Charles E. Tobin, Jr.
Kenneth E. North	Wheaton, Ill.	J. Michael Fitzsimmons, Jr.
Lawrence B. Nydes	Pittsburgh, Pa.	Augustine A. Mazzei, Jr.
Ronald Joseph O'Brien	Columbus, Ohio	George Curtis Smith.
John F. O'Reilly Howard F. Ordman James Lynn Osgard	Las Vegas, Nev. New York, N.Y. West Point, N.Y.	James D. Santini. Miles W. Hirson. Kenneth Charles Crawford.
Michael J. Pangia Daniel James Parks	Washington, D.C. San Mateo, Calif.	Nicholas Gilman. Stanley Fleishman.
Richard H. Parsons	Peoria, Ill.	Francis Dennis Flanagan.
Stanford Jerome Patterson	Waterloo, Iowa	Leonard D. Lybbert.
Dwight Fleming Patterson, Jr.	Spartanburg, S.C.	Edward Patterson Perrin.
K. Richard Payne	Indianapolis, Ind.	Harriette Bailey Conn.
Howard B. Pearl	Fort McCoy, Fla.	William Clarence Johnson, Jr.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Frederick Amory Peasley	Los Angeles, Calif.	Loren Miller, Jr.
Gordon Penny	Medicine Lodge, Kans.	W. Luke Chapin.
Wayne G. Petty	Salt Lake City, Utah	Hardin Austin Whitney, Jr.
J. Geoffrey Pflugner	Sarasota, Fla.	John Clayton Dent, Jr.
John David Pieratt	Austin, Tex.	James Mac Umstatt.
Harold George Pierson	Plainfield, N.J.	H. Douglas Stine.
Ira Charles Pollack	Miami, Fla.	Frank Ernest Schwelb.
William Larry Porter	Charlotte, N.C.	Steve C. Griffith, Jr.
Morton Louis Portnoy	New York, N.Y.	Stanley M. Nagler.
Dennis W. Potts	Honolulu, Hawaii	John Sanford Edmunds.
Susan Alexander Powers	New York, N.Y.	H. Miles Jaffe.
Wandaleen Poynter	Jacksonville, Fla.	John Wesley Weldon.
Stephen Holden Pray	San Jose, Calif.	Alfred Perez Chasuk.
Dorothy Prengler	Austin, Tex.	David Matthew Kendall.
George Preston	Scottsdale, Ariz.	Calvin Curtis Thur.
Michael Edward Quinton	San Diego, Calif.	Robert E. Noel.
Charles Samuel Rael	Atlanta, Ga.	Ruby Carpio Bell.
Donald Cress Reiley, Jr.	Bedford, Pa.	Ray G. Replogle.
U. Charles Remmel II	Portland, Maine	Benjamin Thompson.
W. Patrick Resen	Santa Fe, N. Mex.	Richard A. Gallivan.
Joseph Robert Riley	Waco, Tex.	William Robert Poage.
Robert Green Riley	Des Moines, Iowa	Robert A. Marmet.
Charles L. Riter	Rapid City, S. Dak.	Joseph M. Butler.
Jack Terrance Roach	Annapolis, Md.	Estelle A. Fishbein.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert A. Robbins	Miami, Fla.	William Robert Tunkey.
Dennis J. Roberts II	Providence, R.I.	Robert Edward Liguori.
Wm. T. Robinson III	Covington, Ky.	John L. Spalding.
Alfred J. Rogers	Phoenix, Ariz.	Ronald W. Carmichael.
John Marshall Rogers	Washington, D.C.	Morton Hollander.
James Thomas Rohner	Saratoga, Calif.	William M. Siegel.
Norman S. Rosenberg	Washington, D.C.	Paul R. Friedman.
Stephen Joseph Rouff	Yuma, Ariz.	Ralph F. Brandt.
William C. Rountree III	Harlingen, Tex.	Orrin Wendell Johnson.
Charles S. Ruberg	Tallahassee, Fla.	William Calvin Sherrill, Jr.
George A. Rubin	Indianapolis, Ind.	Ronald Edward Elberger.
John J. Ryan	Hampton, N.H.	H. Alfred Casassa.
George Michael Saliba II	Valdosta, Ga.	J. Converse Bright.
Robert Sarno	Beverly Hills, Calif.	Stanley Fleishman.
William F. Satterlee III	Valparaiso, Ind.	Alan Stuart Morrison.
Robert S. Savelson	New York, N.Y.	Samuel J. Cohen.
David B. Savitz	Denver, Colo.	Joseph J. Savitz.
Michael J. Schenk	Topeka, Kans.	James Martin Macnish, Jr.
R. Jeffrey Schmidt	Columbus, Ohio	William L. Schmidt.
Walter Karl Schreyer	Park Ridge, N.J.	Alfred Jude D'Auria.
William Barnett Schultz	Washington, D.C.	Alan B. Morrison.
Charles Irwin Schwartz	Chicago, Ill.	Marvin Alan Brusman.
Herbert R. Scott	New Haven, Conn.	David William Goldman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Michael Dennis Scott	Los Angeles, Calif.	Donald C. Smaltz.
William Earl Seay	Salem, Mo.	Don Edwards.
Barry A. Seifman	Detroit, Mich.	Michael Berry.
John E. Selser III	Hackensack, N.J.	Ronald J. Picinich.
Elliot Stanley Shaw	Miami, Fla.	Richard Nathan Friedman.
Dennis H. Sherman	Cleveland, Ohio	Edwin A. Kennedy.
Jerry E. Shiles	Las Vegas, Nev.	Roger George Darley.
Ezra Shimshi	Atlanta, Ga.	Grady Seals Aiken.
Robert H. Silk	New York, N.Y.	Seymour Schwartz.
Kenneth N. Simmons	Many, La.	Arthur C. Watson.
Robert Michael Simmons	Washington, D.C.	Joseph D. Cummings.
James F. Simon	New York, N.Y.	Cyril C. Means, Jr.
Jerome B. Simon	St. Paul, Minn.	John Charles Johanneson.
David Skeer	Kansas City, Mo.	Harry P. Thompson, Jr.
Paul Clarence Slayback	Newport Beach, Calif.	John T. Chadwell, Jr.
Belvin Kent Smith	Oakland, Calif.	Beryl Benjamin Stolper.
Glenn Lewis Smith	Des Moines, Iowa	Robert A. Marmet.
John Stuart Smith	Rochester, N.Y.	William H. Morris.
Robert Gary Smith	New York, N.Y.	Robert Alan Machleder.
Robert John Smith	Madison, Wis.	Robert Bruce Shearer.
Robert T. Smith	Washington, D.C.	James C. Toomey.
Walterio Sydney Smith	East Cleveland, Ohio	Edwin Henry Canning.
Gary Paul Snow	Holdenville, Okla.	H. Maxwell Darks.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James Eugene Snyder, Jr.	Lexington, N.C.	Theodore Satterwyt Royster, Jr.
Robert P. Springer	Natick, Mass.	Jerome E. Rosen.
Roy L. Stacy	Dallas, Tex.	Arlen Dean Bynum.
Bruce McLaren Stanley	Miami, Fla.	Jos. W. Womack.
Alphonse A. Stanzione, Jr.	Toms River, N.J.	Richard D. Stanzione.
Michael A. Stapleton	Dubuque, Iowa	Robert William Burns.
Gregory Alan Stayart	Chicago, Ill.	Charles Windsor Singer.
Gary Griffin Stevens	Washington, D.C.	James Wylie McBride.
Wm. Gerald Stone	Bessemer, Ala.	Norman K. Brown.
Jeffrey Martin Strongin	Palm Springs, Calif.	William Harold Pivar.
Irwin Martin Strum	New York, N.Y.	Howard Bernard Holt.
David W. Stuckel	Peoria, Ill.	Raymond Charles Rose.
Emerson Soule Sturdevant	Salt Lake City, Utah	James C. Sturdevant.
Daniel Cornelius Sullivan	Chicago, Ill.	Charles Windsor Singer.
Morris A. Sunkel	Valparaiso, Ind.	Alan Stuart Morrisson.
Kermit Scott Sutton	Des Moines, Iowa	Wm. Allen Whitfield.
Garner Lee Taylor, Jr.	Little Rock, Ark.	Arthur John Anderson, Jr.
Linda Louise Tedeschi	San Francisco, Calif.	Michael Ivan Spiegel.
James Wilson Tharp	Honolulu, Hawaii	Jerome Steven Kalur.
Bruce Gales Thill	Chicago, Ill.	Ronald A. Jacks.
Robert Julian Thomas	Columbia, S.C.	Terrell Lyles Glenn.
Risher M. Thornton	Anchorage, Alaska	Douglas B. Bailey.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Rodney O. Thorson	McLean, Va.	Solicitor General Wade H. McCree, Jr.
David O. Tittle	Indianapolis, Ind.	John P. Price.
Tibor Ivan Toczauer	Los Angeles, Calif.	Charles E. Mattson.
Alexander Terrance Trenoff	Newark, Ohio	E. Clark Morrow.
Thomas Rutherford Trowbridge III	New York, N.Y.	Theodore Sherwood, Hope, Jr.
Alan A. Turner	Philadelphia, Pa.	Douglas H. Riblet.
Marilyn S. G. Urwitz	Washington, D.C.	Lutz Alexander Prager.
Theodore Morris Utchen	Chicago, Ill.	William Kenneth Stevens.
Peter Van Shackter	San Francisco, Calif.	Brian B. Denton.
Stephen Lloyd Tober	Portsmouth, N.H.	S. Wesley Powell.
Anne McLeod Trebilcock	Detroit, Mich.	John Arthur Fillion.
Robert Allen Ugelow	New York, N.Y.	Harvey A. Reidel.
James Glen Van Ness	Marshalltown, Iowa	Walter D. Reed.
Robert C. Vanderet	Los Angeles, Calif.	Girard Edgar Boudreau, Jr.
Gerald Charles Vanoli	San Jose, Calif.	J. Richard Knop.
John A. VanLuvanee	Doylestown, Pa.	Marvin Leonard Wilenzik.
James J. Varellas	Lexington, Ky.	Robert Murray Odear.
Nicholas A. Della Volpe	Knoxville, Tenn.	Charles A. Wagner III.
Melvin Bruce Wallinger	Harrisonburg, Va.	W. W. Wharton.
William L. Want	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Raymond Henry Warns	Saint Paul, Minn.	Walter J. Cummings, Jr.
Arthur Benson Weiss	Franklin Lakes, N.J.	Richard K. Rosenberg.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Dixon Sherman Welt	Delmar, N.Y.	Livingston Trevor Coulter.
Jack Edward Wetherall	Seattle, Wash.	Malcolm L. Edwards.
Sidney F. Wheeler	Atlanta, Ga.	William Meade Burns, Jr.
William H. Whiteside	Lubbock, Tex.	James H. Milam.
William E. Whitlock III	Clearwater, Fla.	Robert L. Shevin.
Robert Earl Wilson	Decatur, Ga.	Curtis V. Tillman.
Robert Gardner Wilson	Washington, D.C.	John H. Pickering.
Charles M. Wilson III	Dallas, Tex.	Leonard Elbert Hoffman, Jr.
Thomas Preston Wingate	San Antonio, Tex.	Stanley D. Brown.
Ernest I. Wohlschlegel	San Antonio, Tex.	Fred Nelson Pfeiffer.
Arthur B. Wolfish	New York, N.Y.	Nathan Ratner.
Walter Hong Woo	Washington, D.C.	John Mansfield Coulter, Jr.
Michael Dane Wymer	Columbus, Ohio	Jack Richard Graf, Jr.
Lew D. Zaharako	Columbus, Ind.	Darrel K. Diamond.
Kent Amos Zaiser	Tallahassee, Fla.	Richard W. Ervin.
Michael Jerome Zissu	New York, N.Y.	Herman Mark Harris.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard Berman	Marblehead, Mass.	Andrew Lewis Frey.
Gaylon Rich Andrus	Rexburg, Idaho	James A. McClure.
Ray Wendell Rigby	Rexburg, Idaho	James A. McClure.
Donald Burns McCaw	San Francisco, Calif.	Henry C. Clausen.
Charles L. Rubow	Minneapolis, Minn.	Andrew Eustace Taylor.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Sylvanus Rhyne	Washington, D.C.	Charles Sylvanus Rhyne.
Patricia Unsinn	Chicago, Ill.	George Herbert Patrick Bursley.
James Emanuel Brown	New York, N.Y.	James W. Peaco, Jr.,

## OPINIONS

No. **76-1168**. Arizona, Richard Boykin, Sheriff, Pima County, petitioner, *v.* George Washington, Jr. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stevens. Mr. Justice Blackmun concurs in the result. Dissenting opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Brennan joins.

No. **76-558**. Raymond Motor Transportation, Inc., et al., appellants, *v.* Zel S. Rice et al. Appeal from the United States District Court for the Western District of Wisconsin. Judgment reversed and case remanded to the United States District Court for the Western District of Wisconsin for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Powell. Concurring opinion by Mr. Justice Blackmun with whom Mr. Chief Justice Burger, Mr. Justice Brennan and Mr. Justice Rehnquist join. Mr. Justice Stevens took no part in the consideration or decision of this case.

No. **76-635**. United States Steel Corporation et al., appellants, *v.* Multistate Tax Commission et al. Appeal from the United States District Court for the Southern District of New York. Judgment affirmed. Opinion by Mr. Justice Powell. Dissenting opinion by Mr. Justice White with whom Mr. Justice Blackmun joins.

## ORAL ARGUMENT

No. **76-1382**. United States, petitioner, *v.* John Arthur Scott. Argued by Mr. Andrew L. Frey for the petitioner and by Mr. William C. Marietti for the respondent.

No. **76-1660**. Terrell Don Hutto et al., petitioners, *v.* Robert Finney et al. Argued by Mr. Garner L. Taylor, Jr. for the petitioners and by Mr. Philip E. Kaplan for the respondents.



No. **77-5353**. Rufus Junior Mincey, petitioner, *v.* Arizona. Argued by Mr. Richard Oseran for the petitioner and by Mr. Galen H. Wilkes for the respondent.

No. **77-117**. National Broiler Marketing Association, petitioner, *v.* United States. Argued by Mr. Richard A. Posner for the petitioner and by Mr. John S. Shenefield for the respondent.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Norman Lindsay	Washington, D.C.	Solicitor General Wade II. McCree, Jr.
Richard H. Warder	Greenville, S.C.	Kenneth L. Holland.
C. Carlyle Steele	Lancaster, S.C.	Kenneth L. Holland.
Albert Joseph Matricciani, Jr.	Baltimore, Md.	M. Kathleen O'Ferrall Friedman.
Richard Louis North	Baltimore, Md.	M. Kathleen O'Ferrall Friedman.
Mary Ellen Travers Rinehardt	Baltimore, Md.	M. Kathleen O'Ferrall Friedman.
George Julius Edwards	Philadelphia, Pa.	John A. Ward III.
Obra S. Kernodle III	Philadelphia, Pa.	John A. Ward III.
C. Steven LeBaron	Philadelphia, Pa.	John A. Ward III.
Linda R. Dettery	Washington, D.C.	Eugene Meyers.

### OPINIONS

No. **76-1346**. Lorillard, a Division of Loew's Theatres, Inc., petitioner, *v.* Frances P. Pons. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment affirmed. Opinion by Mr. Justice Marshall. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. **76-1476**. J. W. Bateson Company, Inc., et al., petitioners, *v.* United States ex rel. Board of Trustees of the National Automatic Sprinkler Industry Pension Fund, et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court.

Opinion by Mr. Justice Marshall. Dissenting opinion by Mr. Justice Stevens with whom Mr. Justice Brennan joins. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 76-446. Raymond K. Procnier et al., petitioners, *v.* Apolinar Navarette, Jr. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Dissenting opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Stevens.

No. 76-1137. Arthur Fulman et al., Trustees, petitioners, *v.* United States. On writ of certiorari to the United States Court of Appeals for the First Circuit. Judgment affirmed. Opinion by Mr. Justice Brennan. Opinion by Mr. Justice Stevens concurring in the judgment. Dissenting opinion by Mr. Justice Powell. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 76-5935. Rickey Lee Durst et al., petitioners, *v.* United States: On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment affirmed. Opinion by Mr. Justice Brennan. Mr. Justice Blackmun took no part in the consideration or decision of this case.

#### ORAL ARGUMENT

No. 76-1572. United States, petitioner, *v.* Ted R. Grayson. Argued by Mr. Solicitor General Wade H. McCree, Jr. for the petitioner and by Mr. John M. Humphrey for the respondent.

No. 76-1800. United States, petitioner, *v.* Onofre J. Sotelo and Namio Sotelo. Argued by Mr. Stuart A. Smith for the petitioner and by Mr. Bruce L. Balch for the respondents.

No. 76-1835. Ike Slodov, petitioner, *v.* United States. Argued by Mr. Bennet Kleinman for the petitioner and by Mr. Steven R. Barnett for the respondent.

No. 77-154. Wilson H. Elkins, President, University of Maryland, petitioner, *v.* Juan Carlos Moreno et al. Argued by Mr. David H. Feldman for the petitioner and by Mr. Alfred L. Scanlan for the respondents.

#### ORDER IN PENDING CASE

No. A-695. In the Matter of Mary C. Northern. This application for a stay of the mandate of the Tennessee Court of Appeals, Middle Section, was presented to Mr. Justice Stewart as Circuit Justice on February 16, 1978, and referred by him to the Conference. Whereupon the Court requested the State to file an expedited response to the applica-

tion by noon, February 21, 1978. The response was received in due course and a special conference was called to consider the matter. It is hereby ordered that the application is denied. The Chief Justice and Mr. Justice Blackmun dissent and would grant the stay.

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Adjourned until Monday, February 27, 1978, at 10 o'clock.



## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

### OPINION PER CURIAM

No. 77-88. Joseph A. Califano, Jr., Secretary of Health, Education and Welfare, appellant, *v.* Cesar Gautier Torres; and

No. 77-126. Joseph A. Califano, Jr., Secretary of Health, Education and Welfare, appellant, *v.* Carmelo Bracero Colon et al. Appeals from the United States District Court for the District of Puerto Rico. Judgments reversed and cases remanded to the United States District Court for the District of Puerto Rico for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Mr. Justice Brennan would affirm. Mr. Justice Marshall would note probable jurisdiction and set cases for oral argument.

### APPEALS—SUMMARY DISPOSITION

No. 77-957. John A. Hutter, appellant, *v.* Bernard Korzen, etc. Appeal from the Appellate Court of Illinois, First District. The appeal is dismissed for want of a substantial federal question.

No. 77-979. Appalachian Power Company, appellant, *v.* The Public Service Commission of West Virginia. Appeal from the Supreme Court of Appeals of West Virginia. The appeal is dismissed for want of a substantial federal question.

No. 77-1033. Dolph Briscoe, Governor of Texas, et al., appellants, *v.* Frank Escalante et al. Appeal from the United States District Court for the Western District of Texas. Judgment affirmed.

### ORDERS IN PENDING CASES

No. A-666. Joseph O'Leary, Sr. applicant, *v.* Francis W. Palmer et al. Application for stay presented to Mr. Justice Brennan, and by him referred to the Court, denied.



No. **D-105**. In the Matter of Disbarment of Leonard Saltzer. Disbarment entered.

No. **D-120**. In the Matter of Disbarment of Peter William Boznos. Disbarment entered.

No. **D-131**. In the Matter of Disbarment of Truman Kella Gibson, Jr. It is ordered that Truman Kella Gibson, Jr., of Chicago, Illinois, be suspended from the practice of law in this Court and that a rule issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. **76-1701**. Tennessee Valley Authority, petitioner, *v.* Hiram G. Hill, Jr., et al. Motion of Southeastern Legal Foundation for leave to file a brief, as *amicus curiae*, granted. Motion of Pacific Legal Foundation for leave to file a brief, as *amicus curiae*, granted. Motion of respondents for additional time for oral argument or, in the alternative, for divided argument, denied.

No. **77-178**. Willard E. Robertson, petitioner, *v.* Edward F. Wegmann, Executor of the Estate of Clay L. Shaw, et al. Motion of Lawyers' Committee for Civil Rights Under Law for leave to file a brief, as *amicus curiae*, granted.

No. **77-240**. St. Paul Fire & Marine Insurance Company et al., petitioners, *v.* David M. Barry et al. Motion of Lakeside Hospital, Inc. for leave to file a brief, as *amicus curiae*, granted.

No. **77-285**. California et al., petitioners, *v.* United States. Motion of Charles J. Meyers for leave to file a brief, as *amicus curiae*, granted.

No. **77-324**. Sidney S. Hicklin, et al., appellants, *v.* Edmund Orbeck, Commissioner of the Department of Labor of Alaska, et al. Motion of National Right to Work Legal Defense Foundation for leave to file a brief, as *amicus curiae*, granted.

No. **77-369**. Furnco Construction Corporation, petitioner, *v.* William Waters et al. Motion of Equal Employment Advisory Council for leave to file a brief, as *amicus curiae*, granted.

No. **77-452**. Mobil Alaska Pipeline Company, petitioner, *v.* United States et al.;

No. **77-457**. Exxon Pipeline Company, petitioner, *v.* United States et al.;

No. **77-551**. BP Pipelines Inc., petitioner, *v.* United States et al.; and

No. **77-602**. ARCO Pipe Line Company, petitioner, *v.* United States et al. Motion of Solicitor General for additional time for oral argument granted and 15 additional minutes are allotted for that pur-

pose. Petitioners allotted fifteen additional minutes for oral argument. Mr. Justice Stewart and Mr. Justice Powell took no part in the consideration or decision of this motion.

#### APPEAL—JURISDICTION NOTED

No. 77-388. Washington et al., appellants, *v.* Confederated Bands and Tribes of the Yakima Indian Nation. Appeal from the United States Court of Appeals for the Ninth Circuit. In this case probable jurisdiction noted. The parties are directed to address the following issues: "Whether the partial geographic and subject matter jurisdiction exercised by the State of Washington within the Yakima Indian Reservation pursuant to Public Law 280 violates either the statutory requirements of Public Law 280 or the Equal Protection Clause of the Fourteenth Amendment."

#### CERTIORARI GRANTED

No. 77-841. Arthur F. Quern, etc., petitioner, *v.* John Jordan, etc. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 77-952. Group Life and Health Insurance Company, etc., et al., petitioners, *v.* Royal Drug Company, etc., et al. Motion of Blue Shield Association for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

#### CERTIORARI DENIED

No. 77-592. Julian E. Seymour, Jr., petitioner, *v.* United States;  
No. 77-5448. Lonnie M. Brown and James B. Finney, petitioners, *v.* United States; and

No. 77-5456. Robert L. Newsome, petitioner, *v.* United States. Petitions for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-668. Alabama Association of Insurance Agents, Inc., et al., petitioners, *v.* Board of Governors of the Federal Reserve System. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-669. Amelia Zamora De Mateos, Administratrix of the Estate of Theodore Reyes, petitioner, *v.* Texaco, Inc. and Texaco Panama, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-722. Julian M. Carroll, Governor of Kentucky, et al., petitioners, *v.* Department of Health, Education, and Welfare et al. Peti-

tion for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-786. Jerome E. Moore, petitioner, *v.* Richmond, Fredericksburg and Potomac Railroad. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-865. Larry Powell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-872. Committee of Interns and Residents, petitioner *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-963. Tennessee, petitioner, *v.* Harry Armstrong. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee. Middle Division, denied.

No. 77-964. Iranian Shipping Lines, S.A., petitioner, *v.* Arya Shipping Lines, S. A., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-965. Abdallah W. Tamari et al., petitioners, *v.* Bache & Co. (Lebanon) S.A.L., etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-967. Ernest Crownover, petitioner, *v.* Theodore K. Gleichman and Thomas Kennedy. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 77-973. Alfred H. Faulkner, petitioner, *v.* Baldwin Piano & Organ Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-985. Bruce Geisinger, petitioner, *v.* Board of County Commissioners of Miami County, Ohio, et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 77-1070. Charles E. Koehnen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-1079. Anthony Mark Lombardi, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5466. Cecil Robinson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5672. Hugh M. Boord, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-5690. James Wesley Hughes, petitioner, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 77-5750. Jimmy Louis Phillips, petitioner, *v.* Bill Williams et al. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 77-5760. Thomas T. Smith, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 77-5776. Brady Barry Mullins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5822. William Calvin Woods, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5837. Joseph C. Ilacqua, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5838. Raymond Eaglin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5863. Saleem George Talamas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5864. Joseph John Kehn, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5887. William Laing, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5893. James Birch Bailey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5915. John C. Doherty, petitioner, *v.* Internal Revenue Service et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5988. Eddie Johnson, petitioner, *v.* Robert Hatrak, Superintendent, New Jersey State Prison. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5997. William Howard Gardner, Jr., petitioner, *v.* Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6000. Joseph Patrick Haley, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 77-6006. Melvin Leroy Tyler, petitioner, *v.* George Peach et al., etc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6013. Henry James Wyche, petitioner, *v.* Warden, Maryland Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6015. Earl William Toler, Jr., petitioner, *v.* Donald Wyrick, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6028. Robert Newell, et al., petitioners, *v.* Jack F. Davis, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6047. Duane Selby, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 77-6058. Joseph J. Doyle, President, Jado, Inc., Builders, petitioner, *v.* Chester County Water Resources Authority. Petition for writ of certiorari to the Commonwealth Court of Pennsylvania denied.

No. 77-6064. Juan Jesus Barron et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6070. Richard G. Smith, petitioner, *v.* James Mabry, Commissioner of Arkansas Department of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6109. Zalmon Schnitzer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-672. National Labor Relations Board, petitioner, *v.* Gray-Grimes Tool Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Brennan, Mr. Justice White and Mr. Justice Marshall would grant certiorari.

No. 77-695. American Public Gas Association et al., petitioners, *v.* Federal Energy Regulatory Commission et al.; and

No. 77-697. Amerada Hess Corporation et al., petitioners, *v.* Federal Energy Regulatory Commission. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Stewart and Mr. Justice Powell took no part in the consideration or decision of these petitions.



No. 77-759. Whitman Area Improvement Council et al., petitioners, *v.* Resident Advisory Board et al.;

No. 77-761. The Philadelphia Housing Authority, petitioner, *v.* Resident Advisory Board of Philadelphia et al.;

No. 77-762. Redevelopment Authority of the City of Philadelphia, petitioner, *v.* Resident Advisory Board of Philadelphia et al.; and

No. 77-966. City of Philadelphia et al., petitioners, *v.* Resident Advisory Board of Philadelphia et al. Motion of respondent Nellie Reynolds for leave to proceed in *forma pauperis* granted. Petitions for writs of certiorari to the United States Court of Appeals for the Third Court denied.

No. 77-764. Richard Crisp, Warden, et al., petitioners, *v.* Louis J. Bromley et al. Motion of respondents for leave to proceed in *forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-866. Joseph A. Califano, Jr., Secretary of Health, Education, and Welfare, petitioner, *v.* George White, etc. Motion of respondent for leave to proceed in *forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5653. John Henry Knapp, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied. Mr. Justice Blackmun concurs in the denial of certiorari in this case on the usual understanding that it is without prejudice to the petitioner's seeking relief by habeas corpus. Mr. Justice Brennan and Mr. Justice Marshall, dissenting: Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments. *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentence in this case.

No. 77-5728. Roderick Cecil Jones, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied. Mr. Justice Brennan and Mr. Justice Marshall would grant certiorari.

No. 77-5735. Edward Charles Pickens, aka Larry Coakley, petitioner, *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied. Mr. Justice Brennan and Mr. Justice Marshall, dissenting: Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentence in this case.

No. 77-5869. Billy Ray Clift, petitioner, *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Marshall joins.

No. 77-6018. James A-K Arunga, petitioner, *v.* J. A. Ellis, Chief, UI Division, Department of Employment Development. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit and/or motion for leave to file petition for writ of mandamus denied.

LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 77-6017. Martin W. Monteer, petitioner, *v.* United States et al. Motion for leave to file petition for writ of habeas corpus and/or prohibition denied.

LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 77-5858. Mildred Nazario de Toro, petitioner, *v.* Puerto Rico et al. Motion for leave to file petition for writ of mandamus denied.

REHEARINGS DENIED

No. 77-582. Chase Brass and Copper Co., Incorporated, appellant, *v.* Franchise Tax Board of the State of California;

No. 77-607. Homer Clifford Clark, Jr., petitioner, *v.* Florida;

No. 77-766. Samuel G. Albert, petitioner, *v.* First National Bank and Trust Company of Marquette, Michigan, etc.;

No. 77-876. Albert Samuel Wright, petitioner, *v.* United States;

No. 77-5678. Mohammed Sayeed Quraishi, petitioner, *v.* Ewald B. Nyquist, Commissioner of Education, New York State;

No. 77-5696. John J. Timmins, petitioner *v.* Gore Newspapers Co., Inc.; and

No. 77-5850. Richard Emmett Smiley, petitioner, *v.* California, et al. Petitions for rehearing denied.

No. 76-749. Pfizer, Inc., et al., petitioners, *v.* Government of India, et al. Petition for rehearing denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 76-1796. Albert E. Ottoboni et al., petitioners, *v.* United States Motion for leave to file petition for rehearing denied.

RECESS ORDER

The Court will take a recess from Monday, March 6, 1978, until Monday, March 27, 1978.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ann Harriet Appelbaum	New York, N.Y.	Jaclyn Chait Taner.
John Birscoe	San Francisco, Calif.	Russel Iungerich.
Steven Allen Rolef	New York, N.Y.	Jeffrey H. Schneider.
Ira Shale Nordlight	New York, N.Y.	Harold Nordlight.
John James Duncan, Jr.	Knoxville, Tenn.	George D. Webster.

## ORAL ARGUMENT

No. 77-52. United States, petitioner, *v.* Richard Thompson Ford. Argued by Mr. Andrew L. Frey for the petitioner and by Mr. David J. Gottlieb for the respondent, *pro hac vice*, by special leave of Court.

No. 76-1596. United States, petitioner, *v.* John Mauro and John Fusco. Argued by Mr. Andrew L. Frey for the petitioner and by Mr. Kevin G. Ross for the respondents, *pro hac vice*, by special leave of Court.

No. 77-5176. Jerome Franks, petitioner, *v.* Delaware. Argued by Mr. Donald W. Huntley for the petitioner and by Mr. Harrison F. Turner for the respondent.

No. 5, **Original**. United States of America, plaintiff, *v.* State of California. Argued by Mr. Allan A. Ryan for the plaintiff and by Mr. Russell Iungerich for the defendant.

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Adjourned until tomorrow at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Power, Mr. Justice Rehnquist, and Mr. Justice Stevens.

## OPINIONS

No. 76-1058. Central Illinois Public Service Company, petitioner *v.* United States. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Blackmun. Concurring opinion by Mr. Justice Brennan with whom Mr. Chief Justice Burger and Mr. Justice Powell join. Concurring opinion by Mr. Justice Powell with whom Mr. Chief Justice Burger joins. Opinion by Mr. Justice Stewart concurring in the judgment.

No. 76-5761. Michael Lee Simpson and Tommy Wayne Simpson, petitioners, *v.* United States; and

No. 76-5796. Michael Lee Simpson, petitioner, *v.* United States. On writs of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and cases remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Rehnquist.

## ORAL ARGUMENT

No. 77-10. Exxon Corporation et al., appellants, *v.* Governor of Maryland et al.;

No. 77-11. Shell Oil Company, appellant, *v.* Governor of Maryland et al.;

No. 77-12. Continental Oil Company et al., appellants, *v.* Governor of Maryland et al.;

No. 77-47. Gulf Oil Corporation, appellant, *v.* Governor of Maryland et al.; and

No. 77-64. Ashland Oil, Inc., et al., appellants, *v.* Governor of Maryland et al. Argued by Mr. William Simon for the appellants and by Mr. Francis B. Burch and Mr. Thomas M. Wilson, III, for the appellees.

No. 77-39. William Pinkus, dba "Rosslyn News Company" and "Kamera", petitioner, *v.* United States. Argued by Mr. Bernard A. Brekman for the petitioner and by Mr. Jerome M. Feit for the respondent.

No. 76-1410. Joseph V. Agosto, petitioner, *v.* Immigration and Naturalization Service. Argued by Mr. Robert S. Bixby for the petitioner and by Mr. Marion L. Jetton for the respondent.

No. 77-335. Oppenheimer Fund, Inc., et al., petitioners. *v.* Irving Sanders et. al. Argument commenced by Mr. Alfred Berman for the petitioners.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

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The Chief Justice said:

"We take note for the journal and records of the Court of the death of Walter Wyatt, the 12th Reporter of Decisions of this Court and immediate predecessor of the present incumbent, Henry Putzel, Jr. Mr. Wyatt served the Court with distinction from 1946 to 1964."

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Betty Anne Cherry Kaufman	Newton Upper Falls, Mass.	Theresa Grace Lawhorn Watson.
Jim Lawing	Wichita, Kans.	Hope Beth Eastman.
Pompeyo Roa Realuyo	New York, N.Y.	Edward A. Martin.
Charles N. Mason, Jr.	Washington, D.C.	Morton Stavis.
Joseph R. Lundy	Chicago, Ill.	W. Donald McSweeney.
D. Richard Funk	Pittsburgh, Pa.	Cloyd Rowe Mellott.
J. Gary Kosinski	Pittsburgh, Pa.	Cloyd Rowe Mellott.
Richard Franklin Fielding	Washington, D.C.	Frank Hoover Easterbrook.

### OPINIONS

No. 76-695. Board of Curators of the University of Missouri et al., petitioners, v. Charlotte Horowitz. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment reversed and case remanded to the court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rehnquist. Concurring opinion by Mr. Justice Powell. Opinion by Mr. Justice White concurring in part and concurring in the judgment. Opinion by Mr. Justice Marshall concurring in part and dis-

senting in part. Opinion by Mr. Justice Blackmun concurring in part and dissenting in part with whom Mr. Justice Brennan joins.

No. 76-938. Federal Maritime Commission et al., petitioners, *v.* Pacific Maritime Association et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Powell with whom Mr. Justice Brennan and Mr. Justice Marshall join. Mr. Justice Blackmun took no part in the consideration or decision of this case.

#### ORAL ARGUMENT

No. 77-335. Oppenheimer Fund, Inc., et al., petitioners, *v.* Irving Sanders et al. Argument continued by Mr. Donald N. Ruby for the respondents and concluded by Mr. Alfred Berman for the petitioners.

No. 76-1621. Herbert H. McAdams, III, as Executor of the Estate of John L. McClellan, et al., petitioners, *v.* Alan McSurely et al. Argued by Mr. Frank H. Easterbrook for the petitioners and by Mr. Morton Stavis for the respondents.

No. 76-1560. United States, petitioner, *v.* United States Gypsum Company et al. One hour and twenty minutes allowed for oral argument. Argued by Mr. Daniel M. Friedman for the petitioner and by Mr. W. Donald McSweeney, Mr. H. Francis DeLone and Mr. Fred H. Bartlit, Jr., for the respondents.

No. 76-6767. Frank R. Scott, etc. and Bernis L. Thurmon, etc., petitioners, *v.* United States. Argued by Mr. John A. Shorter, Jr. for the petitioners and by Mr. Richard A. Allen for the respondent.

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Adjourned until Monday, March 6, 1978, at 10 o'clock.



## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## APPEALS—SUMMARY DISPOSITION

No. 77-1072. Janice Ching Yee, appellant, *v.* Alfred Alphonse Yee et al. Appeal from the Supreme Court of Hawaii. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 77-1091. Martin Epstein, appellant, *v.* Civil Service Commission et al. Appeal from the Appellate Court of Illinois, First District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

## CERTIORARI—SUMMARY DISPOSITION

No. 76-6258. Tyrees Coloza Whitehead, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari are granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Simpson v. United States*, 435 U.S.—(1978).

No. 77-172. Hubert Morelock et al., petitioners, *v.* NCR Corporation. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Petition for a writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Lorillard v. Pons*, 434 U.S. (1978).

No. 77-567. New York State Parole Board and Members of the New York State Parole Board, etc., petitioners, *v.* Ernest Coralluzzo. On writ of certiorari to the United States Court of Appeals for the

Second Circuit. Motion of respondent to dismiss writ granted and writ of certiorari dismissed as improvidently granted. Mr. Justice White and Mr. Justice Rehnquist dissent.

No. 77-5742. Kenneth Ray Frakes, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the United States District Court for the Western District of Kentucky with instructions to grant the government's motion to dismiss the indictment. The Chief Justice, Mr. Justice White and Mr. Justice Rehnquist dissent.

#### ORDERS IN PENDING CASES

No. ———. National Citizens Committee for Broadcasting, petitioner, *v.* Federal Communications Commission et al. Motion of petitioner to dispense with printing petition for writ of certiorari denied.

No. 76-1200. Roger Crist, as Warden of the Montana State Penitentiary, Deer Lodge, Montana, et al., appellants, *v.* Merrel Cline and L. R. Bretz. Motion of Solicitor General for leave to participate in oral argument, as *amicus curiae*, granted and fifteen additional minutes allotted for that purpose.

No. 77-240. St. Paul Fire & Marine Insurance Company et al., petitioners, *v.* David M. Barry et al. Motion of Solicitor General for leave to participate in oral argument, as *amicus curiae*, granted and fifteen additional minutes allotted for that purpose. Petitioners allotted fifteen additional minutes for oral argument.

No. 77-444. Penn Central Transportation Company et al., appellants, *v.* The City of New York et al. Motion of Pacific Legal Foundation for leave to file a brief, as *amicus curiae*, granted. Motion of National Trust for Historic Preservation et al. for leave to file a brief, as *amicus curiae*, granted. Motion of The Real Estate Board of New York, Inc. for leave to file a brief, as *amicus curiae*, granted. Motion of the Solicitor General for leave to participate in oral argument, as *amicus curiae*, granted and fifteen minutes allotted for that purpose. Appellants allotted fifteen additional minutes for oral argument.

No. 77-653. William Swisher et al., appellants, *v.* Donald Brady et al. Motion of State Public Defender of California for leave to file a brief, as *amicus curiae*, granted.

## APPEALS—JURISDICTION NOTED OR POSTPONED

No. 77-891. Frank S. Beal, Secretary of Welfare of Pennsylvania, et al., appellants, *v.* John Franklin et al. Appeal from the United States District Court for the Eastern District of Pennsylvania. In this case probable jurisdiction noted.

No. 77-515. Holt Civic Club, etc., et al., appellants, *v.* City of Tuscaloosa, etc., et al. Appeal from the United States District Court for the Northern District of Alabama. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits.

## CERTIORARI GRANTED

No. 77-920. Thor Power Tool Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 77-922. Chrysler Corporation, petitioner, *v.* Harold Brown, Secretary of Defense, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

## CERTIORARI DENIED

No. 76-5632. Michael Correll Oliver, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-637. Michael George Reeve, Derek Trevenning Harris, and Roy David Thompson, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-661. George Moss, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-769. United Steelworkers Justice Committee, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-773. Anne Lamont, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-782. American Iron and Steel Institute et al., petitioners, *v.* Environmental Protection Agency. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-783. A. B. Morrison, petitioner, *v.* Amos E. Reed, Secretary, Department of Correction, North Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-795. John C. Wegner and Charles W. Wegner, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-839. Staci Speidel, aka Rosemary Rojas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-863. Mark Frederick Buthorn, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-879. Bailey Company, Inc., petitioner, *v.* Equal Employment Opportunity Commission. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-906. Patrick M. Schott et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-989. Dennis Wolf, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 77-1011. Gustavo Passarelli, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1012. Fribesco S.A. and Otello Mantovani, petitioners, *v.* Mitsui & Co. (U.S.A.), Inc., et al. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 77-1069. James E. Keiffer, Michael David Warner and Robert E. Parks, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1071. David L. Linfield, petitioner, *v.* Board of Higher Education of the City of New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 77-1122. David Anthony, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1125. William Donald Perkins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5174. James Wayne Murry, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5748. Charles Lee Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5769. James Apuzzo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5775. Roberto Jiminez-Valencia, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5784. Rafeal Wofford, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5831. Jesse Lee Lewis, petitioner, *v.* Abelicio Chavez, Superintendent, California Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5836. Stephen E. Payton, petitioner, *v.* Norman Carlson, Director, U.S. Bureau of Prisons, et al., etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5852. Raymond Ernest Ricard, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5857. Addle M. Mawyer, petitioner, *v.* Joseph A. Califano, Jr., Secretary of Health, Education and Welfare. Petition for a writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5865. Jimmy J. Walker, petitioner, *v.* United States. Petition for a writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5890. Eldridge D. Shanks, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5923. Gregg Morris, aka Raphael Hundley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5927. Edward V. Mase, petitioner, *v.* United States. Petition for a writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5930. Douglas Meeks, petitioner, *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 77-5933. Oscar Alvarez-Tostado, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5939. Joseph C. Ilacqua, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5948. John Young, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5962. Elmore Harmon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6024. James R. Lewis and Selma K. Lewis, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 77-6030. Leroy H. Johnson, Jr., petitioner, *v.* James J. Nunes et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-6032. Charlotte R. Hurd, petitioner, *v.* Walter J. Hurd. Petition for writ of certiorari to the Supreme Court of California denied.

No. 77-6036. Harold D. Persinger, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fifth District, denied.

No. 77-6044. J. C. McCrary, petitioner, *v.* Eugene LeFevre, Superintendent, Clinton Correctional Facility.. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6048. Riley Mitchell Jones, petitioner, *v.* Leo McCracken. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6050. George Kermit Houston, petitioner, *v.* Charles Egeler, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.



No. 77-6053. Tyrone Hurt, petitioner, *v.* Lorton Complex et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6083. John C. Hulse, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6110. C. W. Deaton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6116. John R. Moynagh, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-6120. Willie Moorer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6132. Pasquale Piccirillo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6145. Verne Allen Lyon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6148. Francis E. King, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6150. Roy Whitefield, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6152. Alexander Patton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6159. Charlie I. Kirkland, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-1028. Insurance Company of North America, petitioner, *v.* Robert Lee Mosley, et al. Motion of respondent Robert Mosley for leave to proceed *in forma pauperis* granted. Motion for attorney fees and petition for writ of certiorari to the Supreme Court of Florida denied.

No. 77-1046. Marco Dental Products, Inc., petitioner, *v.* George K. Austin, Jr. Petition for writ of certiorari to the United States Court

of Appeals for the Ninth Circuit denied. Mr. Justice White would grant certiorari.

#### LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 77-6029. Charles G. Pillon, petitioner, *v.* United States District Court for the District of South Carolina, et al. Motion for leave to file petition for writ of mandamus denied.

#### REHEARINGS DENIED

No. 76-1334. Don Bordenkircher, Superintendent, Kentucky State Penitentiary, petitioner, *v.* Paul Lewis Hayes;

No. 76-6372. Leon Webster Quilloin, appellant, *v.* Ardell Williams Walcott et al.;

No. 77-709. David P. Weinberger, petitioner, *v.* Equifax, Inc., etc.;

No. 77-5809. John James Turner, petitioner, *v.* Robert J. Landry;

No. 77-5841. Robert Hollis, petitioner, *v.* New York; and

No. 77-5896. Donald McKay Crane, petitioner, *v.* United States. Petitions for rehearing denied.

No. 77-5516. Don Carroll Beachem, petitioner, *v.* United States et al. Motion for leave to file petition for rehearing denied.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James R. Archer	Franklin, Ind.	Robert Michael Gholston.
Richard P. Ackerman	New York, N.Y.	Robert E. Smith.
A. Graham Allen	Jacksonville, Fla.	Ray W. Richardson, Jr.
Patricia C. Armstrong	New York, N.Y.	Mark C. Rutzick.
Joseph Armand Artabane	Washington, D.C.	Stephen N. Shulman.
Susan Jane Atkinson	Washington, D.C.	Robert B. Nicholson.
Frederick E. Attaway	Washington, D.C.	James Charles Bouras.
Martin H. Aussenberg	Washington, D.C.	Stanley Sporokin.
William Arnold Babiskin	Albany, N.Y.	Lawrence Walter Reich.
Raymond Ralph Bagley, Jr.	Oregon City, Oreg.	Alan R. Jack.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Wade Barber, Jr.	Pittsboro, N.C.	John Joseph Hackney.
Harris Hastings Barnes III	Gulfport, Miss.	Sherman L. Muths, Jr.
Richard M. Baumeister	Wilmington, Del.	Jay Harold Conner.
Ronna Lee Beck	Washington, D.C.	Paul R. Friedman.
Anthony J. Beisler	Fort Lauderdale, Fla.	Theodore Ronald Haintine.
Jeanne Clark Benjamin	Doylestown, Pa.	H. Paul Kester.
Erick E. Kolthoff Benners	San Juan, P.R.	Enrique A. Jordan Musa.
Frederick H. Bird	Keene, N.H.	Alexander M. Heron.
Stephen R. Black	Seattle, Wash.	James F. McAteer.
Jonathan Blank	Washington, D.C.	James Lawrence Lyons.
Robert L. Blumenthal	Dallas, Tex.	Marvin Sherk Sloman.
David C. Bogan	Chicago, Ill.	C. Lee Cook, Jr.
Theodore B. Borek	Phoenix, Ariz.	Royce Charles Lamberth.
Virgil Bozeman	Moline, Ill.	John Vevers Patton, Jr.
Charles Marvin Bradshaw	Dallas, Tex.	Arlen Dean Bynum.
Inman Brandon	Atlanta, Ga.	Hugh M. Dorsey, Jr.
William Joseph Bridge	Lewistown, Pa.	Walter Gellhorn.
William Alden Brockett, Jr.	San Francisco, Calif.	John W. Kecker.
Lovic Alton Brook, Jr.	Atlanta, Ga.	Alan Lawrence Rolnick.
Benoit Otis Brookens II	Milwaukee, Wis.	Horace Thomas Harris.
Gerald J. Brown	Washington, D.C.	Donald J. Mulvihill.
Harvey Richard Brown	Larchmont, N.Y.	Harry H. Lipsig.
Kirtley Ward Brown	Marion, Ala.	DeWitt K. Mason, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Herbert Williams Brown III	San Juan, P.R.	Solicitor General Wade H. McCree, Jr.
Neil Francis Bryson	Plymouth, Mass.	Kenneth Jack Beeby.
Steven Robert Buckner	Silver Spring, Md.	William L. Kaplan.
Thomas R. Burns	Rochester, N.Y.	J. William Ernstrom.
Donald C. Butch	Lavallette, N.J.	Francis Xavier Halligan, Jr.
Charles Michael Buxton	Washington, D.C.	John Woolman Douglas.
James David Cardillo	New York, N.Y.	Abraham J. Multer.
William E. Casey	Carrizo Springs, Tex.	Jeremiah Ingels Rhodes.
Joseph Robert Caton, Jr. David Lansing Chapman	Milwaukee, Wis. Los Angeles, Calif.	John R. Devitt. Robert Benjamin Axel.
John O. Charrier, Jr.	New Orleans, La.	Ernest A. Carrere, Jr.
William Lowe Chenault, Jr.	Decatur, Ala.	Newton Benjamin Powell.
William Craig Childers	Houston, Tex.	Edward Codrington Carrington, Jr.
George M. Clifton	Houston, Tex.	John Alois Graml.
Robert Steven Connors	Chicago, Ill.	James C. Murray, Jr.
Thomas James Constantine	Denver, Colo.	Charles F. Brega.
Douglas E. Cook Kermit Marshall Cook Ralph C. Copeland	Philadelphia, Pa. Richmond, Va. Medfield, Mass.	Frank O. Schilpp. Reno S. Harp III. Harold Rosenwald.
Eric J. Cox	Norristown, Pa.	William T. Nicholas.
A. David Crawley	Memphis, Tenn.	Edward W. Kuhn.
Karen Kay Creason	Portland, Oreg.	Barnes Hum- phreys Ellis.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David A. Danielson	Fort Lauderdale, Fla.	Gerald Thomas Nolan.
Jeffrey S. Davidson	Chicago, Ill.	Frank Crero, Jr.
Douglas Edward Davis	Phoenix, Ariz.	Charles David Hadley.
Henry Bernard Davis, Jr.	Grand Rapids, Mich.	Kenneth Thomas Hayes.
John Frederick Day	Phoenix, Ariz.	Daniel F. Cracchiolo.
Alan J. Denis	New York, N.Y.	Richard G. Freidin.
Dean P. DeBruyne	Rockford, Ill.	Francis E. Hickey.
P. Louis DeRose	Arnold, Pa.	Louis H. Ceraso.
Robert F. Donchue	Memphis, Tenn.	Edward W. Kuhn.
Anthony Donald Moore Doyle	Anchorage, Alaska	B. Richard Edwards.
Ronald Lee Eakin	Manassas, Va.	Nicholas N. Kittrie.
Walter J. Early	Rocky Mount, N.C.	Charles Bryant Winberry, Jr.
Robert John Erickson	Bismarck, N. Dak.	Solicitor General Wade H. McCree, Jr.
Erich E. Everbach	Los Angeles, Calif.	John Ferree Forward II.
Steven Finell	New York, N.Y.	Simon H. Rifkind.
William James Flanagan	Miami, Fla.	Peter M. Siegel.
Thomas J. Fleming	Keene, N.H.	Alexander M. Heron.
Joseph B. Forman	New York, N.Y.	Abraham J. Multer.
Thomas W. Forsgren	Salt Lake City, Utah	Sidney G. Baucom.
Lowell H. Forte	Cedar Rapids, Iowa	Thomas Joseph Wilkinson, Jr.
Mark David Frankel	York, Pa.	John Charles Herrold.
J. Michael Franks	Nashville, Tenn.	J. Olin White.
David Paul Freund	Indianapolis, Ind.	R. Davy Eaglesfield III.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles H. Froeb	Tulsa, Okla.	Tilford Hillas Eskridge.
Francis Pendleton Gaines III	Phoenix, Ariz.	Newman Rush Porter.
James Melford Gaither, Jr.	Hickory, N.C.	William Reginald Sigmon.
Jeffrey Neal Gelfon	Farmington, Conn.	Frank Rhine Borowy.
Richard L. Gilbert	Davis, Calif.	Coleman A. Blease.
Irving Harold Goldberg Robert Michael Goldfried	Chicago, Ill. Los Angeles, Calif.	Keith F. Bode. Ronald M. Greenberg.
Ronald M. Gott Robert A. Greeley	Wichita, Kans. Hamilton, Mass.	Henry V. Gott. Marshall Simonds.
Raymond A. Green, Jr.	San Francisco, Calif.	Marvin Handler.
Norman L. Greene Steven Jay Greenstein	New York, N.Y. Berkeley Heights, N.J.	Harold Baer, Jr. Ralph Jerome Jabbour.
William J. Guste III	New Orleans, La.	William J. Guste, Jr.
Marvin Morrison Hager Jerome Louis Henry	Mandan, N. Dak. Oklahoma City, Okla.	John E. Adams. Lee B. Thompson.
Charles Jenkins Henderson	Charlotte, N.C.	John Henderson Hasty.
David Henry Henderson	Charlotte, N.C.	John Henderson Hasty.
James J. Herrick Philip Hershaft	Palo Alto, Calif. New York, N.Y.	Cayton O. Rost. Abraham J. Multer.
Martin David Heyert	New York, N.Y.	Frederick Thomas Shea.
Yerger Hill III	Dallas, Tex.	Gabriel Hawkins Golden.
Charles Robert Hodges	Dallas, Tex.	Walter Kelvin Wyrick.
Gary Wayne Hoffman Nancy E. Hoffman Seymour Horowitz	Dallas, Tex. New York, N.Y. New York, N.Y.	Grover Hartt, Jr. Gary Mailman. Thomas H. Ryan.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Freeman Horsley	Opelika, Ala.	Walter Ryland Byars.
Neil Fraser Hulbert	Honolulu, Hawaii	John Sanford Edmunds.
Reed E. Hundt	Los Angeles, Calif.	Max Lee Gillam, Jr.
James A. Hunolt	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Wilbor J. Hust, Jr.	Tuscalossa, Ala.	Bruce McEachin.
Gerald H. Itkin	Breckenridge, Colo.	Nicholas N. Kittrie.
Lenwood A. Jackson	Atlanta, Ga.	Bernard Parks.
P. V. Jackson III	Nashville, Tenn.	Roy A. Miles, Jr.
Gary S. Jefferson	Little Rock, Ark.	James Guy Tucker, Jr.
Wayne Jewell	El Dorado, Ark.	Robert C. Compton.
Frederick F. Kalivoda	Rockford, Ill.	Karl C. Williams.
Jeffrey Katz	Philadelphia, Pa.	David C. Toomey.
Philip Robert Kaufman	New York, N.Y.	Francis Julius Valentino.
Michael Justin Keane	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Charlotte S. Keller	Washington, D.C.	Arthur Douglas Wolf.
Bernard J. Kennedy	Buffalo, N.Y.	Richard F. Griffin.
Patrick James Kennedy	Nashville, Tenn.	Harold Eugene Wilson.
Richard M. Kerger	Toledo, Ohio	John G. Mattimoe.
Edmund Campion Kersten	Milwaukee, Wis.	Ward Dunphy.
George P. Kersten	Milwaukee, Wis.	Ward Dunphy.
Kenan J. Kersten	Milwaukee, Wis.	Ward Dunphy.
Carolyn R. Kleiman	Washington, D.C.	Edmund Berrigan Clark.
Joel Barry Kleiman	Washington, D.C.	David I. Shapiro.
John Henry Klemeyer	Milford, Pa.	Sidney L. Krawitz.
Samuel Milton Koritz	Minneapolis, Minn.	Samuel G. Smilow.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Wallace Kenneth Law	Beltor, Tex.	Jim DeWitt Bowmer.
Michael L. Levinson	Chicago, Ill.	John Howard Bickley, Jr.
James Robert Lewis	Boulder, Colo.	William M. Cohen.
Wade Hampton Logan III	Charleston, S.C.	Bernard M. Thomson, Jr.
Robert D. Loughbom	Kansas City, Kans.	Washington H. Brown.
Larry V. Lunt	Salt Lake City, Utah	Ford G. Scalley.
John Belknap Mack	Memphis, Tenn.	Clarence Clifton.
Michael P. Maguire	Wilmington, Del.	James P. D'Angelo.
Franklin M. Mann	Spartanburg, S.C.	Lewis Wardlaw Perrin, Jr.
Robert Jensen Matlock	Dallas, Tex.	Fred Bruner.
Frederick Mayer	Chicago, Ill.	Howard Robert Barron.
Steven Lee Mayer	San Francisco, Calif.	Jerome B. Falk, Jr.
Arlo A. McKinnon	Milwaukee, Wis.	Ward Dunphy.
John Ralph McDougall	Albany, Calif.	Howard J. De Nike.
William M. McCarty, Jr.	Brattleboro, Vt.	Osmer Cushing Fitts.
John George McCleery, Jr.	Memphis, Tenn.	Lucius E. Burch, Jr.
Edward A. McDermott, Jr.	Washington, D.C.	Edward A. McDermott.
John Franklin McKay	Baton Rouge, La.	Clifton O. Bingham, Jr.
William Russell Meeks III	Little Rock, Ark.	Ernest Guy Amsler, Jr.
Jerry William Melton	Dallas, Tex.	Lester L. May
Mitchell W. Miller	Philadelphia, Pa.	Leon H. Kline.
Richard Coke Mills, Jr.	Waco, Tex.	William Robert Poage.
Dale Bryant Mitchell	Somerset, Ky.	Don E. Cooper.
Wilmer Hall Mitchell	Pensacola, Fla.	Joe J. Harrell.
William B. Morris	New York, N.Y.	Donal Finbarr McCarthy.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
L. Louis Mrachek	Springfield, Va.	G. Joseph King.
Brian R. Mudd	Green Bay, Wis.	Joseph M. Recka.
James Edward Mugford, Sr.	Philadelphia, Pa.	William Austin Meehan.
Josiah Stockton Murray III	Durham, N.C.	Ralph N. Strayhorn.
Mark N. Mutterperl	Bethesda, Md.	Robert E. Kopp.
James Harold Napper II	Monroe, La.	Clyde R. Brown.
Howard F. Naughton	Houston, Tex.	Robert M. Bass, Jr.
Allen L. Neelley	Los Angeles, Calif.	Frank B. Belcher.
Thomas Stephen Neuberger	Wilmington, Del.	John Merwin Bader.
Timothy Brock Newitt, Sr.	Chicago, Ill.	Melbourne A. Noel, Jr.
Larry Niemann	Austin, Tex.	William Harrell Bingham, Jr.
James Stanford Nippes	Jackson, Miss.	Charles L. Brocato.
Kevin M. O'Donnell	Milwaukee, Wis.	Ward Dunphy.
Jerome Frederick O'Neill	Burlington, Vt.	Solicitor General Wade H. McCree, Jr.
Lawrence Wayne Oberhausen	Pensacola, Fla.	Joe J. Harrell.
Virgil W. Padgett	Memphis, Tenn.	Edward W. Kuhn.
Kurt F. Pantzer, Jr.	Indianapolis, Ind.	Thomas A. Hendrickson.
Alan Mark Parness	New York, N.Y.	Earl Harold Nemser.
Jerry D. Patchen	Houston, Tex.	Gerald Mark Birnberg.
Richard Steven Pett	Totowa, N.J.	Anthony L. Russo.
Mary Boresz Pike	New York, N.Y.	Leonard B. Boudin.
Edward B. Poitevent II	New Orleans, La.	Arthur J. Waechter, Jr.
Daniel A. Pollack	New York, N.Y.	Leonard Joseph.
R. Daniel Prentiss	Newport, R.I.	Julius C. Michaelson.
Robert D. Price	Worcester, Mass.	Gerald F. Madaus.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Carl P. Ranno	Bloomfield Hills, Mich.	Verne Churchill Hampton.
Loyd W. Reed	Los Angeles, Calif.	Robert E. Moore, Jr.
Stacia McCartney Reed	Carthage, Tex.	C. L. Ray, Jr.
Perry S. Reich	New York, N.Y.	Jacob D. Furhsberg.
Robert R. Reid, Jr.	Birmingham, Ala.	William Douglas Arant.
Arthur K. Ridley	Milford, Pa.	Sidney L. Krawitz.
John William Roberts	Springfield, Ill.	C. Joseph Cavanagh.
Kenneth A. Roberts	Westminster, Calif.	Charles Inman Nelson.
Patrick Joseph Roberts	Peru, Ind.	Albert Harvey Cole, Jr.
John Edward Robinson	Atlanta, Ga.	Israel Katz.
William Anthony Robinson	Birmingham, Ala.	Lucien D. Gardner, Jr.
Ronald A. Rubenstein	Richmond, Calif.	Kenneth W. Larson.
Sheldon Rudoff	New York, N.Y.	Bernard Shatzkin.
Joseph E. Sadofski	Piscataway, N.J.	Morris Roth.
Dale E. Saffels	Wichita, Kans.	Henry V. Gott.
David Lloyd Sanders	Cuyahoga Falls, Ohio	Gerald Robert Leipply.
John C. Saunders, Jr.	New Orleans, La.	William J. Guste, Jr.
Robert James Schack	New York, N.Y.	Robert B. McKay.
John D. Schmelzer	Washington, D.C.	Lutz Alexander Prager.
Richard L. Schnell	Mandan, N. Dak.	John E. Adams.
Maurice Schulberg	Brooklyn, N.Y.	Abraham J. Multer.
Herman Schwartz	Dallas, Tex.	Arthur S. Goldberg.
Susan W. Sciacca	Englewood, N.J.	David S. Baime.
Joseph E. Scuro, Jr.	Columbus, Ohio	Thomas V. Martin.
James Wilson Sears	Orlando, Fla.	J. Robert Eagan III.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Laurence Vaughn Senn, Jr. David LeRoy Shannon	New York, N.Y. New Smyrna Beach, Fla.	Leonard Garment. William P. Simmons Jr.
Bruce Philip Sherman	Silver Spring, Md.	David A. Drachsler.
Richard Allen Sherman, Sr.	Miami, Fla.	Frederic C. Davant.
Ronald Perry Shipman	Oxford, Ind.	Stephen C. Bower.
William Albert Shuford	Charlotte, N.C.	John Henderson Hasty.
Kenneth D. Siegfried	Minneapolis, Minn.	Charles T. Hvass.
Donn Lee Smith	Nashville, Tenn.	Thomas Miller Manier.
George Cruice Smith	Washington, D.C.	Roger Arthur Clark.
Harvey Yale Smith Thaddeus Stevens Snell	Washington, D.C. Chicago, Ill.	Leroy Nesbitt. George Edward Bullwinkel.
Ray Earl Spears	Baltimore, Md.	Llewellyn W. Woolford.
David Rand Steele	Independence, Ky.	G. Wayne Bridges.
Peter Richard Steenland, Jr.	Columbia, Md.	Raymond Neal Zagone.
Lawrence J. Stockler Charles M. Stoddard	Detroit, Mich. Glenwood Springs, Calif.	Lee R. Franklin. Frank Delaney.
Martin Robert Stolar	New York, N.Y.	Victor Rabinowitz.
Ernest L. Stovack	Los Angeles, Calif.	Richard Seth Plotin.
Emerito O. Tolentino Robert Butler Tomaro	Jersey City, N.J. Cleveland, Ohio	Roger B. Turrell. Edwin A. Kennedy.
Robert L. Travis, Jr.	Tallahassee, Fla.	Joseph Woodrow Hatchett.
Jerome David Truhn	Minneapolis, Minn.	William John Hempel.
G. Hamp Uzzelle III	Mobile, Ala.	Alexander Fillmo Lankford III.
Michael Hugh Wainwright	Shreveport, La.	Gillis W. Long.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard A. Waltz	Columbus, Ohio	William J. Brown.
McInnis L. Ward	Lake Charles, La.	Charles Stirling King.
Valentine A. Weber, Jr.	Chicago, Ill.	Robert Clifton Keck.
Peter H. Wegener	Lakewood, N.J.	Lawrence E. Bathgate.
Robert P. Weidner	Alexandria, Va.	Donald Bruce Nicholson.
Felex R. Weill	Baton Rouge, La.	Robert L. Roland.
Michael Harris Weisser	North Miama Beach, Fla.	Michael P. Striar.
Peter F. Welch	White River Junction, Vt.	John H. Pickering.
Paul Edward Wendel	Evansville, Ind.	Charles Arthur Spaetti.
Joel Gary Wexler	Merrick, N.Y.	Abraham J. Multer.
Elwin Harland White, Sr.	Charlotte, N.C.	Joseph Wayne Dean.
George E. Whitworth	Memphis, Tenn.	Edward W. Kuhn.
James Robert Williams	Akron, Ohio	Norman Purnell.
John Bacot Williams	Moncks Corner, S.C.	Morris D. Rosen.
Diane S. Wilner	New York, N.Y.	Sheila L. Birnbaum.
Monte Dale Witte	Cincinnati, Ohio	Frederick Herman Braun.
Thomas A. Wurtz	Lincoln, Nebr.	James Albert Lake.
Arthur Wynn	Los Angeles, Calif.	Stanley P. Piser.
Robert A. Yingst	Berrien Springs, Mich.	Orva Lee Boothby.
Frank Roy Yoke, Jr.	Parkersburg, W. Va.	Wm. Bruce Hoff.
Glenn D. Young, Jr.	Wichita, Kans.	Henry V. Gott.
Olin W. Zeanah	Tuscaloosa, Ala.	Bruce McEachin.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard F. Goldhaber	Melville, Ky.	Michael Albert Milwee.
Michael William Reilly	Omaha, Nebr.	Frederick Handleman.
James B. Kenin	Washington, D.C.	Henry Kaiser.
John Thomas McCloskey	Detroit, Mich.	Robert C. Ozer.
James J. Smith	Homer, Alaska	Alton Harris Harvey.
Stephen James Harper	Albertville, Ala.	Alton Harris Harvey.
Larry Williams	Arkadelphia, Ark.	Alton Harris Harvey.
Robert Bruce Williams	Sacramento, Calif.	Alton Harris Harvey.
Frederic Scott Stephens	Colorado Springs, Colo.	Alton Harris Harvey.
Richard Stuart Blakely	Tampa, Fla.	Alton Harris Harvey.
Dickson Edwin Kesler	Miami, Fla.	Alton Harris Harvey.
Roy Leon Dodson	Thomasville, Ga.	Alton Harris Harvey.
Lester M. H. Goo	Honolulu, Hawaii	Alton Harris Harvey.
James Michael Norton	Le Roy, Ill.	Alton Harris Harvey.
Stephen Victor Saynisch	Chicago, Ill.	Alton Harris Harvey.
George Hale Sisson	Mishawaka, Ind.	Alton Harris Harvey.
Gerald Richard Coppentrath	Clinton, Mass.	Alton Harris Harvey.
Raymond Lewis Roberts	Waban, Mass.	Alton Harris Harvey.
Robert T. Jackson, Jr.	Detroit, Mich.	Alton Harris Harvey.
Paul J. Luedtke	Marshall, Minn.	Alton Harris Harvey.
Kim Kahler Judd	Kansas City, Mo.	Alton Harris Harvey.
Terry William Raney	Kansas City, Mo.	Alton Harris Harvey.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Bryan Heaton Schempf	Kansas City, Mo.	Alton Harris Harvey.
John Keay Wallace III	Jefferson City, Mo.	Alton Harris Harvey.
Van Michael Davidson, Jr.	Bay Saint Louis, Miss.	Alton Harris Harvey.
Gerald Wayne Jones	Enterprise, Miss.	Alton Harris Harvey.
John Purves McLarin III	Oxford, Miss.	Alton Harris Harvey.
Glenn Lee Hampton	Hawthorne, Nev.	Alton Harris Harvey.
Warren Joseph Argue	Staten Island, N.Y.	Alton Harris Harvey.
Peter Earl Casey	Rochester, N.Y.	Alton Harris Harvey.
Stephen A. J. Eisenberk	Bronx, N.Y.	Alton Harris Harvey.
Mark L. Haiman	New York, N.Y.	Alton Harris Harvey.
John Kent Northrop	Three Mile Bay, N.Y.	Alton Harris Harvey.
Bruce Curtis Barry	Cincinnati, Ohio	Alton Harris Harvey.
Allan Andrew Toomey	Willoughby Hills, Ohio	Alton Harris Harvey.
Harold Wayne Elliott	Rock Hill, S.C.	Alton Harris Harvey.
Ronald Carroll Friddle	Greenville, S.C.	Alton Harris Harvey.
John Russell Gentry	Bishopville, S.C.	Alton Harris Harvey.
Larry Swain Merck	Sandy Springs, S.C.	Alton Harris Harvey.
Gerald Joseph Leeling	Lead, S. Dak.	Alton Harris Harvey.
John Thomas Holloman	Memphis, Tenn.	Alton Harris Harvey.
Louis F. Pine II	San Antonio, Tex.	Alton Harris Harvey.
Craig Stephen Schwender	Salt Lake City, Utah	Alton Harris Harvey.
Douglas Cannon Smith	Salt Lake City, Utah	Alton Harris Harvey.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Adam Karl Llewellyn	Charlottesville, Va.	Alton Harris Harvey.
Ruurd Carel Segaar	Falls Church, Va.	Alton Harris Harvey.
William J. Caron	Rutland, Vt.	Alton Harris Harvey.
Richard James Mackey	Spokane, Wash.	Alton Harris Harvey.
H. Bruce Abbott	Camden, N.J.	Jan M. Schlesinger.
Salvatore A. Alessi	Camden, N.J.	Jan M. Schlesinger.
Prudence H. Bisbee	Burlington City, N.J.	Jan M. Schlesinger.
Bennett Earl Bozarth	Delran, N.J.	Jan M. Schlesinger.
Edward Casel	Willingboro, N.J.	Jan M. Schlesinger.
Barbara Van Horn Colsey	Delanco, N.J.	Jan M. Schlesinger.
Nicholas Joseph Costa	Mount Holly, N.J.	Jan M. Schlesinger.
Alfred A. Faxon III	Mt. Holly, N.J.	Jan M. Schlesinger.
Joshua Friedman	Cinnaminson, N.J.	Jan M. Schlesinger.
John R. Futey	Bordentown, N.J.	Jan M. Schlesinger.
Donald P. Gaydos	Mount Holly, N.J.	Jan M. Schlesinger.
Anthony F. Gerike	Medford, N.J.	Jan M. Schlesinger.
James Joseph Gerrow, Jr.	Medford Lakes, N.J.	Jan M. Schlesinger.
Jeffrey N. Goldstein	Burlington, N.J.	Jan M. Schlesinger.
Brian Milton Guest	Mount Holly, N.J.	Jan M. Schlesinger.
Henry Leon Hewitt	Cinnaminson, N.J.	Jan M. Schlesinger.
Donald G. Howard	Browns Mills, N.J.	Jan M. Schlesinger.
David Paul Jacobs	Mount Holly, N.J.	Jan M. Schlesinger.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Edmund Bruce Jones	Mount Holly, N.J.	Jan M. Schlesinger.
Paul Edward Latterman	Mount Holly, N.J.	Jan M. Schlesinger.
G. Wesley Manuel, Jr.	Moorestown, N.J.	Jan M. Schlesinger.
James Llewellyn Mathews	Browns Mills, N.J.	Jan M. Schlesinger.
John B. Mathews	Palmyra, N.J.	Jan M. Schlesinger.
Thomas Judd McCormick	Moorestown, N.J.	Jan M. Schlesinger.
William John O'Byrne	Willingboro, N.J.	Jan M. Schlesinger.
Robert Aaron Porter	Mount Holly, N.J.	Jan M. Schlesinger.
William M. E. Powers, Jr.	Moorestown, N.J.	Jan M. Schlesinger.
James T. Rosenberg	Willington, N.J.	Jan M. Schlesinger.
Thomas J. Scattergood	Burlington, N.J.	Jan M. Schlesinger.
Norman Shabel	Mount Holly, N.J.	Jan M. Schlesinger.
John O. Sitzler, Jr.	Palmyra, N.J.	Jan M. Schlesinger.
William George Skelly	Willingboro, N.J.	Jan M. Schlesinger.
Cornelius P. Sullivan	Mount Laurel, N.J.	Jan M. Schlesinger.
Jerome A. Sweeney	Mount Holly, N.J.	Jan M. Schlesinger.
Jack W. Tapper	Mount Holly, N.J.	Jan M. Schlesinger.
Carl L. Taraschi	Willingboro, N.J.	Jan M. Schlesinger.
Ralph J. Tolomeo	Mount Holly, N.J.	Jan M. Schlesinger.
Robert David Vetra	Burlington, N.J.	Jan M. Schlesinger.
Magdalen Eggerling Walker	Willingboro, N.J.	Jan M. Schlesinger.
Craig W. Yates	Willingboro, N.J.	Jan M. Schlesinger.

## OPINIONS

No. **76-5729**. Mark David Oliphant, petitioner, *v.* The Suquamish Indian Tribe et al.; Daniel B. Belgarde, petitioner, *v.* The Suquamish Indian Tribe et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment as to Oliphant reversed and remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court; and judgment as to Belgarde reversed and remanded to the United States District Court for the Western District of Washington for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rehnquist. Dissenting opinion by Mr. Justice Marshall with whom Mr. Chief Justice Burger joins. Mr. Justice Brennan took no part in the consideration or decision of this case.

No. **76-930**. Dixy Lee Ray, Governor of Washington, et al., appellants, *v.* Atlantic Richfield Company and Seatrain Lines, Incorporated. Appeal from the United States District Court for the Western District of Washington. Judgment affirmed in part and reversed in part and case remanded to the United States District Court for the Western District of Washington for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Opinion by Mr. Justice Marshall concurring in part and dissenting in part with whom Mr. Justice Brennan and Mr. Justice Rehnquist join. Opinion by Mr. Justice Stevens concurring in part and dissenting in part with whom Mr. Justice Powell joins.

No. **76-1662**. United States, appellant, *v.* Board of Commissioners of Sheffield, Alabama, et al. Appeal from the United States District Court for the Northern District of Alabama. Judgment reversed and case remanded to the United States District Court for the Northern District of Alabama for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brennan. Concurring opinion by Mr. Justice Blackmun. Opinion by Mr. Justice Powell concurring in part and concurring in the judgment. Dissenting opinion by Mr. Justice Stevens, with whom Mr. Chief Justice Burger and Mr. Justice Rehnquist join.

## ORDER IN PENDING CASE

No. **A-688**. Long Island Railroad Company, applicant, *v.* Aberdeen & Rockfish Railroad Company et al. Application for stay of judgment of the United States Court of Appeals for the Fifth Circuit in Case No. 77-1054, presented to Mr. Justice Powell and by him referred to the Court granted, only insofar as the judgment requires applicant Long Island Railroad Company to keep in a separate trust fund the proceeds of the interim 12.5 percent terminal surcharge, pending timely filing of a petition for writ of certiorari. Should a timely petition for writ of certiorari not be filed or be denied, this

stay is to terminate automatically. If the petition for writ of certiorari is granted, this stay is to remain in effect pending judgment of this Court. In all other respects, application for stay denied. Mr. Justice Powell took no part in the consideration or decision of this application.

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Adjourned until Monday, March 20, 1978, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

## ORDER

No. 77-1033. Dolph Briscoe, Governor of Texas, et al., appellants, v. Frank Escalante et al. Petition for rehearing denied. Motion of appellees for issuance of judgment forthwith, presented to Mr. Justice Powell and by him referred to the Court, granted.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## OPINION PER CURIAM

No. 77-716. Max Cleland, Administrator of the Veterans Administration et al., appellants, *v.* National College of Business. Appeal from the United States District Court for the District of South Dakota. Judgment reversed and case remanded to the United States District Court for the District of South Dakota for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Separate statement by Mr. Justice Marshall.

## APPEALS—SUMMARY DISPOSITION

No. 77-794. Ronald R. Silverton, appellant, *v.* California. Appeal from the Court of Appeal of California, Second Appellate District. The appeal is dismissed for want of a substantial federal question.

No. 77-987. C. John Forge, Jr., et al., appellants, *v.* Minnesota. Appeal from the Supreme Court of Minnesota. The appeal is dismissed for want of a substantial federal question.

No. 77-1050. Anna deKam et al., appellants, *v.* City of Southfield et al. Appeal from the Court of Appeals of Michigan. The appeal is dismissed for want of a substantial federal question.

No. 77-1130. Jasper Frank Potts, appellant, *v.* Kentucky. Appeal from the Court of Appeals of Kentucky. The appeal is dismissed for want of a substantial federal question.

No. 77-6055. Edward L. Smith, appellant, *v.* Louisiana. Appeal from the Supreme Court of Louisiana. The appeal is dismissed for want of a substantial federal question.

No. 77-1056. Sunbeam Television Corporation et al., appellants, *v.* Robert L. Shevin, as Attorney General, et al. Appeal from the Supreme Court of Florida. The appeal is dismissed for want of a substantial federal question. Mr. Justice Brennan, Mr. Justice White and Mr. Justice Blackmun would note probable jurisdiction and set the case for oral argument.

## ORDERS IN PENDING CASES

No. **A-722**. Joyce L. Martin, applicant, Kansas. Application for stay of the mandate of the Supreme Court of Kansas, presented to Mr. Justice Marshall and by him referred to the Court, denied.

No. **76-1607**. Securities and Exchange Commission, petitioner, *v.* Samuel H. Sloan. Motion of Canadian Javelin Limited for leave to participate in oral argument, as *amicus curiae*, denied.

No. **76-1701**. Tennessee Valley Authority, petitioner, *v.* Hiram G. Hill, Jr., et al. Motion of Eastern Band of Cherokee Indians for leave to file a brief, as *amicus curiae*, granted. Motion of East Tennessee Valley Landowners' Association for leave to file a brief, as *amicus curiae*, granted.

No. **77-444**. Penn Central Transportation Company et al., appellants, *v.* City of New York et al. Motion of Committee to Save Grand Central Station, et al. for leave to file a brief, as *amici curiae*, granted.

No. **77-560**. Jo Ann Evans Gardner, petitioner, *v.* Westinghouse Broadcasting Company. Motion of Equal Employment Advisory Council for leave to file a brief, as *amicus curiae*, granted.

No. **77-1236**. General Atomic Company, petitioner, *v.* Edwin L. Felter, District Judge, etc., et al.; and

No. **77-1237**. General Atomic Company, petitioner, *v.* Edwin L. Felter, District Judge, etc., et al. Application for stay of all further proceedings in United Nuclear Corporation *v.* General Atomic Company, No. 50827, in the District Court of New Mexico, Santa Fe County, presented to Mr. Justice White and by him referred to the Court, denied.

## APPEALS—JURISDICTION NOTED

No. **77-120**. Dougherty County, Georgia Board of Education, et al., appellants, *v.* John E. White. Appeal from United States District Court for the Middle District of Georgia. In this case probable jurisdiction noted.

No. **77-803**. William G. Barry, etc., et al., appellants, *v.* John Barchi. Appeal from the United States District Court for the Southern District of New York. In this case probable jurisdiction noted.

No. **77-1115**. Robert M Lalli, appellant, *v.* Rosamond Lalli, Administratrix of the Estate of Mario Lalli. Appeal from the Court of Appeals of New York. In this case probable jurisdiction noted.

No. **77-991**. Joseph A. Califano, Jr., Secretary of Health, Education, and Welfare, appellant, *v.* Grace Azavorian etc.; and

No. 77-5999. Grace Aznavorian, etc., appellants, *v.* Joseph A. Califano, Jr., Secretary of Health, Education, and Welfare. Motions of Grace Aznavorian for leave to proceed *in forma pauperis* granted. Appeals from the United States District Court for the Southern District of California. In these cases probable jurisdiction noted. Cases consolidated and a total of one hour allotted for oral argument.

## CERTIORARI GRANTED

No. 77-1000. Chicago, Rock Island and Pacific Railroad Company, petitioner, *v.* Harry Rediker. Petition for writ of certiorari to the Court of Appeals of Kansas granted.

No. 77-1016. United California Bank and Lillian Disney Truyens, Co-Executors of the Estate of Walter E. Disney, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 77-1105. Anthony Herbert, petitioner, *v.* Barry Lando et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 77-654. Great Atlantic & Pacific Tea Company, Inc., petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted. Mr. Justice Stevens took no part in the consideration or decision of this petition.

No. 77-5781. Frank L. Rakas and Lonnie L. King, petitioners, *v.* Illinois. Motion of petitioners for leave to proceed *in forma pauperis* and the petition for writ of certiorari to the Appellate Court of Illinois, Third District, granted.

## CERTIORARI DENIED

No. 77-603. James Martorano, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-713. Barry William West, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-771. David L. Schurgin, petitioner, *v.* United States; and

No. 77-5755. Stanley Rimar, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-780. Bernard Cornfeld, dba Grayhall, Inc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-809. Vernon Lee Joe, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 77-818. Commercial National Bank of Dallas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-846. Glen D. Graves et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-859. G.M. Leasing Corp., et al., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-868. REA Express, Inc., Bankrupt, L. Orvis Sowerwine, Trustee in Bankruptcy, petitioner, *v.* United States et al.;

No. 77-869. Brotherhood of Railway, Airline and Steamship Clerks, etc., petitioner, *v.* United States et al. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-886. Michael J. Martorella, Anthony J. Martorella, Orphia A. Esposto and Joseph Nugara, Jr., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-889. Phyllis Ann Smith, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 77-894. Edwin Pierce, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-928. United Steelworkers of America, AFL-CIO-CLC, et al., petitioners, *v.* National Rejectors Industries. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-938. Donald J. Angelini et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-944. Jon Alan Frey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-953. Buffalo River Conservation & Recreation Council et al., petitioners, *v.* National Park Service et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-990. Joseph J. C. DiCarlo and Ronald C. MacKenzie, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-994. Mary Ethel Morgan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-995. Harry Gordon and Geraldine Gordon, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1017. James A. Rhodes, petitioner, *v.* Arthur Krause et al.;

No. 77-1018. Sylvester Del Corso et al., petitioners, *v.* Arthur Krause et al.; and

No. 77-1022. Arthur Krause et al., petitioners, *v.* James A. Rhodes, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1024. Furness Withy & Co., Ltd., et al., petitioners, *v.* Bunge Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1025. Phillip Hess, petitioner, *v.* Upper Mississippi Towing Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1030. Olinkraft, Inc., petitioner, *v.* Louisiana, Through the Department of Highways. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 77-1031. Mary Wyche Boudreaux, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 77-1040. Hughes Aircraft Company, petitioner, *v.* Bell Telephone Laboratories, Incorporated. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1044. Caravel Office Building Company et al., petitioners, *v.* Bogley Harting Mahoney & Leibling, Inc. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 77-1045. Bergen County Associates et al., petitioners, *v.* Borough of East Rutherford et al. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 77-1047. Calvin T. Sherard, petitioner, *v.* Bernard Ginsberg et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1049. St. Louis Union Trust Company et al. petitioners, *v.* Merrill Lynch, Pierce, Fenner & Smith, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-1052. Edward Butker, petitioner, *v.* Alcoholic Beverage Control Appeals Board. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 77-1053. Carol Nutter, petitioner, *v.* Perfecto Torrez, dba Perfecto Plumbing Sewer Service, Inc., et al. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 77-1054. Jeff Trachtman, individually and by his father Gilbert M. Trachtman, petitioners, *v.* Irving Anker, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1055. Omar M. Lunsford, petitioner, *v.* Investors Diversified Services, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-1090. Founding Church of Scientology, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-1142. Ruben Morales Robles, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1151. Robert D. Jackson and John Hardy, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-1158. John Brett Allen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1159. Irvin Hall, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-1167. James Vernon Mageean, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1168. Mark Lewis Constantine, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.



No. 77-5511. Winfield Jones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5556. Barry Baker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5733. William R. Morgan, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5777. Alvaro Neyra, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5780. Shirley Mae West, etc., et al., petitioners, *v.* Harold Brown, Individually and as Secretary of Defense, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5785. Ted E. Oakes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5786. Brock P. Bobisink, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-5814. Alfred Fisher, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5817. Christopher E. Harrington, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5820. Elio Benel, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-5839. Esteban Longoria, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5845. Edward Zuber, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5848. Ronald Bruce Dixon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5854. Richard Speir and Gary Puffer, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5889. James L. X. Livingston and Terry E. X. Bennett, petitioners, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 77-5892. John W. Shannon, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5936. Radavan Palanacki, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5940. Leonard Smolsky, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5949. Lushrie Jordan, petitioner, *v.* Elmo B. Hunter, Judge, U.S. District Court for the Western District of Missouri. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5955. Gerald Vernon McDonnell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-5965. Eddie David Cox, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5975. Achwan Horng, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5976. John Robert Emler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5994. Bennett Masel, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-6002. H. G. Skidmore, petitioner, *v.* National Railroad Adjustment Board, Third Division. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6003. Melvin Leroy Tyler, petitioner, *v.* Missouri. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6009. Michael Henry Coone and Belinda Gene Coone, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6020. Shelby Ellis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6022. Alphonzo Harrison, petitioner, *v.* Joseph Morris, Chief Judge, United States District Court for the Eastern District of Oklahoma. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6033. Lawrence Daniel Caldwell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-6049. Robert Alonzo Doran, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6063. Osborn Olden, petitioner, *v.* Community Release Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6065. Robert Allen Ricks, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 77-6069. Wesley Ladd, petitioner, *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 77-6072. John Robert Myers, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 77-6074. Thomas Trantino, petitioner, *v.* Robert Hatrak, Superintendent, New Jersey State Prison at Rahway. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6077. Jessie X. Clark, petitioner, *v.* Clyde Malley, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6080. Orzell Billingsley, Sr., et al., petitioners, *v.* George S. Seibels, Jr., etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6081. Robert Williams, petitioner, *v.* William D. Leeke, Director, South Carolina Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **77-6082**. Dan Turner, petitioner, *v. Texas*. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. **77-6085**. Alton Moore, Jr. and Edwin Earl Stover, petitioners, *v. Henry E. Cowan, Warden*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **77-6089**. Melvin Leroy Tyler, petitioner, *v. Sheriff Goins, St. Louis, Missouri*. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **77-6091**. Joe Stevenson, petitioner, *v. Richard A. Young, Acting Warden*. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **77-6093**. Eli Raitport, petitioner, *v. General Electric Company, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **77-6096**. Leo Francis Walloe, petitioner, *v. Julius T. Cuyler, Superintendent, State Correctional Institution*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **77-6099**. Edward Robert Conover, petitioner, *v. California*. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. **77-6102**. Joseph Rocca, petitioner, *v. Ronald M. Groomes, Warden, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **77-6103**. Geneva H. Sayles, petitioner, *v. Margaret A. Haywood, Judge of the Superior Court of the District of Columbia, et al.* Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. **77-6112**. Ezra D. Anderson, Jr. and Audrey Anderson, petitioners, *v. Watertown Savings Bank et al.* Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **77-6113**. Stephen L. Heflin, petitioner, *v. Oregon*. Petition for writ of certiorari to the Court of Appeals of Oregon denied.

No. **77-6114**. Wanda Pauline Reed, etc., petitioner, *v. Sebastian C. Owen et al.* Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. **77-6115**. Cardova Lawary, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6118. Robert Lee Smyzer, Sr., petitioner, *v.* John William Dotson, Superintendent, Kentucky Career Development Center. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6121. William O'Neill, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the ~~Supreme~~ Superior Court of California, County of Alameda, denied.

No. 77-6122. Michael Paul Marsh, petitioner, *v.* Hoyt C. Cupp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6123. Samuel Lowe, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 77-6124. Johnny Ray Lawrence and Charles Wharton, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6127. Joseph Charles Noone, petitioner, *v.* Charles Szoradi and Atilla Sztanko. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-6128. Limmel Otto Richardson, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 77-6129. Accie Riley, Jr., petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 77-6133. Jacqueline Carr, petitioner, *v.* John C. Dick et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6136. John Christian, petitioner, *v.* E. P. Perini, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6139. James Edwin Crawford, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 77-6143. Maxine M. Jenkins, petitioner, *v.* The Washington Post Company et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-6146. William Carl Raupp, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6151. Steven C. Campbell, petitioner, *v.* Indiana. Petition for writ of certiorari to the Court of Appeals of Indiana denied.

No. 77-6164. William H. Miller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-6172. Edward Lieberman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6174. Ernest Brown, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6175. Melvin A. Marshall, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 77-6176. Jimmy Adams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-6181. Robert Edward Lipscomb, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6186. Lillian McElroy, petitioner, *v.* Charles H. Wilson, Jr., et al. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 77-6187. Robert Luther Bass, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6188. Samuel R. Berkley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6196. Belinda I. Scruggs, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-6200. Henry Van Buren, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6205. William Anthony Brown, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6206. Eileen Lowe, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.



No. 77-6246. Carl Will Sumlin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 76-6204. Alonzo Bonner, petitioner, *v.* Joseph Coughlin et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Stevens took no part in the consideration or decision of this petition.

No. 77-1020. Marshall Winokur et al., petitioners, *v.* Bell Federal Savings and Loan Association et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Stevens took no part in the consideration or decision of this petition.

No. 77-121. Daniel Walker et al., petitioners, *v.* Malcolm Little, Jr. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-732. Michigan, petitioner, *v.* Robin Hampton. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 77-743. Charles J. Rowe, Director, Illinois Department of Corrections, et al., petitioners, *v.* Arthur Decar Ferris. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-986. Harold E. Black, Superintendent, Kentucky State Reformatory, petitioner, *v.* Joseph Edward Niemeyer and Leroy D. Tolbert. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-992. R. R. Raines, Secretary of Corrections, et al., petitioners, *v.* Jack L. Wright and Kenneth Childers. Motion of respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Court of Appeals of Kansas denied.

No. 77-691. Supreme Court of Illinois et al., petitioners, *v.* Basil D. Ktsanes. Petitioner for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Blackmun and Mr. Justice Powell would grant certiorari.

No. 77-714. Theodore G. Daley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice White would grant certiorari.

No. 77-733. Michigan, petitioner, *v.* Albert Tyrone Allensworth. Petition for writ of certiorari to the Supreme Court of Michigan denied, it appearing the judgment below rests upon adequate state grounds.

No. 77-770. Ennis Monroe Akin, petitioner, *v.* United States. Application for bail, presented to Mr. Justice Marshall and by him referred to the Court, and petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-785. Consumers Union of United States, Inc., etc., petitioner, *v.* Committee for the Implementation of Textile Agreements et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice White and Mr. Justice Powell would grant certiorari.

No. 77-887. R. R. Surles, etc., petitioner, *v.* William John Wirth. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Blackmun would grant certiorari.

No. 77-1048. Anthony J. Canon, petitioner, *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied. Mr. Justice Stewart would grant certiorari.

No. 77-1060. Karen Condit and Mary E. Oravec, petitioners, *v.* United Air Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Stewart would grant certiorari.

No. 77-1057. Dorothy I. Yuhas and Nancy Anderson, petitioners, *v.* Libbey-Owens-Ford Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Brennan and Mr. Justice Stewart would grant certiorari.

No. 77-1059. Ella Weese Watson Bossard et al., petitioners, *v.* Exxon Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 77-1083. Mrs. T. C. Simpson, petitioner, *v.* Harl O'Neal. Petition for writ of certiorari to the Supreme Court of Mississippi denied. Mr. Justice Brennan and Mr. Justice Marshall would grant certiorari.

No. 77-5757. Wallace Jarvis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Dissenting opinion by Mr. Justice White with whom Mr. Justice Brennan joins.



No. 77-5891. Eugene D. Manion, Sr., petitioner, *v. Illinois*. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Blackmun would grant certiorari.

No. 77-6057. Jerome Bowden, petitioner, *v. Georgia*. Petition for writ of certiorari to the Supreme Court of Georgia denied. Mr. Justice Brennan and Mr. Justice Marshall, dissenting: Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentence in this case.

No. 77-6107. William "Billy" Mitchell, petitioner, *v. Joe S. Hopper, Warden*. Petition for writ of certiorari to the Supreme Court of Georgia denied. Mr. Justice Brennan and Mr. Justice Marshall, dissenting: Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentence in this case.

#### LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 77-6259. Alvin Seagroves, petitioner, *v. Tennessee*. Motion for leave to file petition for writ of habeas corpus denied.

No. 77-1094. Carmine Galante, petitioner, *v. Attorney General of the United States et al.* Motion for leave to file petition for writ of habeas corpus denied. Mr. Justice Marshall took no part in the consideration or decision of this motion.

#### REHEARINGS DENIED

No. 77-219. Arnold Dee Plumlee, Sr., petitioner, *v. United States*;

No. 77-801. Flora Daun Fowler, appellant, *v. Maryland State Board of Law Examiners*; and

No. 77-5960. Jesse Roots, petitioner, *v. Louis L. Wainwright, Secretary, Department of Offender Rehabilitation of Florida*. The petitions for rehearing are denied.

No. 72-1679. Mary C. Hackett, Director of Department of Employment Security of Rhode Island, et al., petitioners, *v. Grinnell Corporation*;

No. 76-6983. Jacob Keefer, petitioner, *v. Pennsylvania*; and

No. 77-5676. John Thomas Beard, petitioner, *v. W. J. Estelle, Jr., Director, Texas Department of Corrections*. Motions for leave to file petitions for rehearing denied.

No. 76-5815. George Zannis, petitioner, *v. United States*. Second motion for leave to file petition for rehearing denied.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Elliot Jay Abelson	Beverly Hills, Calif.	Robert Nelson Harris, Jr.
James Kellogg Alford	Washington, D.C.	Donald O. Lincoln.
Stephen Ebbert Alpern	Columbia, Md.	Harvey Letter.
William T. Alvis	Oxford, Miss.	Hugh Franklin King.
William R. Attwater	Sacramento, Calif.	Roderick Eugene Walston.
Thomas Warren Baden	Hamilton, Ohio	Robert E. Manley.
James Baller	Washington, D.C.	William H. Allen.
Learned Davis Barry	Gunston Hall, Va.	Donald Bennett Strickland.
John Joseph Beall, Jr.	Richmond, Va.	Walter A. McFarlane.
William H. M. Beckett	Exeter, N.H.	Arthur H. Nighswander.
Asher J. Beederman	Chicago, Ill.	Nat P. Ozmon.
Darryl S. Bell	Milwaukee, Wis.	Paul Noelke.
Roger Lloyd Benson	Ada, Okla.	Bob Eugene Bennett.
Albert V. Bianchi	Islip, N.Y.	Bernard S. Silverman.
William Keaton Blackburn	Junction, Tex.	Lavern Dale Harris.
Samuel Neill Boldrick, Jr.	San Antonio, Tex.	Bernard F. Ladon.
Donald Hobart Bond	Yakima, Wash.	Cutler W. Halverson.
Howard S. Borden, Jr.	Toms River, N.J.	Milton Harold Gelzer.
Robert David Borteck	West Orange, N.J.	Donald R. Kipp.
Claiborne Everette Boutwell	Laurel, Miss.	A. S. Scott, Jr.
David G. Bowman	Sarasota, Fla.	John F. Burket, Jr.
Michael Warren Boyd	Miami, Fla.	Charles Jay Averbook.
Benny Oshel Bridgers	Sylva, N.C.	Robert Phillip Haire.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Edward Andrew Brill	New York, N.Y.	Murray Gartner.
Irwin A. Brodsky	New York, N.Y.	Hugh Nevin Fryer.
Stephen Joseph Broussard	Chicago, Ill.	James D. Montgomery.
Douglas Heath Brown	San Francisco, Calif.	David Sholom Eisenberg.
Ronald Wellington Brown	New York, N.Y.	Howard J. Aibel.
William T. Burke, Sr.	Los Angeles, Calif.	Stephen Louis Murdock.
Auben Gray Burkhardt, Jr.	Memphis, Tenn.	Howard R. Paul.
Craig Angus Burman	Chicago, Ill.	Walter H. E. Jaeger.
Marvin G. Burns	Beverly Hills, Calif.	Berne Rolston.
Roger Dale Bush	Dallas, Tex.	David Howard Rosenberg.
Charles G. Call	Chicago, Ill.	Dimitri Dennis Allegretti.
Kevin Campbell	Walterboro, S.C.	Donald Henderson Fraser.
Armand Edward Capanna	Chicago, Ill.	James R. Gannon.
John L. Carroll	Montgomery, Ala.	Morris S. Dees, Jr.
Joseph T. Cesario	Elmhurst, Ill.	Francis Elwood Mosetick, Jr.
Randall Meads Chastain	Columbia, S.C.	Randall Theron Bell.
John William Chestnut	Chicago, Ill.	Jerome Francis Fallon.
William R. Coenen, Jr.	Rayville, La.	William Davis Cotton.
Edward James Cooper	Santa Ana, Calif.	Keith L. Gow.
Jane B. Cordo	Toms River, N.J.	Peter J. Giovine.
Brian T. Corrigan	San Antonio, Tex.	Peter D. Newhouse.
John R. Coyle	Washington, D.C.	Robert A. Marmet.
Roger Ryan Crane, Jr.	New York, N.Y.	John A. Stichter.
David Clay Cross	South Plainfield, N.J.	Vincent J. Dotoli.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James Frederick Crowder, Jr.	Miami, Fla.	Charles A. Kimbrell.
Walter Joseph Cummings III	San Diego, Calif.	Walter J. Cummings, Jr.
William Kiely Danaher, Jr.	Springfield, Mass.	James Lucian Allen.
Phillip George Dantes	Baltimore, Md.	Peter Sheridan Smith.
David Greer Davies	Cleveland, Ohio	Patrick F. McCartan, Jr.
Rodger Earl Davison	Royston, Ga.	Andrew J. Hill, Jr.
Theodore Emil Deaner, Jr.	Rochester, Minn.	F. J. O'Brien.
Carolyn Elizabeth Demarest	Brooklyn, N.Y.	Lawrence Kevin Sheridan.
Michael L. Denger	Washington, D.C.	William A. Sutherland.
Marco DeFunis	Seattle, Wash.	Josef Diamond.
Richard A. Dinnebier	Santa Ana, Calif.	Thomas J. Skane, Jr.
Philip Louis Dombey	Perrysburg, Ohio	Reginald Sherman Jackson, Jr.
John M. Doyle	Winnemucca, Nev.	George Nelson Van Fleet, Jr.
Allan Keith DuBois	San Antonio, Tex.	Bernard F. Ladon.
Nathan Philip Eimer	Chicago, Ill.	Stuart S. Ball.
Thomas Amer Elliot	Columbus, Ohio	Brian Lee Masony.
Alan Edward Ernest	Washington, D.C.	Nellie J. Gray.
Thomas F. Farley	New York, N.Y.	Andres Runne.
Jay Feldman	Passaic, N.J.	Harry Pett.
George Victor Fewson	Boulder, Colo.	James J. Doherty.
William F. Fidalgo	East Providence, R.I.	Louis John Cosentino.
Michael Charles Fitzpatrick	Dexter, Mich.	Edwin Lee Pear.
James C. Fling	Eureka, Calif.	Terence J. Keeley.
Wayne Michael Flood	Austin, Tex.	Gerald M. Brown.
Lloyd R. Forster	Phoenix, Ariz.	John Alfred Riggins, Jr.
	New York, N.Y.	Gerald Kadish.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Louis Francis	Detroit, Mich.	Thornton Hopson.
Samuel Holley Franklin	Birmingham, Ala.	Thad Gladden Long.
Dennis B. Freeman	Miami, Fla.	Irving B. Levenson.
Floyd Charles Frisch	Los Gatos, Calif.	Robert Liddell Webb.
Jerome Marshall Gardberg Albert A. Gaudelli	Hammond, Ind. Forest Hills, N.Y.	Lowell E. Enslen. Anthony D. Pistone.
Victor Bruce Gersh Barbara Gleason Gerwin	Washington, D.C. New York, N.Y.	Daniel B. Jordan. Robert David Becker.
John David Gidel	Denver, Colo.	Comet Cornwall Johns.
Howard I. Golden	Baltimore, Md.	Peter Sheridan Smith.
Richard A. Golden	Arlington, Va.	Hon. Gerald R. Ford.
Ralph Golub	San Francisco, Calif.	Charles G. Warner.
John Dawson Gorby Leonard S. Goslawski Stuart E. Grass Stephen Robert Grayson Phillip M. Grier	Chicago, Ill. Chicago, Ill. Chicago, Ill. Washington, D.C. Columbia, S.C.	Dennis J. Horan. James R. Gannon. Melvin L. Katten. Jeffrey M. Frost. George D. Haimbaugh, Jr.
Charles Oliver Grigson	Austin, Tex.	Sam Houston Clinton, Jr.
Albert M. Gross Melvin Howard Gutmann	Glen Cove, N.Y. River Vale, N.J.	David Sive. Joseph Lewis Nackson.
Paul Phillip Gutmann Robert Arthur Guyer	Piqua, Ohio Phoenix, Ariz.	John E. Fulker. Daniel F. Cracchiolo.
Philip Doubleday Hale William Forrester Hancock Darwin Clyde Hansen William D. Hargrove	Annapolis, Md. Waxahachie, Tex. Bountiful, Utah Atlanta, Ga.	Nicholas J. Fotos. Bruce Allen. Felshaw King. Marion W. Cornett, Jr.
Patrick Vincent Hart Joel Hassen	Mankato, Minn. Lafayette, Calif.	James C. Harten. Mark Townsend III.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard J. Hazlewood	San Francisco, Calif.	Richard C. Dinkelspiel.
Jay D. Hirsch	Houston, Tex.	Iris Joyce Robinson.
Stephen Dodd Hise	Atlanta, Ga.	Alan Lawrence Rolnick.
Kenneth H. Holcombe	Plattsburgh, N.Y.	Charles H. Lewis.
Peter Robert Hubert	San Jose, Calif.	George J. Alexander.
Jeffrey A. Irving	Great Neck, N.Y.	Geoffrey Forrest Giddings.
Jurate Julie Jason	New York, N.Y.	Joan L. Ellenbogen.
Ernest Roy Johnson	Newport Beach, Calif.	James E. Mason.
James Gwynn Johnson	Los Angeles, Calif.	Stanley Elliot Tobin.
Sidney George Johnson II	San Rafael, Calif.	Robert Argyle Keller.
John Arthur Jones	Tampa, Fla.	Chesterfield Harvey Smith.
Roger J. Karlebach	New York, N.Y.	Frederick Thomas Shea.
John Laurence Kase	Great Neck, N.Y.	James O. Druker.
Wallace T. Keller	Eules, Tex.	Walter E. Jordan.
David B. Kennedy	Sheridan, Wyo.	Henry A. Burgess.
Joan F. Kessler	Milwaukee, Wis.	Thomas J. Drought.
Robert Klitzkie	Agana, Guam	Bruce Elliott Pasternack.
Eleanor Krasnow	Manchester, N.H.	Jack B. Middleton.
Frederick Joseph Kraus	Atlanta, Ga.	James Armstrong Mackay.
William Morris Lamoreaux	Grand Rapids Mich.	Martin F. O'Donoghue, Jr.
F. Ronald Laupheimer	San Francisco, Calif.	Charles W. Kenady.
Stephen H. Lazarian, Jr.	San Diego, Calif.	Stephen E. Hurst.
William Dale Ledbetter	Houston, Tex.	Charles Moore Bardwell.
David Oland Lee	Bismarck, N. Dak.	Donald Robert Holloway.
Samuel James Lee II	Angleton, Tex.	Hall Wesley Griggs.
William J. Leininger	Richmond Hill, N.Y.	James P. Slattery.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Beau Leonard	New York, N.Y.	John C. Biehl.
Arthur M. Lerner Jeffrey Michael Lerner Mark Julian Lerner	Champaign, Ill. Chicago, Ill. Arlington, Va.	Burt Greaves. Allen G. Wilsey. Michael Henry Levin.
Peter Alan Levin	Philadelphia, Pa.	Alan Jay Braverman.
M. Byron Lewis	Phoenix, Ariz.	John Nicholas Udall.
Ronald Litowitz	New York, N.Y.	Paul M. Bernstein.
Reginald Littrell	Auburn, Calif.	Linus Joseph Dewald, Jr.
Peter G. Loftus	Scranton, Pa.	Dorrance Reynolds Berlin.
Raymond D. Louie	Oakland, Calif.	Murray B. Petersen.
John P. Lycette, Jr.	Seattle, Wash.	Josef Diamond.
Robert M. MacConnell	Garden Valley, Idaho	Wayne L. Kidwell.
Russell E. Mahoney Richard Harvey Mortimer Maidman	Petersburg, Ind. New York, N.Y.	Carl M. Gray. Louis C. Pulvermacher.
James C. Mallien Stanley B. Mann	Milwaukee, Wis. Beverly Hills, Calif.	James Urden. Richard Morganstern.
Milton Manoukian	Carson City, Nev.	Richard W. Blakey.
James William Martin	St. Petersburg, Fla.	Edward Dean Foreman.
Thomas Anton Mauet	Chicago, Ill.	Thomas P. Sullivan.
Edward Black Maxwell II	Wilmington, Del.	Harley James Conaway, Jr.
James Roy McCracken	Bryan, Tex.	Roland Morris Searcy, Jr.
Kenneth James McIntyre	Detroit, Mich.	Richard C. Van Dusen.
Kevin J. McKay	New York, N.Y.	Mark C. Rutzick.
J. Mel McKinley	Hillsboro, Ohio	Carroll Vern McKinney.
A. Lee McLain Vincent T. McManus	Houston, Tex. Wallingford, Conn.	Jim Luis Garcia. Carl E. Cella.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Hobart A. McWhorter, Jr.	Birmingham, Ala.	William Douglas Arant.
James Elliott Mechling	Leesburg, Va.	John Joseph Moorcones.
Thomas Joseph Mettee	Philadelphia, Pa.	John Rogers Carroll.
Sheldon Ryan Meyer	San Francisco, Calif.	Martin Frank Majestic.
Leon Arthur Milman	Brooklyn, N.Y.	Neal Forman.
Matthew Cartwright Mole	New York, N.Y.	Arthur H. Dean.
William Richard Molzahn	Arlington, Va.	Norman Alan Shaw.
Frank Douglas Montague, Jr.	Hattiesburg, Miss.	M. M. Roberts.
Bruce L. Montgomery	Washington, D.C.	Murray H. Bring.
Gary Heath Moore	San Francisco, Calif.	John R. Reese.
James Thomas Moore III	Richmond, Va.	Guy W. Horsley, Jr.
Joseph F. Moore, Jr.	Philadelphia, Pa.	Edward W. Madeira, Jr.
Carl F. Muller	Ashtabula, Ohio	Edsell Terry Warren.
Marvin Duncan Musselwhite, Jr.	Raleigh, N.C.	John James Geraghty.
T. Walter Newmaster	Ada, Okla.	Frank Hesketh Jaques.
Harold R. Obstfeld	New York, N.Y.	Lawson F. Bernstein.
Edward J. Ocean	Christiansted, Virgin Islands	Robert A. Ellison.
Theodore B. Olson	Los Angeles, Calif.	William French Smith.
James Buckley Ostmann	Washington, D.C.	Patrick J. Ogden, Jr.
Robert Boynton Oxtoby	Springfield, Ill.	Richard Henry Mills.
Lester A. Paff	Ames, Iowa	John Wehrley Baty.
Thomas Warren Palmer	Toledo, Ohio	John G. Mattimoe.
Donald S. Parker	New York, N.Y.	Raymond L. Falls, Jr.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard Anthony Parolski	Ocean City, Md.	Mac Dean Jenkins.
James N. Parsons III	Palestine, Tex.	Jerry L. Calhoon.
C. W. Robin Pearcey III	San Marcos, Tex.	Ernest Morgan.
Dennis L. Pearlmutter	Los Angeles, Calif.	David Richard Glickman.
Lamont Lee Perington	Geneva, Ill.	Gates W. Clancy.
Byron Irwin Pesin	Los Angeles, Calif.	Herbert Glaser.
William J. Peters	Harrisburg, Pa.	Louis J. Adler.
John T. Petrie	Seattle, Wash.	Josef Diamond.
Alfred L. Pezman	Batchtown, Ill.	Richard Henry Mills.
G. Joseph Pierron	Olathe, Kans.	Earle David Jones.
Gary Joseph Pizzedaz	Columbus, Ohio	George E. Tyack.
Zygmunt Jan Broel Plater	Ann Arbor, Mich.	Florian J. Bartosic.
Joseph F. Polino	Mount Holly, N.J.	Jan M. Schlesinger.
Jimmy Bryan Pool	Montgomery, Ala.	John Sparkman.
Charley Popejoy	Wheaton, Ill.	Ralph A. Gabric.
Gary Ray Proctor	Oklahoma City, Okla.	James T. Farha.
Byron Malcolm Rabin	Newport Beach, Calif.	Paul Eliot Rabin.
Jerome C. Randolph	Chicago, Ill.	Thomas P. Sullivan.
Ray R. Regan	Las Cruces, N. Mex.	William Lan Lutz.
Frank Joshua Revere	Los Angeles, Calif.	Joel Frederick Citron.
Philip H. Robertson	Santa Ana, Calif.	Anne Lloyd Crotty.
Kendall B. Robinson	Booneville, Ky.	Carl Swanger, Jr.
Richard Paul Roe	Pasadena, Calif.	Yvonne Brath- waite Burke.
Samuel K. Rosen	New York, N.Y.	Jeffrey Andrew Galant.
Jeffrey Michael Rosenblum	Great Neck, N.Y.	C. Moxley Featherston.
Edwin Thom Rumberger	Orlando, Fla.	Alton G. Pitts.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gary Lee Ryan	Burke, Va.	John E. Shockey.
Silvio S. Sanabria	Philadelphia, Pa.	Harold E. Stassen.
Paul T. Saqqal	Brooklyn, N.Y.	William Ramsey Clark.
George Hugh Savoro	Anaheim, Calif.	James Edward Erickson.
Richard E. Schmidt	Milwaukee, Wis.	Peter Hollingshead-Cook.
Kenneth Jay Schmier	Los Angeles, Calif.	Edward Nathan Jackson.
Donald E. Seymour	Pittsburgh, Pa.	Judd N. Poffinberger, Jr.
David M. Shaffer	Los Angeles, Calif.	John Kendrick Sloan.
Norma L. Shapiro	Philadelphia, Pa.	H. Francis DeLone.
Guy C. Shearer	Louisville, Ky.	James M. Ringo.
John Vincent Sheehan	New York, N.Y.	Francis X. McCormack.
Richard Burdick Sheffield	Newport, R.I.	Brian Gade Bardorf.
James Alan Shiner	Tucson, Ariz.	Mark B. Raven.
Franklin Dwight Shipman	Marion, Ind.	Albert Bonner Brown.
Zachary B. Shwal	New York, N.Y.	Louis C. Pulvermacher.
Noah Henry Simpson III	Dallas, Tex.	Tom Thomas.
Regina Mullen Small	New Castle, Del.	Richard Royal Wier, Jr.
Samuel S. Smith	Miami, Fla.	Joe Norman Unger.
William Delmar Smith	Atlanta, Ga.	Ellis G. Arnall.
Norman S. Snow	Fort Wayne, Ind.	Frank James Gray.
Alan J. Sobol	Bethesda, Md.	Solicitor General Wade H. McCree, Jr.
Ernest N. Souhlas	Metairie, La.	William Joseph Billeaud.
William Edward Spear	Juneau, Alaska	Ronald Walter Lorensen.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Susan K. Starr	New York, N.Y.	Donald O. Weinberger.
Charles Ellwood Stiver, Jr.	New York, N.Y.	John Adams Corry.
Paul Edward Streckfus	Washington, D.C.	Sarah A.W. Garrett.
Robert Alan Subkowsky	Chicago, Ill.	James R. Gannon.
Joseph Vincent Svoboda	Carlisle, Ark.	Robert G. Brockmann.
John Cooper Swearingen, Jr.	Columbus, Ga.	Frank K. Martin.
Ernest M. Thayer	San Francisco, Calif.	Eric John Schmidt.
Raymond H. Thoenig	Seattle, Wash.	William J. Bender.
Ivor F. Thomas	Newport Beach, Calif.	Morton F. Field.
Robert Lawrence Toolen	Tustin, Calif.	Paul J. Cooksey.
Robert Moore Travis	Atlanta, Ga.	Edward Eugene Dorsey.
Charles Russell Twist	Chicago, Ill.	Lewis Harlow VanDusen.
John Joseph Ulrich	Sioux Falls, S. Dak.	David V. Vrooman.
Michael T. Ungar	Beverly Hills, Calif.	Walter R. Decaen.
James William Utter	Paducah, Ky.	Ernest W. Rivers, Jr.
William E. Vance	Seymour, Ind.	Harold H. McConnell.
Howard Steven Veisz	New York, N.Y.	Sidney S. Rosdeitcher.
Joyce Yaple Villa	Albany, N.Y.	Sanford Harold Levine.
Addison Erwin Walker	Coral Gables, Fla.	William J. McLeod, Jr.
Russell Winter Walker	Escondido, Calif.	Joseph Kase, Jr.
John Gregory Wallace	Chapel Hill, N.C.	Patrick Charles, Turner.
A. Michael Weber	New York, N.Y.	Paul Henry Janis.
Arnold O. Weiford	Charleston, W. Va.	N. Paul Bromley.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Bradford Flinto Whitman	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Donald Eugene Wilkes, Jr.	Athens, Ga.	Mack Allen Player.
Larry C. Willey	Washington, D.C.	Benjamin Greenspoon.
Kenneth K. Williams	Long Beach, Calif.	Yvonne Brath- waite Burke.
Raymond Harry Williams	Beaufort, S.C.	G. G. Dowling.
Henry Ward Williams, Jr.	Rochester, N.Y.	James Matthew Hartman.
John Williamson	Harlingen, Tex.	David Gray Hall.
Charles F. Witthoefft	Richmond, Va.	Everette G. Allen, Jr.
Damien Thomas Wren	Chicago, Ill.	James R. Gannon.
Thomas J. Yerbich	Anchorage, Alaska	Michael R. Capizzi.
Joseph P. Zammit	New York, N.Y.	Stephen R. Steinberg.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Joseph M. Johnson II	Decatur, Ind.	James M. Nichol- son.
Arthur David Chotin	Washington, D.C.	Stuart Stiller.
Russell Keate Robinson	San Diego, Calif.	Ronald P. McCluskey.
Stephen P. Harbeck	Burke, Va.	Wilfred R. Caron.
Kevin Henry Bell	Falls Church, Va.	Wilfred R. Caron.
George Forest Bingham	Cabin John, Md.	Wilfred R. Caron.

#### ORAL ARGUMENT

No. 76-1121. American Broadcasting Companies, Inc., et al., petitioners, *v.* Writers Guild of America, West, Inc., et al.;

No. 76-1153. Association of Motion Picture and Television Producers, Inc., petitioner, *v.* Writers Guild of America, West, Inc., et al.; and

No. 76-1162. National Labor Relations Board, petitioner, *v.* Writers Guild of America, West, Inc., et al. One and one half hours allowed for reargument. Reargued by Mr. Norton J. Come for the petitioner in No. 76-1162, by Mr. Harry J. Keaton for the petitioner in

No. 76-1153, by Mr. Charles G. Bakaly for the petitioners in No. 76-1121, by Mr. Julius Reich for the respondents, and by Mr. Lawrence Gold for the AFL-CIO, as *amicus curiae*, by special leave of Court.

No. 77-262. Duke Power Company, appellant, *v.* Carolina Environmental Study Group, Inc., et al.; and

No. 77-375. United States Nuclear Regulatory Commission et. al., appellants, *v.* Carolina Environmental Study Group, Inc., et al. One and one-half hours allowed for oral argument. Argued by Mr. Steve C. Griffith, Jr., for the appellant in No. 77-262, by Mr. Solicitor General Wade H. McCree, Jr., for the appellants in No. 77-375, and by Mr. William B. Schultz for the appellees.

No. 76-1193. United States, petitioner, *v.* Estelle Jacobs aka "Mrs. Kramer". Reargued by Mr. Andrew L. Frey for the petitioner and by Mr. Irving P. Seidman for the respondent.

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Adjourned until tomorrow at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Stewart Zippin	Fort Lauderdale, Fla.	J. Herbert Burke.
Robert Allen White	Fort Lauderdale, Fla.	J. Herbert Burke.
Chris David Clark	San Antonio, Tex.	Stephen L. Urbanczyk.
Gerald William Talley	Arlington, Va.	John W. Jackson.

## OPINIONS

**No. 76-1151.** United States, petitioner, *v.* Ralph Ceccolini. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rehnquist. Opinion by Mr. Chief Justice Burger concurring in judgment. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Brennan joins. Mr. Justice Blackmun took no part in the consideration or decision of this case.

**No. 76-1149.** John D. Carey et al., petitioners, *v.* Jarius Piphus, etc., et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Powell. Mr. Justice Marshall concurs in the result. Mr. Justice Blackmun took no part in the consideration or decision of this case.

**No. 76-761.** Claude D. Ballew, petitioner, *v.* Georgia. On writ of certiorari to the Court of Appeals of Georgia. Judgment reversed and case remanded to the Court of Appeals of Georgia for further proceedings not inconsistent with the judgment of this Court. Mr. Justice Blackmun announced the judgment and delivered an opinion in which Mr. Justice Stevens joined. Concurring statement by Mr. Justice Stevens. Statement by Mr. Justice White concurring in judgment. Opinion by Mr. Justice Powell concurring in judgment with whom Mr. Chief Justice Burger and Mr. Justice Rehnquist join.

Opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice Marshall join.

ORAL ARGUMENT

No. 77-324. Sidney S. Hicklin et al., appellants, *v.* Edmund Orbeck, Commissioner of the Department of Labor of Alaska, et al. Argued by Mr. Robert H. Wagstaff for the appellants and by Mr. Ronald W. Lorensen for the appellees.

No. 77-454. Moorman Manufacturing Company, appellant, *v.* G. D. Bair, etc. Argued by Mr. Donald K. Barnes for the appellant and by Mr. Harry M. Griger for the appellee.

No. 77-334. First Federal Savings and Loan Association of Boston et al., appellants, *v.* State Tax Commission et al. Argued by Mr. Chester M. Howe for the appellants and by Mr. S. Stephen Ronsenfeld for the appellees.

No. 77-178. Willard E. Robertson, petitioner, *v.* Edward E. Wegmann, Executor of the Estate of Clay L. Shaw, et al. Argued by Mr. Malcolm W. Monroe for the petitioner and by Mr. Edward F. Wegmann for the respondents.

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Adjourned until tomorrow at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

WEDNESDAY, MARCH 22, 1978

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John J. Hennelly	St. Louis, Mo.	Thomas Charles Walsh.
Albert Hampton	Los Angeles, Calif.	Kenneth Steven Geller.
Rex Edgar Herren	Anadarko, Okla.	James D. Webb.
William Prescott Daisley	Washington, D.C.	Gordon W. Daisley.
Adrienne E. Volenik	Baltimore, Md.	Peter Sheridan Smith.

## OPINIONS

No. **76-1629**. United States, petitioner, *v.* Anthony Robert Wheeler. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Mr. Justice Brennan took no part in the consideration or decision of this case.

No. **76-6942**. Ensio Ruben Lakeside, petitioner, *v.* Oregon. On writ of certiorari to the Supreme Court of Oregon. Judgment affirmed. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Stevens with whom Mr. Justice Marshall joins with the exception of the first paragraph and footnote 5. Mr. Justice Brennan took no part in the consideration or decision of this case.

No. **76-839**. Edmund Foley, appellant, *v.* William G. Connelie, etc., et al. Appeal from the United States District Court for the Southern District of New York. Judgment affirmed. Opinion by Mr. Chief Justice Burger. Concurring opinion by Mr. Justice Stewart. Opinion by Mr. Justice Blackmun concurring in the result. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Brennan and Mr. Justice Stevens join. Dissenting opinion by Mr. Justice Stevens with whom Mr. Justice Brennan joins.

## ORAL ARGUMENT

No. 76-1200. Roger Crist, as Warden of the Montana State Penitentiary, Deer Lodge, Montana, et al., appellants, *v.* Merrel Cline and L. R. Bretz. One hour and fifteen minutes allowed for reargument. Reargued by Mr. Robert S. Keller for the appellants, by Mr. Kenneth S. Geller for the United States as *amicus curiae* by special leave of Court, by Mr. W. William Leaphart for the appellee Merrel Cline and by Mr. Charles F. Moses for the appellee L. R. Bretz.

No. 76-1836. Coopers & Lybrand, petitioner, *v.* Cecil Livesay and Dorothy Livesay, etc., et al.; and

No. 76-1837. Punta Gorda Isles, Inc., petitioner, *v.* Cecil Livesay and Dorothy Livesay, etc., et al. Argued by Mr. Thomas C. Walsh for the petitioners and by Mr. Melvyn I. Weiss for the respondents.

No. 77-560. Jo Ann Evans Gardner, petitioner, *v.* Westinghouse Broadcasting Company. Argued by Mr. Robert N. Hackett for the petitioner and by Mr. Leonard L. Scheinholtz for the respondent.

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Adjourned until Monday, March 27, 1978, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

## ORDER IN PENDING CASE

No. A-807. Kenneth Brown et al., applicants, *v.* Meldrim Thomson, Jr., Governor of New Hampshire. Application for stay of judgment of the United States Court of Appeals for the First Circuit (Misc. No. 78-8029), presented to Mr. Justice Brennan and by him referred to the Court, granted pending the timely filing and disposition of a petition for a writ of certiorari in this Court. Should the petition for a writ of certiorari not be timely filed or denied, this stay is to terminate automatically. In the event the petition for a writ of certiorari is granted, this stay is to remain in effect pending the issuance of the judgment of this Court.

The Chief Justice dissenting:

I would not disturb the order of the United States Court of Appeals for the First Circuit. Moreover, the Attorney General of New Hampshire having this day personally represented to the clerk of this Court that the Proclamation of March 21, 1978, has been superseded by a new proclamation dated March 24, 1978, filed today, the application referred to the Court appears to be moot, and I therefore dissent from the action of the Court and would reinstate the order of the Court of Appeals.

Mr. Justice Stewart, Mr. Justice Powell and Mr. Justice Rehnquist dissenting:

As we would not disturb the order of the Court of Appeals of the First Circuit, we dissent from the order of this Court.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

The Chief Justice said:

“Today’s orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally.”

### APPEALS—SUMMARY DISPOSITION

**No. 77-1100.** Illinois State Board of Elections, appellant, *v.* George E. Sangmeister et al. Appeal from the United States Court of Appeals for the Seventh Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

**No. 77-6162.** Randell Dale Adams, appellant, *v.* Douglas Mulder and Henry Wade. Appeal from the United States Court of Appeals for the Fifth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

**No. 77-5919.** Napoleon Richardson and Francisco Chaimowicz, etc., appellants, *v.* W. M. Blumenthal, Secretary of the Treasury, et al. Appeal from the United States Court of Appeals for the Second Circuit. The appeal is dismissed for failure to file the notice of appeal within the time provided by 28 U.S.C. 2101(a) and Rule 11.

### ORDERS IN PENDING CASES

**No. A-791.** The Fund Of Funds, Limited et al., applicants, *v.* Arthur Anderson & Co., et al. Application for an extension of time to file a petition for a writ of certiorari, presented to Mr. Justice Brennan and by him referred to the Court, denied.

**No. 54, Original.** United States of America, plaintiff, *v.* States of Florida and Texas. Special Master’s Accounting of Expense Funds accepted. It is ordered that the Special Master is discharged.

**No. 76-1114.** California et al., petitioners, *v.* Southland Royalty Company et al.;

**No. 76-1133.** El Paso Natural Gas Company, petitioner, *v.* Southland Royalty Company et al.; and

**No. 76-1587.** Federal Energy Regulatory Commission, petitioner, *v.* Southland Royalty Company et al. These cases restored to the cal-

endar for reargument. Mr. Justice Stewart and Mr. Justice Powell took part in the consideration or decision of this order.

No. 77-152. Beth Israel Hospital, petitioner, *v.* National Labor Relations Board. Motion of Massachusetts Hospital Workers Union, Local 880, etc., for leave to intervene granted.

No. 77-369. Furnco Construction Corporation, petitioner, *v.* William Waters et al. Motion of Solicitor General for leave to participate in oral argument, as *amicus curiae*, denied.

No. 77-510. United States, petitioner, *v.* New Mexico. Motion of National Wildlife Federation et al. for leave to file a brief, as *amici curiae*, denied.

No. 77-575. Smith John and Harry Smith John, appellants, *v.* Mississippi; and

No. 77-836. United States, petitioner, *v.* Smith John and Harry Smith John. Joint motion for additional time for oral argument granted and 30 additional minutes allotted for that purpose.

No. 77-1098. Harvey L. Bell, Securities Commissioner for the State of Arkansas, petitioner, *v.* International Trading, Ltd., et al. Solicitor General invited to file a brief in this case expressing the views of the United States.

No. 77-1289. Lutheran Hospital of Milwaukee, Inc., petitioner, *v.* National Labor Relations Board. Motion of petitioner to consolidate with No. 77-152. Beth Israel Hospital *v.* NLRB, denied.

No. 77-1293. James Augustus Peterson, Sr., petitioner, *v.* United States: and

No. 77-6178. Vernice Garrett, petitioner, *v.* United States. Applications for stay, presented to Mr. Justice Marshall and by him referred to the Court, denied.

#### CERTIORARI GRANTED

No. 77-961. New York Telephone Company et al., petitioners, *v.* New York State Department of Labor et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 77-968. Detroit Edison Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

#### CERTIORARI DENIED

No. 77-674. M/V Tamano et al., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-686. Francois Chiappe, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-736. New York Stock Exchange, Inc. and Investment Company Institute, petitioners, *v.* John G. Heimann, Comptroller of the Currency. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-787. Lewie Frank Tidwell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-898. Peter Pomponio and Paul Pomponio, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-900. Velsicol Chemical Corporation, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-901. Paul Gordon Frakes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-903. Patrick Myers, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 77-917. Whiteside & Company et al., petitioners, *v.* National Association of Securities Dealers, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-936. Coastal States Petrochemical Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 77-946. John Iannone and Irving Albahari, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-948. Joseph N. Zannino, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-956. Parke, Davis & Company, petitioner, *v.* Joseph A. Califano, Jr., Secretary of Health, Education and Welfare, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-962. Hawaiian Telephone Company et al. petitioners, *v.* Hawaii Department of Labor and Industrial Relations et al. Petition

for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-974. Arthur E. Hall, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-996. Lewis W. Poe, petitioner, *v.* John C. Stetson, Secretary of the Air Force, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-997. Hawaii, petitioner, *v.* Consumer Product Safety Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-998. Rodney A. Logal, petitioner, *v.* William C. Cruse et al. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 77-1029. Ambrose W. J. Clay, petitioner, *v.* Robert L. Bomar, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1076. Massachusetts, petitioner, *v.* Daniel L. Dustin. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 77-1082. Thomas C. Joyner, Jr., petitioner, *v.* C. Paul Phelps, Warden. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 77-1084. Franklin Pierce Barbee, petitioner *v.* North Carolina. Petition for writ of certiorari to the Court of Appeals of North Carolina denied.

No. 77-1088. Chestnutt Corporation, petitioner, *v.* Mildred Galfand and American Investors Fund, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1103. Edward Lee Bryan, petitioner, *v.* Merrill Lynch, Pierce, Fenner & Smith, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-1112. Anthony Duke, petitioner, *v.* United States Steel Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1114. Philip J. Ternes, petitioner, *v.* North Dakota. Petition for writ of certiorari to the Supreme Court of North Dakota denied.

No. 77-1139. Carmen Ruth Burnett, petitioner, *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 77-1178. Jack P. Quinn, petitioner, *v.* Kansas Power and Light Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-1187. Robert Eugene Black et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-1204. Rosa Rodriguez, petitioner, *v.* United States; and

No. 77-1212. Ramon Rodriguez, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1215. George W. Cady, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5832. James Floyd Cole, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fifth District, denied.

No. 77-5875. Albert Duke, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5884. Van Prince Welch, petitioner, *v.* Harland Evans and Walter M. Riddle, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5895. Michael L. Rudolph, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 77-5971. Robert J. Myers, petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6008. Asuquo Asumansi, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6037. Robert S. Wylie, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-6038. Milton Lewis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6051. Ocania Chalk, petitioner, *v.* Secretary of Labor et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-6056. Jessie X. Clark, petitioner, *v.* C. L. Benson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6061. William Byron Evans, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6134. William Dewayne Peterson, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 77-6138. Luis Javier Arias, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6142. Maxine M. Jenkins, petitioner, *v.* District of Columbia. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-6153. Roger Ricks, petitioner, *v.* Joe S. Hopper, Warden. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 77-6154. Walter W. Broomfield, petitioner, *v.* Louie L. Wainwright, Secretary, Florida Department of Offender Rehabilitation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6163. Charles A. Fahrig et al., petitioners, *v.* Jack H. Berger et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Montgomery County, denied.

No. 77-6166. Grandville Tennart, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 77-6168. Clifton Cloudy, petitioner, *v.* Indiana. Petition for writ of certiorari to the Court of Appeals of Indiana denied.

No. 77-6169. William Murray, petitioner, *v.* Joseph A. Califano, Jr., Secretary, Department of Health, Education & Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6171. Willie Exum, petitioner, *v.* E. P. Perini, Superintendent, Marion Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6173. Robert E. Green, Sr., petitioner, *v.* Warden, Maryland State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.



No. 77-6179. Albert Lynn Naylor, petitioner, *v.* Superior Court of Arizona, County of Maricopa, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6182. James Edward Tippett, petitioner, *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, St. Louis District, denied.

No. 77-6183. Bobby Keith Williams et al., petitioners, *v.* John Hoyt et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6185. James Frank Rogers, petitioner, *v.* Thirty-Seventh Judicial Court et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6207. Robert Cardillo, petitioner, *v.* Griffin B. Bell, Attorney General of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6214. Charles Simpson, petitioner, *v.* Ralph Kreiger, Sheriff. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6220. Hector Ricardo Pico-Zazueta, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6243. Forrest Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6249. Sherman Lee Howze, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6257. Raymond Earl Hudson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6262. Fred Bull, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6264. Karel Kulas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6269. Roberto Montes-Zarate, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6284. Joseph C. Ilacqua, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6311. Mark J. Eckert, petitioner, *v.* Lowell D. Hewitt et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-318. Carmen Shang, Acting Commissioner of New York State Department of Social Services, petitioner, *v.* Gayle McQuoid Holley et al. Motion of respondents Gayle McQuoid Holley et al. for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-958. Pennsylvania, petitioner, *v.* Thomas Carl Jones, aka Thomas Carl Friday. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 77-1075. American Society of Travel Agents Inc., et al., petitioners, *v.* W. M. Blumenthal, Secretary of the Treasury, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Brennan, Mr. Justice White and Mr. Justice Powell would grant certiorari.

#### LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 77-6321. Theodore Payton, petitioner, *v.* David R. Harris, Warden, et al. Motion for leave to file petition for writ of habeas corpus denied.

#### REHEARINGS DENIED

No. 77-584. David Neustein, petitioner, *v.* United States;

No. 77-5515. William O. Hampton, petitioner, *v.* United States; and

No. 77-5804. Robert F. Simmons et al., petitioners, *v.* United States. Petitions for rehearing denied.

No. 77-5328. L. D. Hilliard, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Motion for leave to file petition for rehearing denied.

#### RECESS ORDER

The Court will take a recess from Monday, April 3, 1978, until Monday, April 17, 1978.



## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Manuel del Valle	New York, N.Y.	Louis David DeBernardo.
Robert Abraham	Daytona Beach, Fla.	Jay Darwin Bond, Jr.
Gregory Adam Adamski	Chicago, Ill.	James Robert Thompson, Jr.
John Crawford Akard	El Paso, Tex.	Robert Edward Goodman.
L. Michael Ashbrook	Monroe, La.	Burt Weldon Sperry, Jr.
Jackie L. Ashurst	Seattle, Wash.	Betty B. Fletcher.
Warren R. Baldys, Jr.	Williamsport, Pa.	Thomas C. Raup.
Gaele McLaughlin Bart- hold	Philadelphia, Pa.	Steven H. Gold- blatt.
James M. Barton II	Pensacola, Fla.	David L. Middle- brooks.
Kirk Dean Beatty	Santa Ana, Calif.	Thomas D. Kol- pacoff.
Bruce Robert Bekritsky	Far Rockaway, N.Y.	Steven M. Bernstein.
Herman Belopolsky	Burlington, N.J.	Jan M. Schlesinger.
Bruce Wallace Black	Pekin, Ill.	Richard Ernest Eagleton.
Patricia Ann Bobba	Springfield, Mass.	Morton J. Sweeney.
Jimmy Delp Bowie	Bristol, Va.	Hiram Emory Widener, Jr.
John Francis Bowman	Sacramento, Calif.	Mark C. Jacobs.
Patricia Ann Bowman	Sacramento, Calif.	Mark C. Jacobs.
John Judson Breiling	Portland, Oreg.	Paul H. Schroy.
James Morton Brickley	St. Petersburg, Fla.	Edward Dean Foreman.
Mark I. Bronson	St. Louis, Mo.	Val Terschluse.
Thomas Whittier Burton	Newport Beach, Calif.	Bruce Engle- brecht.
Edward Vincent Cassidy, Jr.	Franklin Square, N.Y.	Richard Lloyd Vogel.
Robert Chandler	Boston, Mass.	Louis Chandler.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Michael Clear	Washington, D.C.	Peter J. Nickles.
Richard Beryl Collins	Anchorage, Alaska	Victor D. Carlson.
David Gerard Conn	St. Augustine, Fla.	Hamilton D. Up- church.
Jon Richard Cooper	Tucson, Ariz.	Arthur Bates Butler III.
Ronald Elliott Council	Annapolis, Md.	Charles Edward Hartman II.
John J. Dacey	San Francisco, Calif.	Burton J. Goldstein.
Robert D. Daniel	Cedar Rapids, Iowa	Ralph W. Gearhart.
Barbara Gaudet Danos	Monroe, La.	Robert P. McLeod.
Terrence Theodore Dariotis	Tallahassee, Fla.	J. Ben Watkins.
Carol A. De Deo	Great Falls, Va.	James F. De Deo.
Lois Ann De Julio	Bloomfield, N.J.	Dale Edwin Jones.
Jon W. DeMoss	Springfield, Ill.	Benjamin Kurt Miller.
Jonathan DeYoung	King of Prussia, Pa.	Malcolm Henry Waldron, Jr.
Gordon G. Duff	Sterling Heights, Mich.	Robert P. Griffin.
Roger W. DuBrock	Anchorage, Alaska	Robert H. Wagstaff.
Steven Joseph Dzida	Gardena, Calif.	Clay Carter Cunningham.
Charles Walter Ehrlich	St. Petersburg, Fla.	Edward Dean Foreman.
Elizabeth L. Emerson	Mill Valley, Calif.	Stuart Alexander Forsyth.
Edward Timothy Feurey	Toms River, N.J.	Arthur Gerald Stein.
Joseph J. Finkelstein	Miami, Fla.	Howard N. James Francis
Thomas Alfred Flippen II	Alameda, Calif.	Pelzner. Coakley.
Michael E. Formoso	Scarsdale, N.Y.	Marc Elliot Grossman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles Lowell Franz, Jr.	San Antonio, Tex.	Joe Villarreal, Jr.
David M. Fried	Detroit, Mich.	Daniel Nisson Pevos.
Richard S. Fry	Cedar Rapids, Iowa	Patrick M. Roby.
Donald Orin Fuller	Mesa, Ariz.	Van C. Bethancourt, Jr.
Douglas Wright Gaidry	Fort Lauderdale, Fla.	Frank Charles Adler.
Richard C. Garberson	Cedar Rapids, Iowa	Patrick M. Roby.
John J. Geary, Jr.	Los Angeles, Calif.	Lawrence D. De Coster.
Allan Gerson	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Bruce Allen Gilmore	Baltimore, Md.	Peter Sheridan Smith.
Samuel J. Goldenhersh	St. Louis, Mo.	Val Terschluse.
Gary Edward Greenblatt	Vineland, N.J.	M. Joseph Greenblatt.
Kenneth A. Grnacek	Chicago, Ill.	Donald Bruce Mackay.
Avrum M. Gross	Juneau, Alaska	Ronald Walter Lorensen.
Richard A. Grossman	Toms River, N.J.	Terrence Philip Farley.
John Joseph Gruber	Buffalo, N.Y.	Fenton F. Harrison.
Roy F. Guste	New Orleans, La.	William J. Guste, Jr.
Arthur L. Hart	Vincennes, Ind.	Clarence Benjamin Dutton, Jr.
William D. Heimbach	Los Angeles, Calif.	John Bury Bartos.
David Allen Henderson	San Francisco, Calif.	Francis R. Kirkham.
George W. Hersey	Palm Beach, Fla.	Joseph F. Gunster.
Carlton W. Hodges	Portland, Oreg.	William E. Hurley.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Oscar B. Hofstetter, Jr.	Nashville, Tenn.	Thomas Wardlaw Steele.
John Bertram Jackson III	Bremerton, Wash.	William J. Kamps.
Carl L. Johnson	Gainesville, Fla.	Donald D. Carter, Jr.
Carl Travis Johnson	El Paso, Tex.	James Trueman Allen.
Burt M. Kahn	Silver Spring, Md.	Frederick R. Joseph.
William E. Kelly	Wilmette, Ill.	Frank F. Fowle, Jr.
Joel A. Klarreich	New York, N.Y.	A. Bernard Frechtman.
Stephen Robert Koons	West Palm Beach, Fla.	Basil S. Diamond.
Leo M. Krulitz	Washington, D.C.	Frank Church.
Ron M. Landsman	Washington, D.C.	B. Barry Grossman.
Charles J. Landy	Wilmington, Del.	Judah Best
James A. Lassart	San Francisco, Calif.	Dennis Michael Nerney
Lawrence Martin Lawson	Asbury Park, N.J.	Richard W. Hogan.
Jesse Ernest Le Blanc II	Saint Gabriel, La.	Victor A. Sachse III.
Terry Falk Lenzner	Washington, D.C.	Philip Elman.
Harvey Alan Levin	Washington, D.C.	Ronald Gilbert Birch.
Gary Edward Levitt	Huntington Woods, Mich.	Daniel Nisson Pevos.
Thomas J. Link	Grand Rapids, Mich.	Richard N. Servaas.
Celedonio Medin Lozada	Mayaguez, P.R.	Joseph Remcho.
Celedonio Medin Lozada-Gentile	Mayaguez, P.R.	Joseph Remcho.
Merlin R. Lybbert	Salt Lake City, Utah	Harold Graham Christensen.
Jeffrey Dean Mamorsky	New York, N.Y.	Jesse Rothman.
Lee R. Marks	Washington, D.C.	David Ginsburg.
Harvey Kenneth Mattel	Fort Lauderdale, Fla.	Robert P. Kundinger.
Michael James Matteucci	San Jose, Calif.	William Arthur Jennings.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Michael Charles Mayo	Colonial Beach, Va.	LeRoy Hanson Barnard.
Arshag A. Mazmanian	Boston, Mass.	Leonard Glazer.
Michael D. McDermott	Cedar Rapids, Iowa	Ralph W. Gearhart.
J. Bruce McKissock	Philadelphia, Pa.	Henry T. Reath.
Robert Joe McLean	Groesbeck, Tex.	Alexander J. Bolla, Jr.
David Jonathan Meiselman	Poughkeepsie, N.Y.	Irving Oliver Farber.
Leon Z. Mener	New York, N.Y.	Edwin Scott.
John Wayne Miller	Longmont, Colo.	Morris W. Sandstead, Jr.
Albert Arthur Miller, Jr.	Boston, Mass.	Wm. Allen Whitfield.
Michael S. Mink	Encino, Calif.	Sidney R. Rose.
Jeffrey Newman	New York, N.Y.	Nicholas Adams Robinson.
Robert Dale Norris, Jr.	Tulsa, Okla.	David Clark Zucker.
James R. O'Connell	Washington, D.C.	Patrick C. O'Donoghue.
William J. C. O'Donnell	Phoenixville, Pa.	Milton Becket.
Stephen P. Oggel	San Diego, Calif.	Christopher Q. Britton.
George Havre Olsen	Homewood, Ill.	Robert E. Deignan.
Duane Alfred Olson	Phoenix, Ariz.	Jack Daniel Klausner.
Charles W. Ott	Palos Hills, Ill.	Robert J. Nolan.
Joseph I. Paper	Baltimore, Md.	Robert R. Cohen.
Suzanna Cherot Pestinger	Anchorage, Alaska	Ronald Gilbert Birch.
Alan Stephen Phillips	Monsey, N.Y.	Michael Alan Schwartz.
John Louis Pierce II	Navasota, Tex.	Daniel Paul Ryan, Jr.
Joe T. Pilcher, Jr.	Selma, Ala.	W. McLean Pitts.
William T. Pillsbury	Long Beach, Calif.	Edward M. Daley.
James Calhoun Pruitt, Jr.	Anderson, S.C.	Richard D. Ruhle, Jr.
William C. Quigley	Salt Lake City, Utah	Robert B. Hansen.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jean Rand Richey	Jackson, Miss.	Ed Davis Noble, Jr.
Garrett Francis Riegg	Oakland, Calif.	Samuel Hopkins Wagener.
G. L. Buist Rivers, Jr.	Charleston, S.C.	Joseph Rutledge Young.
Helen Hoban Rogers	San Francisco, Calif.	Margaret Wood.
Jay Bryan Roof	Poulsbo, Wash.	William J. Kamps.
Kermit Arthur Rosenberg, Jr.	Arlington, Va.	Brian Stephen Stern.
Robert Charles Schollaert	Chambersburg, Pa.	David Charles Clever.
William A. Schroeder	Wellesley, Mass.	Rene H. Reixach, Jr.
Morris Schulslaper	New York, N.Y.	Leon Axelrod.
Theodore Ben Scott	Buffalo, Mo.	Dale Harlan Close.
Norman S. Segall	Miami, Fla.	Leslie Alan Schere.
L. David Shear	Tampa, Fla.	James Clint Brown.
Robert L. Simmons	San Diego, Calif.	Christopher Q. Britton.
Peter F. Sloss	San Francisco, Calif.	Godfrey L. Munter, Jr.
Robert Mahlon Smith	Dallas, Tex.	James Franklin Gaulding.
Windell Britton Smith, Jr.	Raleigh, N.C.	William Thomas Crisp II.
John W. Spillane	Worcester, Mass.	Harry J. Meleski.
A. Grant Sprecher	Philadelphia, Pa.	Charles David Ablard.
Kenneth M. Strom	Austin, Minn.	Wm. J. Nierengarten.
Barry Sullivan	Chicago, Ill.	John C. Tucker.
Roscoe Trimmier, Jr.	Boston, Mass.	Thomas G. Dignan, Jr.
Emil J. Vlad	Cleveland, Ohio	Timothy Marion Bittel.
Walter J. Walvick	Washington, D.C.	James van Roden Springer.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
George E. Ward	Detroit, Mich.	John M. Roche.
Ira Benjamin Warshawsky	Westbury, N.Y.	Abraham J. Multer.
David Arthur Weaver	Springfield, Ohio	Oscar T. Martin II.
Richard Gary Weinberg	St. Augustine, Fla.	Hamilton D. Upchurch.
Nathan Irving Weinstein	St. Augustine, Fla.	Hamilton D. Upchurch.
Theodore Mark Weitz	New York, N.Y.	Merrell E. Clark, Jr.
David John Wilzig	Beverly Hills, Calif.	Philip Hoffman.
Earl Ronald Wright	New Brunswick, N.J.	Benjamin Weiner.
Emmit Franklin Yeary	Abingdon, Va.	David D. Brown.
Harvey Donovan Yost II	Perry, Okla.	Winfrey D. Houston.
Pasquale Anthony Zambreno	Mt. Prospect, Ill.	Walter Julian Liszka.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
F. Patrick Quinn	Washington, D.C.	Helen E. Steinbinder.
Edward William Tupling	Washington, D.C.	Thomas Paul Imse, Jr.
Harold Lillard Kennedy, Jr.	Winston-Salem, N.C.	Patricia A. Russell.
Annie Brown Kennedy	Winston-Salem, N.C.	Patricia A. Russell.

#### ORAL ARGUMENT

No. 77-404. City of Philadelphia et al., appellants, *v.* New Jersey et al. Argued by Mr. Herbert F. Moore for the appellants and by Mr. Stephen Skillman for the appellees.

No. 77-5549. Michael Taylor, petitioner, *v.* Kentucky. Argued by Mr. J. Vincent Aprile II for the petitioner and by Mr. Guy C. Shearer for the respondent.

No. 77-240. St. Paul Fire & Marine Insurance Company et al., petitioners, *v.* David M. Barry et al. One and one half hours allowed

for oral argument. Argued by Mr. Sidney S. Rosdeitcher for the petitioners, by Mr. Leonard Decof for the respondents, and by Daniel M. Friedman for the United States, as *amicus curiae*, by special leave of Court.

No. 76-1607. Securities and Exchange Commission, petitioner, *v.* Samuel H. Sloan. Argument commenced by Mr. Harvey L. Pitt for the petitioner and continued by Mr. Samuel H. Sloan respondent, *pro se*.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Cassrell Greenberg	New York, N.Y.	Solicitor General Wade H. McCree, Jr.
Theodore Stewart Greenberg	Alexandria, Va.	Solicitor General Wade H. McCree, Jr.
Florentino Garza	San Bernardino, Calif.	John Palmer Arness.

### OPINIONS

No. **77-142**. United States, petitioner, *v.* Donald Lavern Culbert. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Marshall. Mr. Justice Brennan took no part in the consideration or decision of this case.

No. **76-1750**. Harold D. Stump et al., petitioners, *v.* Linda Kay Sparkman and Leo Sparkman. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Marshall and Mr. Justice Powell join. Dissenting opinion by Mr. Justice Powell. Mr. Justice Brennan took no part in the consideration or decision of this case.

No. **76-1359**. Bankers Trust Company, petitioner, *v.* Samuel Malis and Franklyn Kupferman. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Writ of certiorari dismissed as improvidently granted. Opinion *per curiam* announced by Mr. Chief Justice Burger. Mr. Justice Blackmun took no part in the consideration or decision of this case.

## ORAL ARGUMENT

No. 76-1607. Securities and Exchange Commission, petitioner, *v.* Samuel H. Sloan. Argument continued by Mr. Samuel H. Sloan respondent, *pro se*, and concluded by Mr. Harvey L. Pitt for the petitioner.

No. 77-452. Mobil Alaska Pipeline Company, petitioner, *v.* United States et al.;

No. 77-457. Exxon Pipeline Company, petitioner, *v.* United States et al.;

No. 77-551. BP Pipelines Inc., petitioner, *v.* United States et al.; and

No. 77-602. ARCO Pipe Line Company, petitioner, *v.* United States et al. One and one half hours allowed for oral argument. Argued by Mr. Andrew J. Kilcarr and Mr. Richard J. Flynn for the petitioners and by Mr. Frank H. Easterbrook and Mr. Avrum M. Gross for the respondents.

No. 77-285. California et al., petitioners, *v.* United States. One and one half hours allowed for oral argument. Argued by Mr. Roderick E. Walston for the petitioners and by Mr. Stephen R. Barnett for the respondent.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Peter Charles Kissel	Washington, D.C.	George P. Lewnes.
Glen Scott Howard	Washington, D.C.	William A. Sutherland.

### OPINIONS

No. **76-1500**. Massachusetts, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the First Circuit. Judgment affirmed. Opinion by Mr. Justice Brennan. Opinion by Mr. Justice Stewart and Mr. Justice Powell concurring in part and concurring in the judgment. Dissenting opinion by Mr. Justice Rehnquist with whom Mr. Chief Justice Burger joins. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. **76-864**. City of Lafayette, Louisiana and City of Plaquemine, Louisiana, petitioners, *v.* Louisiana Power & Light Company. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed. Mr. Justice Brennan announced the judgment of the Court and delivered an opinion (Part I), together with an opinion (Parts II and III), in which Mr. Justice Marshall, Mr. Justice Powell, and Mr. Justice Stevens joined. Concurring opinion by Mr. Justice Marshall. Opinion by Mr. Chief Justice Burger concurring in Part I of the plurality opinion and in the judgment. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice White and Mr. Justice Rehnquist join and joined by Mr. Justice Blackmun in all but Part II-B. Dissenting opinion by Mr. Justice Blackmun.

### ORAL ARGUMENT

No. **76, Original**. State of California, plaintiff, *v.* State of Texas. Argued by Mr. Jerome B. Falk, Jr. for the plaintiff and by Mr. John L. Hill for the defendant.

No. **77-293**. Ezra Kulko, appellant, *v.* Superior Court of California in and for the City and County of San Francisco (Sharon

Kulko Horn, real party in interest). Argued by Mr. Lawrence H. Stotter for the appellant and by Ms. Suzie S. Thorn for the appellee.

No. 77-365. United States et al., petitioners, *v.* LaSalle National Bank et al. Argued by Mr. Lawrence G. Wallace for the petitioners and by Mr. Matt P. Cushner for the respondents.

No. 77-653. William Swisher et al., appellants, *v.* Donald Brady et al. Argued by Mr. George A. Nilson for the appellants ~~and by Mr. George A. Nilson for the appellants~~ and by Mr. Peter S. Smith for the appellees.

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Adjourned until Monday, April 3, 1978, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

The Chief Justice said:

“Today’s orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally.”

### APPEALS—SUMMARY DISPOSITION

No. 77-980. Albert A. Lewis, etc., appellant, *v.* James L. Cowen et al. Appeal from the United States District Court for the Eastern District of Pennsylvania. Judgment affirmed. Mr. Justice Brennan and Mr. Justice Powell would note probable jurisdiction and set the case for oral argument.

No. 77-1026. Janene Riley, etc., appellant, *v.* Ohio et al. Appeal from the Court of Appeals of Ohio, Franklin County. The appeal is dismissed for want of a substantial federal question.

### CERTIORARI—SUMMARY DISPOSITION

No. 77-85. J. L. Smalling, Superintendent of Unified School District No. 480, Seward County, Kansas, et al., petitioners, *v.* Lila Epper-son et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Carey v. Phipps*, 435 U.S. — (1978).

### ORDERS IN PENDING CASES

No. A-776. Frank Keogh, applicant, *v.* Main XX XVI, Inc. etc. Application for stay, presented to Mr. Justice Marshall and by him referred to the Court, denied.

No. D-122. In the Matter of Disbarment of Joseph E. Stillo. Disbarment entered.

No. D-125. In the Matter of Disbarment of Frederick D. Duden, Jr. Disbarment entered.

No. D-126. In the Matter of Disbarment of Charles Spar. Disbarment entered.

No. D-127. In the Matter of Disbarment of Maximino Gonzalez. Disbarment entered.

No. D-128. In the Matter of Disbarment of Jack L. Kellogg. Disbarment entered.

**No. D-132.** In the Matter of Disbarment of Gene Ira Esser. It is ordered that Gene Ira Esser of New York, New York, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

**No. D-133.** In the Matter of Disbarment of Gene Loy Chu. It is ordered that Gene Loy Chu of New York, New York, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

**No. 77-529.** Wes Wise, Mayor of the City of Dallas, et al., petitioners, *v.* Albert L. Lipscomb et al. Motion of Solicitor General for leave to participate in oral argument, as *amicus curiae*, granted and fifteen minutes allotted for that purpose provided that the brief of the United States is filed on or before April 10, 1978. If the brief is timely filed, appellants allotted an additional fifteen minutes for oral argument.

**No. 77-888.** Joseph Vitek, etc., et al., appellants, *v.* Charles Miller et al. Motion of appellee Larry D. Jones for leave to proceed further herein *in forma pauperis* granted. Motion for appointment of counsel granted and it is ordered that Thomas A. Wurtz, Esquire, of Lincoln, Nebraska, is appointed to serve as counsel for appellee Larry D. Jones in this case.

**No. 77-1207.** Barbara B. Blum, Acting Commissioner, New York State Department of Social Services, et al., petitioners, *v.* Martin Toomey et al. Solicitor General invited to file a brief in this case expressing the views of the United States.

**No. 77-6111.** James Lee Brown, petitioner, *v.* United States. Application for stay, presented to Mr. Justice Stevens and by him referred to the Court, denied.

**No. 77-6354.** Mary C. Northern, appellant, *v.* Tennessee Department of Human Services. Motion to expedite denied.

#### CERTIORARI GRANTED

**No. 77-1051.** Bessie B. Givhan, petitioner, *v.* Western Line Consolidated School District et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

#### CERTIORARI DENIED

**No. 77-570.** Bernecia E. Avery, petitioner, *v.* New England Telephone and Telegraph Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-805. Calvin C. Franklin, petitioner, *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 77-851. Manuel Louis Fernandez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-855. Warner-Lambert Company, petitioner, *v.* Federal Trade Commission; and

No. 77-1118. Federal Trade Commission, petitioner, *v.* Warner-Lambert Company. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-870. Missouri Pacific Railroad Company, petitioner, *v.* City of Palestine, Texas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-885. Commissioner of Education of New Jersey et al., petitioners, *v.* Board of Education of the North Hunterdon Regional High School, Township of Franklin, et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 77-939. Larry A. Blizzard, etc., petitioner, *v.* Frank L. Mahan, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-959. Isaac Newton Hulver, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-960. Clinton Municipal Separate School District, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-976. Billy W. Davis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-999. Reuben Helfer, petitioner, *v.* United States;

No. 77-5991. Arthur Gentry, petitioner, *v.* United States; and

No. 77-6052. Marvin Martin Hornstein, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-1001. Alex Markley and Antonio Soares, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-1005. Robert E. Brown, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1034. Nicolas Noguerras, Jr., et al., petitioners, *v.* Puerto Rico International Airlines, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.



No. 77-1035. Coda Lloyd Vice, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1043. Stifel, Nicolaus & Co., Inc., and Kingsley O. Wright, petitioners, *v.* Milton W. Garnatz. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-1073. Lee Pharmaceuticals, petitioner, *v.* United States District Court for the Central District of California (Den-Mat, Inc., et al., real parties in interest). Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1085. American Biltrite, Inc., et al., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1113. Carlos Lozada, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 77-1116. The Toro Company et al., petitioners, *v.* Donald D. Alsop, Judge, United States District Court for the District of Minnesota, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-1121. State Compensation Insurance Fund, petitioner, *v.* Workers' Compensation Appeal Board of California et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 77-1127. Sterling Jack Brown, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1141. Walter E. Heller & Company, petitioner, *v.* First Virginia Bankshares. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1183. City of Evanston, Illinois, petitioner, *v.* Lee J. Andruss, Jr., et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 77-1206. Joseph Gambino and Carlo Conti, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1216. Harlan Duhon and Donald Ray Lovett, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1224. Ronald L. Foster et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.



No. 77-1230. Loran L. Taylor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-1233. Steve Kent Odneal and John Louis Ribando, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1238. Anthony J. Levatino, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5539. John Walking Crow, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5855. Harold Wellington Rapp, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5916. Charles M. Manson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeals of California, Second Appellate District, denied.

No. 77-5954. Lester Henry Carey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5987. Patrick Michael Scott, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6014. George Victor Albert, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6027. Michael Silberberg and Mordecai Silberberg, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6046. Frank Whitney, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6071. Manuel Glenn Abascal, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6079. Allen Blair Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6090. Jesse Lee Lewis, petitioner, *v.* Abelicio Chavez, Superintendent, California Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6106. Jerry Lee Tyler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6135. John Wesley DeShazo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6144. Robert Ray Adcock, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6189. David Cohen, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 77-6190. Danny Pevlor, petitioner, *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 77-6193. Wesley W. Harris, aka William Davis, petitioner, *v.* United States; and

No. 77-6195. Robert Lee Felder, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6197. Raymond Ratliff, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 77-6198. Robert Eugene Lyle, petitioner, *v.* Donald Wyrick, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6199. Bedie Thundershield, petitioner, *v.* Herman Solem, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6203. James Douglas Zink, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6210. Guy N. Stafford, petitioner, *v.* Charles L. Weber, et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 77-6213. Paul J. Hernandez and Ross Arguello, petitioners, *v.* Colorado. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6223. John F. Grismore, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6224. Robert Kenneth Schoultz, petitioner, *v.* Sheriff, Carson City, Nevada. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6227. Ricardo B. Punch, Harry A. Jackson and Robert W. Alston, petitioners, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-6232. Rudolph Valentino Henderson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6240. Royal Barney, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6266. Frank Mora, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6270. Juan Manuel Godin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6272. Melvin Daniels, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Hamilton County, denied.

No. 77-6275. Ernest Pete Montoya, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6281. Irene Spedding, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-6292. Billy F. Gray, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6294. Daniel C. Summers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6295. Nathaniel Franklin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6298. Rene Beltran Carbajal, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6302. Jan Cerkl, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6306. William Joseph Murphy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6312. Cheryl Rae Pederson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6314. Julio Enriquez-Palafox, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6316. Marvin Charles Parker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6319. Frank Boyd Mullholan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6327. Robert Moore, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6334. Charles Jerome Simpkins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-1108. Louis A. Antal, petitioner, *v.* W. A. ("Tony") Boyle et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Brennan and Mr. Justice Powell would grant certiorari.

No. 77-1111. Colorado, petitioner, *v.* William (Rusty) Bramlett. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 77-1132. New Mexico, ex rel. Environmental Improvement Agency, petitioner, *v.* Albuquerque Publishing Company. Petition for writ of certiorari to the Supreme Court of New Mexico denied it appearing that the judgment below rests upon adequate state grounds.

No. 77-1175. Illinois, petitioner, *v.* Maurice Pendleton. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied it appearing that the judgment below rests upon adequate state grounds.

No. 77-5874. Deborah Lynn Little, petitioner, *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Brennan joins.

## LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 77-1037. Fred Renwick, petitioner, *v.* United States Court of Appeals for the Second Circuit, et al. Motion for leave to file petition for writ of mandamus and/or other relief denied.

## REHEARINGS DENIED

No. 77-646. Charles D. Brand, petitioner, *v.* United States;

No. 77-856. Phillips Petroleum Company, petitioner, *v.* Irl Shutts, etc., et al.;

No. 77-883. Michael Dappolonia, appellant, *v.* Board of Chiropractic Examiners of the State of Florida;

No. 77-5174. James Wayne Murry, petitioner, *v.* United States;

No. 77-5419. Robert L. Twyman, petitioner, *v.* Oklahoma et al.;

No. 77-5695. Lyman A. Moore, petitioner, *v.* David H. Brierton, Warden;

No. 77-5721. Sammie Thornton, petitioner, *v.* Georgia;

No. 77-5748. Charles Lee Smith, petitioner, *v.* United States;

No. 77-5811. T. C. Gilbert, petitioner, *v.* Sam C. Yalanzon;

No. 77-5870. Bill M. and Cynthia Barnett, etc., petitioners, *v.* Jose Cisneros, et al.;

No. 77-5963. Eli Raitport, petitioner, *v.* Bank & Trust Co. of Old York Road et al.;

No. 77-6000. Joseph Patrick Haley, petitioner, *v.* Florida; and

No. 77-6006. Melvin Leroy Tyler, petitioner, *v.* George Peach et al., etc. Petitions for rehearing denied.

No. 77-5048. Abdur-Rahim Dib Dudar, petitioner, *v.* United States. Motion for leave to file petition for rehearing denied.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William J. Abraham, Jr.	Milwaukee, Wis.	Steven E. Keane.
Robert Thomas Adams	Richmond, Va.	Edward E. Stover.
Ronald Herbert Alenstein	New York, N.Y.	Jesse Climenko.
Arthur Lawrence Alexander	New York, N.Y.	Richard T. Farrell.
Jerry Eugene Andress	Belton, Tex.	Arthur Coleman Eads.
Paul F. Angel	Dodgeville, Wis.	Rodney J. Satter.
Robert Donnell Arnold	Indianapolis, Ind.	John D. Cochran.
Richard Charles Ascarelli	Washington, D.C.	C. Emerson Dun- can II.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Toni Sue Ax	Indianapolis, Ind.	James A. Strain.
William A. Barnett, Jr.	Chicago, Ill.	William A. Barnett.
Richard David Baxter	New York, N.Y.	Jean Taylor Jackson.
Herbert J. Beck	Encino, Calif.	Jack Corinblit.
Harold Johnson Bender	Charlotte, N.C.	Elwin Harland White, Sr.
Barry Jay Bendes	New York, N.Y.	Edward J. Leon.
Lowell C. Bergstedt	Dayton, Ohio	William J. Birmingham.
Dick Norton Bishop	Flora, Ind.	Arthur D. Bishop.
Jack Harold Blaine	Washington, D.C.	William Boys Harman, Jr.
Eli Block	Janesville, Wis.	George E. Smith, Jr.
Samuel L. Blue	Martinsville, Ind.	John E. Hurt.
Bernard Joseph Boyle	Indianapolis, Ind.	James Lawrence Miller.
Harold Edward Brueseke	South Bend, Ind.	Charles Francis Crutchfield.
J. Timothy Campbell	Xenia, Ohio	Larry B. Morris.
James B. Cantwell	Albany, N.Y.	Thomas Paul Zolezzi.
Leonard Louis Casalino	Hyattsville, Md.	Salvatore An- thony Daniello.
Richard T. Cassidy	Dallas, Tex.	Charles L. Caperton.
George L. Chesley	Bloomington, Ill.	Michael Blaine McElvain.
James R. Clark	Milwaukee, Wis.	Steven E. Keane.
Lawrence Francis Clark, Jr.	Hershey, Pa.	Roger A. Clark.
Robert E. Collins	Janesville, Wis.	Leon Feingold.
Roxanne Barton Conlin	Des Moines, Iowa	John C. Culver.
Patricia Connell	St. Louis, Mo.	Michael Jeffrey Dale.
William J. Cook	Chicago, Ill.	Joel Martin Flaum.
Raymond Edward Cooley	Orlando, Fla.	William J. McCabe.
Mark Crane	Chicago, Ill.	Charles W. Davis.
Robert P. Cummins	Chicago, Ill.	Thomas D. Decker.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas J. D'Aquila	New Orleans, La.	Joseph Charles Collins, Jr.
Eugene C. Daly	Milwaukee, Wis.	Steven E. Keane.
Steven John Delaney	New York, N.Y.	George Herbert Patrick Bursley.
Francis Joseph Demet	Milwaukee, Wis.	Margaret Bernadette Demet.
Anthony J. DePanfilis	Norwalk, Conn.	Vincent Donald Flaherty.
Alfred P. J. Diotte	Janesville, Wis.	Leon Feingold.
Thomas Patrick Dove	Oakland, Calif.	Arlo E. Smith.
George Benjamin Dulany	Belton, Tex.	Jim DeWitt Bowmer.
John James Duncan	Knoxville, Tenn.	John James Duncan, Jr.
Jerry C. Dusthimer	San Jose, Calif.	William F. Clark.
Robert A. DuPuy	Milwaukee, Wis.	Steven E. Keane.
James Richard Eads, Jr.	Little Rock, Ark.	Robert G. Brockmann.
William B. Eagan	Willow Grove, Pa.	Lewis Kates.
S. Wayne Easterling	Hattiesburg, Miss.	M. M. Roberts.
Burton Colman Easton	Clearwater, Fla.	Jack F. White, Jr.
Larry Ralph Eaton	Chicago, Ill.	Owen Rall.
Clyde Lester Ellis	Gainesville, Fla.	Stanley Keller Laughlin, Jr.
Steven M. Epstein	Milwaukee, Wis.	Robert Allen Levine.
Michael Paul Erhard	Milwaukee, Wis.	Steven E. Keane.
John Edward Fabke	Milton, Wis.	Leon Feingold.
Thomas E. Fairchild	Chicago, Ill.	Leon Feingold.
David B. Feingold	Janesville, Wis.	Leon Feingold.
Eugene David Feola	Pembroke Pines, Fla.	Michael Warren Boyd.
Alan S. Ferg	Mt. Laurel, N.J.	Jan M. Schlesinger.
James M. Fergal	Milwaukee, Wis.	William J. Mulligan.
Thomas G. Fierke	Joliet, Ill.	Joseph C. Malinoski.
Lloyd Buford Fisher	Gary, Ind.	Julian Bernard Allen.
Collins Thomas Fitzpatrick	Chicago, Ill.	Leon Feingold.
David Hayden Fleck	Milwaukee, Wis.	Steven E. Keane.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Timothy C. Frautschi	Milwaukee, Wis.	Steven E. Keane.
Jerome P. Friedlander II	Arlington, Va.	Mark P. Friedlander.
James D. Friedman	Milwaukee, Wis.	Edward A. Dudek.
Louis D. Gage	Janesville, Wis.	John C. Wickhem.
M. Jerry Garfinkle	Walterboro, S.C.	Isadore Bogoslow.
Edward David Gilhooly	Chicago, Ill.	Davis Chin.
John Paul Godich	Indianapolis, Ind.	James A. Strain.
Alan Douglass Gray	Yardley, Pa.	Charles Dolan Sapienza.
David N. Greenberg	Indianapolis, Ind.	John D. Cochran.
Edward D. Greenberg	Washington, D.C.	Leonard Saul Goodman.
Janis Mary Halker	Winter Park, Fla.	Terry Steven Freedman.
Timothy J. Haller	Buffalo, N.Y.	Conrad Christel.
Terry G. Harn	Peoria, Ill.	Robert J. Kauffman.
Thomas Wayne Harris	Houston, Tex.	Philip Larger Reardon.
Phillip Lawrence Hatfield	Columbia, Md.	Donald Eliot Segal.
George Lionel Henry	Columbus, Ohio	Jack Richard Graf, Jr.
Howard M. Herriot	Janesville, Wis.	Leon Feingold.
Edward F. Hoard	Needham, Mass.	Charles W. Sullivan.
John Michael Holmes	Fairbanks, Alaska.	William V. Bogges.
Jeffrey H. Howard	Washington, D.C.	Hamilton Carothers.
Lewis Johnson Hubbard, Jr.	Jacksonville, Fla.	Robert A. Bridges.
James O. Huber	Milwaukee, Wis.	Steven E. Keane.
John Hud	Los Angeles, Calif.	Kenneth M. Yaeger.
Frank Bowen Hugg	San Francisco, Calif.	Donald Richard Brophy.
M. Reed Hunter	San Francisco, Calif.	Ralph Golub.
William Jay Hunter, Jr.	Washington, D.C.	Saul C. Oppenheim.
Dale E. Ihlenfeldt	Milwaukee, Wis.	Leon Feingold.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Cheri Christine Jacobus	Anchorage, Alaska	Kenneth P. Jacobus.
Melvin F. Jager	Chicago, Ill.	James P. Hume.
Richard S. Jalovec	Chicago, Ill.	Joel Martin Flaum.
Denis F. Jodis	Hudson, Mich.	Harvey A. Koselka.
William H. Jones	Columbus, Ohio	Wilbur W. Jones.
Thomas P. Joyce	Chicago, Ill.	Craig Linn Ames.
Thomas R. Juettner	Chicago, Ill.	Mark A. Braun.
Leon R. Kaminski	La Porte, Ind.	William S. Spangler.
Robert L. Kasper	Perry, Okla.	Winfrey D. Houston.
William Franklin Kershner	Harrisburg, Pa.	William J. Curtin.
Gary Samuel Kessler	Dallas, Tex.	Patrick Errol Higginbotham.
Gerald Lee King	Spring, Tex.	Clayton L. Phillips, Jr.
Andrew Lawrence Klawitter	South Bend, Ind.	Roger Norman Coe.
Barry C. Klickstein	Boston, Mass.	Herbert Abrams.
John A. Kluwin	Milwaukee, Wis.	Ward Dunphy.
Michael Joseph Knoeller	Milwaukee, Wis.	John M. Swietlik.
Richard Anthony Koehler	Kansas City, Mo.	Robert M. Cook.
Paul Edward Kremer	Elkhorn, Wis.	Leon Feingold.
Edward H. Lee	Savannah, Ga.	H. Sol Clark.
Terrence Starr Leek	Bullhead City, Ariz.	John P. Frank.
Robert Frank Lehman	Elkhorn, Wis.	Leon Feingold.
Sam W. Levy	Houston, Tex.	Franklin Joyce Cox.
Max Louis Lieberman	Springfield, Pa.	Arlin M. Adams.
Andrea Limmer	Arlington, Va.	Edward E. Lawson, Jr.
Robert L. Lindgren	Chicago, Ill.	Davis Chin.
Christopher James Lowrie	New Bedford, Mass.	Franklin D. Arness.
Robert Earl Luna	Dallas, Tex.	Earl Luna.
Robert E. Lybrook	Martinsville, Ind.	John E. Hunt.
Kevin J. Lyons	Milwaukee, Wis.	Robert Lowell Elliott.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Bryan Lytton III	Chicago, Ill.	Joel Martin Flaum.
Ollie Robert Mack, Jr.	Columbia, Mo.	Warren D. Welliver.
Nate D. Mannakee Prentice H. Marshall	Olympia, Wash.	Walter E. White. John Powers Crowley.
Patrick Brian McCauley Arthur Edward McClellan Harrold J. McComas Henry G. McComb William F. McGowan, Jr. Robert Stewart McKenzie	Detroit, Mich. Gallatin, Tenn. Milwaukee, Wis. Brooklyn, N.Y. Tampa, Fla. Mount Clemens, Mich.	Ivan E. Barris. Norman D. Lane. Stevens E. Keane. Robert P. Wylie. Peter J. Winders. John R. Mullett.
Eugene C. Miller, Jr.	Indianapolis, Ind.	Frederic D. Anderson.
Lewis R. Mills	St. Louis, Mo.	William A. Richter.
Christopher James Moran, Jr.	Atlanta, Ga.	Everett L. Mast.
Lawrence Edward Morrissey Walter E. Moxham, Jr.	Chicago, Ill. Lockport, N.Y.	William Andrew Barnett. Richard C. Southard.
Robert L. Nahman Edwin L. Nash	New York, N.Y. Janesville, Wis.	Alfred D. Lerner. George E. Smith, Jr.
John A. Nelson	Milwaukee, Wis.	William J. Mulligan.
Telfer Woodhouse Norman	Wheat Ridge, Colo.	William J. Madden.
Charles M. Oberly III	Wilmington, Del.	Richard Royal Wier, Jr.
Joe Sam Owen	Gulfport, Miss.	Albert Lionel Necaise.
John David Pirich Alan A. Plaia	Lansing, Mich. Newport Beach, Calif.	Tom Downs. David Warren.
William Buster Pollard III	New York, N.Y.	Simon H. Rifkind.
Joseph E. Porter III	Beverly Hills, Calif.	Daniel Weber.
Robert D. Potter	Charlotte, N.C.	John E. McDonald, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Leonard R. Powers	Milwaukee, Wis.	James A. Strain.
Paul John Prato	Phoenix, Ariz.	John Frederick Foreman.
James David Prendergast	Los Angeles, Calif.	Robert Argyle Keller.
Lawrence Ravitz	Toms River, N.J.	Martin P. Gertner.
Donald Cress Reiley III	Bedford, Pa.	Donald Cress Reiley, Jr.
John R. Roach	Dallas, Tex.	Henry Wade.
A. James Roberts III	Los Angeles, Calif.	William A. Norris.
David K. Robinson	Salt Lake City, Utah	Lowell V. Summerhays.
John G. Rolker	Baltimore, Md.	Patrick Cavanaugh.
Peter W. Rowe	Norfolk, Va.	Jerrold Gladstone Weinberg.
Joseph Rubin	Hartford, Conn.	Michael J. Graham.
Samuel Anthony Rumore, Jr.	Birmingham, Ala.	L. Drew Redden.
Bernard Saklad	Fall River, Mass.	Lloyd Earl Belford.
Tom L. Sawyer	Elm Grove, Wis.	Jack R. Wiedabach.
Richard H. Sayler	New York, N.Y.	Thomas Eugene Kauper.
Henry N. Schiffman	Reston, Va.	Martin R. Ganzglass.
Sanford Joel Schlesinger	New York, N.Y.	William Philip Balaban.
Charles Ayers Schneider	Washington, D.C.	Hanford O'Hara.
Carroll Wayne Schubert	Bishop, Tex.	Lloyd M. Bentsen, Jr.
John Anthony Scillieri	Beverly Hills, Calif.	Joseph H. Golant.
Matthew J. Scola	East Orange, N.J.	George J. Minish.
Albert Harold Sennett	San Francisco, Calif.	Donald Richard Brophy.
Stephen W. Sessums	Tampa, Fla.	Arthur Dallas Albritton, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Allen Meller Shore	Miami, Fla.	Russell Morton Brown.
Thomas L. Shriner, Jr. Michael Jay Singer	Milwaukee, Wis. Washington, D.C.	Steven E. Keane Solicitor General Wade H. McCree, Jr.
John S. Skilton David Allyn Smith	Milwaukee, Wis. Oregon, Ill.	Steven E. Keane. Melvin O. Moehle.
Donald J. Snell	Canton, Ga.	Phillip Mitchell Landrum, Jr.
Ronald P. Sokol	Milwaukee, Wis.	Daniel John Meador.
Jim D. Spears John B. Spivey	Fort Smith, Ark. Swainsboro, Ga.	Dale Bumpers. William Bert Clark.
Paul Anthony Spletzer	Pound Ridge, N.Y.	Thomas H. Bartzos.
Glenn D. Starke Duke Nordlinger Stern Thomas F. Strubbe	Milwaukee, Wis. Charleston, W. V.. Chicago, Ill.	Merl E. Sceales. John D. Kizer. Walter J. Cummings, Jr.
Paul John Tagliabue	Washington, D.C.	Hamilton Carothers.
Dennis Warren Townley Donald Clark Trigg	Washington, D.C. Indianapolis, Ind.	Lee A. Monroe. Sheldon A. Breskow.
Paul Michael Troy	Everett, Mass.	Richard John Troy.
William A. VanSanten George R. Walker	Chicago, Ill. Monterey, Calif.	James C. Wood. John N. Shephard.
Thomas J. Wall	Syracuse, N.Y.	Donald Francis Daley.
Harry L. Wallace Paul Geoffrey Wallach	Milwaukee, Wis. Washington, D.C.	Steven E. Keane. John Daniel Reaves.
Alan Edward Welch	Somerville, N.J.	Nicholas Louis Bissell, Jr.
Algird Francis White, Jr. Ronald Wilchfort	Albany, N.Y. New York, N.Y.	John T. DeGraff. Robert Henry Klein.
Joel E. Wilensky	West Hempstead, N.Y.	Steven M. Bernstein.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Edwin P. Wiley	Milwaukee, Wis.	Steven E. Keane.
John Kenneth Williams	Oklahoma City, Okla.	Louis J. Bodnar.
Ronald Calvin Williams	Charlotte, N.C.	Hugh G. Casey, Jr.
Richard William Winchell	Elkhart, Ind.	Roger Norman Coe.
John Wood	Indianapolis, Ind.	Sigmund J. Beck.
Ronald Zajac	Detroit, Mich.	John E. Cross.
Davis S. Zeidman	New York, N.Y.	Philip Alan Greenberg.
Kirt F. Zeigler	Santa Rosa, Calif.	Edwin C. Anderson, Jr.
Edward J. Zimmerman	Indianapolis, Ind.	D. Reed Scism.
Charles E. Zumkehr	Kent, Ohio	Seabury Hurd Ford.

## ADMISSION TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Michael Joseph Woodruff	Santa Barbara, Calif.	Solicitor General Wade H. McCree, Jr.
Parks Harding Stearns	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Louis C. Dineff	Summit, Ill.	Solicitor General Wade H. McCree, Jr.
David E. Cassens	Baltimore, Md.	Solicitor General Wade H. McCree, Jr.
James Sullivan Peelman	Potomac, Md.	Solicitor General Wade H. McCree, Jr.
Thomas Anglin Kelley	Boston, Mass.	Solicitor General Wade H. McCree, Jr.
Dennis F. Hoffman	Manassas, Va.	Solicitor General Wade H. McCree, Jr.
John Timothy McCarthy	Vienna, Va.	Solicitor General Wade H. McCree, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Marshall Hess	Munster, Ind.	Adam Benjamin, Jr.
Frederick M. Marshall	Buffalo, N.Y.	Michael E. McMorrow.
Philip M. Marshall	Orchard Park, N.Y.	Michael E. McMorrow.
Martha Barrett Schneider	Washington, D.C.	Charles S. Stark.
Bernard Joseph Murphy	Ellicott City, Md.	James B. Murphy.
Edward Harris Lieberman	New York, N.Y.	Edmund I. Goldwag.
Irving Alpern	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
Charles R. Anderson	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
William Herbert Anderson	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
Mary Cardiff	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
Harry C. Cogen	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
Celia Cohn	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
Chris R. Conway	Long Beach, Calif.	Solicitor General Wade H. McCree, Jr.
Thomas E. Croak	Covina, Calif.	Solicitor General Wade H. McCree, Jr.
Jo Ann Smith Curtis	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
Arnold L. Faber	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
Floyd Franklin	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Bernard Garen	Torrance, Calif.	Solicitor General Wade H. McCree, Jr.
Clark Garen	Torrance, Calif.	Solicitor General Wade H. McCree, Jr.
Robert F. Gooch	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
Benjamin J. Goodman	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
Mary Lois Harris	San Diego, Calif.	Solicitor General Wade H. McCree, Jr.
Edward F. Hustedt	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
A. Dumont Mason	Long Beach, Calif.	Solicitor General Wade H. McCree, Jr.
Gary Scott Meade	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
Verden M. Moffitt, Jr.	Whittier, Calif.	Solicitor General Wade H. McCree, Jr.
Rodney Edward Moss	Whittier, Calif.	Solicitor General Wade H. McCree, Jr.
Maurice Howard Oppenheim	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
Patricia Gordon Oppenheim	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
Gordon Clarke Phillips	Torrance, Calif.	Solicitor General Wade H. McCree, Jr.
Gerrit Pos	Alhambra, Calif.	Solicitor General Wade H. McCree, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles A. Price	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
Jack Rosenberg	Culver City, Calif.	Solicitor General Wade H. McCree, Jr.
William Otto Schad	Glendale, Calif.	Solicitor General Wade H. McCree, Jr.
Howard J. Scott, Jr.	San Diego, Calif.	Solicitor General Wade H. McCree, Jr.
Charles Edward Simpson	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
James Leslie Spitzer	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
Bert Z. Tigerman	Beverly Hills, Calif.	Solicitor General Wade H. McCree, Jr.
John David Tolin	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
Jack M. Vandenberg	Long Beach, Calif.	Solicitor General Wade H. McCree, Jr.
George Watai	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
Madge S. Watai	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
David E. Weiss	Montebello, Calif.	Solicitor General Wade H. McCree, Jr.
Victor E. Williams	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
John Ziniewicz	Burbank, Calif.	Solicitor General Wade H. McCree, Jr.
Leonard L. Brown	New York, N.Y.	Judge Francis X. Smith.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James Stephen Casil	New York, N.Y.	Judge Francis X. Smith.
Andrew J. Catinella	New York, N.Y.	Judge Francis X. Smith.
John H. Cook, Jr.	New York, N.Y.	Judge Francis X. Smith.
Peter R. Cooperman	Howard Beach, N.Y.	Judge Francis X. Smith.
James Kevin Delaney	Bellerose, N.Y.	Judge Francis X. Smith.
Daniel Blake Dineen	New York, N.Y.	Judge Francis X. Smith.
Gary Charles Dileonardo	New York, N.Y.	Judge Francis X. Smith.
Geraldine A. Ferraro	New York, N.Y.	Judge Francis X. Smith.
Grant Henry Gibson	New York, N.Y.	Judge Francis X. Smith.
George Golfinopoulos	Garden City, N.Y.	Judge Francis X. Smith.
Victor Philip Hakim	New York, N.Y.	Judge Francis X. Smith.
James Patrick Harding	Forest Hills, N.Y.	Judge Francis X. Smith.
Peggy Anne Heinkele	New York, N.Y.	Judge Francis X. Smith.
Joseph Michael Lauria	New York, N.Y.	Judge Francis X. Smith.
Jenny M. Maiolo	New York, N.Y.	Judge Francis X. Smith.
Joseph C. Maiolo	New York, N.Y.	Judge Francis X. Smith.
John E. Molinari	Kew Gardens, N.Y.	Judge Francis X. Smith.
A. Patricia Moore	Hempstead, N.Y.	Judge Francis X. Smith.
Howard Mulholland	New York, N.Y.	Judge Francis X. Smith.
Stephen A. Nicholas	New York, N.Y.	Judge Francis X. Smith.
Vincent J. O'Reilly, Jr.	Kew Gardens, N.Y.	Judge Francis X. Smith.
Thomas James Principe	Flushing, N.Y.	Judge Francis X. Smith.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Harry Raptakis	Hempstead, N.Y.	Judge Francis X. Smith.
Pietrina J. Reda	Hempstead, N.Y.	Judge Francis X. Smith.
Michael Lloyd Rice	Queens, N.Y.	Judge Francis X. Smith.
Joyce Doris Ringe	New York, N.Y.	Judge Francis X. Smith.
Joseph C. Schioppi	New York, N.Y.	Judge Francis X. Smith.
William Gerald Schragar	New York, N.Y.	Judge Francis X. Smith.
Myra N. Seliger	New York, N.Y.	Judge Francis X. Smith.
Larry Jay Silverman	New York, N.Y.	Judge Francis X. Smith.
Rita Migliaccio Titowsky	Kew Gardens, N.Y.	Judge Francis X. Smith.
Lorraine Marie Wilowski	New York, N.Y.	Judge Francis X. Smith.
John Thomas Wynne, Jr.	Jamaica, N.Y.	Judge Francis X. Smith.

No. 76-419. Vermont Yankee Nuclear Power Corporation, petitioner, *v.* Natural Resources Defense Council, Inc., et al.; and

No. 76-528. Consumers Power Company, petitioner, *v.* Nelson Aeschliman et al. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgments reversed and cases remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rehnquist. Mr. Justice Blackmun and Mr. Justice Powell took no part in the consideration or decision of these cases.

No. 76-1184. E. I. Malone, Commissioner of Labor and Industry for Minnesota, appellant, *v.* White Motor Corporation and White Farm Equipment Company. Appeal from the United States Court of Appeals for the Eighth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Stewart with whom Mr. Chief Justice Burger joins. Dissenting opinion by Mr. Justice Powell with whom Mr. Chief Justice Burger joins. Mr. Justice Brennan and Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 76-5856. Winston M. Holloway et al., petitioners, *v.* Arkansas. On writ of certiorari to the Supreme Court of Arkansas. Judgment reversed and case remanded to the Supreme Court of Arkansas for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Powell with whom Mr. Justice Blackmun and Mr. Justice Rehnquist join.

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Adjourned until Monday, April 17, 1978, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## OPINION PER CURIAM

No. 77-5898. Maurice Proctor, petitioner, *v.* Warden, Maryland Penitentiary. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*.

## APPEALS—SUMMARY DISPOSITION

No. 77-16. United States, appellant, *v.* Georgia Department of Transportation. Appeal from the United States District Court for the Northern District of Georgia. Judgment vacated and case remanded to the United States District Court for the Northern District of Georgia for further consideration in light of *Massachusetts v. United States*, 435 U.S. — (1978).

No. 77-971. North Carolina, *ex rel.* Sarah T. Morrow, et al., appellants, *v.* Joseph A. Califano, Jr., Secretary of Health, Education and Welfare, et al. Appeal from the United States District Court for the Eastern District of North Carolina. Motion of Pacific Legal Foundation for leave to file a brief, as *amicus curiae*, granted. Motion of Association of American Physicians and Surgeons, Inc. for leave to file a brief, as *amicus curiae*, granted. Judgment affirmed.

No. 77-981. M.R.T.S., Inc., dba Classic Cat Theater, appellant, *v.* Department of Alcoholic Beverage Control of the State of California, et al. Appeal from the Court of Appeal of California, Fourth Appellate District. The appeal is dismissed for want of a substantial federal question.

No. 77-982. Lettie Linda Tasselli et al., appellants, *v.* Department of Alcoholic Beverage Control of the State of California, et al. Appeal from the Court of Appeal of California, Second Appellate District. The appeal is dismissed for want of a substantial federal question.

No. 77-1179. Lawrence J. Stockler, etc., appellant, *v.* Michigan et al. Appeal from the Court of Appeals of Michigan. The appeal is dismissed for want of a substantial federal question.

No. 77-1211. Linda Fay Regenold, appellant, *v.* Baby Fold, Inc., et al. Appeal from the Supreme Court of Illinois. The appeal is dismissed for want of a substantial federal question.

No. 77-1188. Minnie Bryan Breza, appellant, *v.* City of Trimont. Appeal from the Supreme Court of Minnesota. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 77-6228. Stanwood A. Demers, appellant, *v.* Rhode Island et al. Appeal from the United States Court of Appeals for the First Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 77-6231. Betty O. Muka, appellant, *v.* DeForrest Heffron, as President of the Ithaca Teachers Association, et al. Appeal from the Court of Appeals of New York. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 77-6244. Edward O. Marschall et ux., appellants, *v.* Joel K. Kristensen et al. Appeal from the Court of Appeals of Washington, Division 2. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 77-6313. Maxine M. Jenkins, appellant, *v.* District of Columbia. Appeal from the District of Columbia Court of Appeals. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 77-6149. John M. Harper, appellant, *v.* Charles T. Duffey. Appeal from the United States District Court for the District of Massachusetts. The appeal is dismissed for want of jurisdiction.

#### CERTIORARI—SUMMARY DISPOSITION

No. 76-548. Baltimore Gas and Electric Co., et al., petitioners, *v.* Natural Resources Defense Council, Inc., et al. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Vermont Yankee Nuclear Power Corp. v. Natural Resources Defense Council*, 435 U.S. — (1978). Mr. Justice Powell took no part in the consideration or decision of this case.

No. 76-745. Long Island Lighting Company, petitioner, *v.* The Lloyd Harbor Study Group, Inc. On petition for writ to the United States Court of Appeals for the District of Columbia Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to Court of Appeals for further consideration in light of *Vermont Yankee Nuclear Power Corp. v. Natural Resources Defense Council*, 435 U.S. — (1978). Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 77-947. Donald E. Bordenkircher, Superintendent, Kentucky State Penitentiary, petitioner, *v.* John Randolph Gaston. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Bordenkircher v. Hayes*, 434 U.S. — (1978). Mr. Justice Marshall dissents.

#### ORDERS IN PENDING CASES

No. A-817. Joel Weinstein, applicant, *v.* Florida. Application for stay, presented to Mr. Justice Marshall and by him referred to the Court, denied.

No. A-863. Mickey Edwards et al., applicants, *v.* James Earl Carter, President of the United States. Application for an injunction, presented to the Chief Justice and by him referred to the Court, denied.

No. D-130. In the Matter of Disbarment of Royal E. Spurlark, Jr. It having been reported to the Court that Royal E. Spurlark, Jr. has been reinstated on the roll of attorneys admitted to practice in the State of Illinois, it is ordered that the order of this Court entered January 9, 1978, suspending Royal E. Spurlark, Jr. from further practice of law in this Court is vacated and that the rule to show cause issued January 9, 1978, is discharged.

No. 76-1701. Tennessee Valley Authority, petitioner, *v.* Hiram G. Hill, Jr., et al. Motion of Pacific Legal Foundation for leave to participate in oral argument, as *amicus curiae*, denied.

No. 77-380. Cecil D. Andrus, Secretary of the Interior, petitioner, *v.* Charlestone Stone Products Co., Inc. Motion of J. Alan Steele for leave to file a brief, as *amicus curiae*, granted.

No. 77-510. United States, petitioner, *v.* New Mexico. Motion of respondent for divided argument granted.

No. 77-528. Federal Communications Commission, petitioner, *v.* Pacifica Foundation. Motion of American Broadcasting Companies, Inc., et al., for leave to participate in oral argument, as *amici curiae*, denied.

No. 77-529. Wes Wise, Mayor of the City of Dallas, et al., petitioners, *v.* Albert L. Lipscomb et al. Motion of The Lawyers' Committee for Civil Rights Under Law for Leave to file a brief, as *amicus curiae*, granted. Motion of Solicitor General to permit Peter Buscemi, Esquire, to present oral argument, *pro hac vice*, granted.

No. 77-539. Zenith Radio Corporation, petitioner, *v.* United States. Motion of Ford Motor Company for leave to file a brief, as *amicus curiae*, granted. Motion of Craig Corporation et al. for leave to file a brief, as *amici curiae*, granted. Motion of The Union Des Industries De La Communaute' Europeenne for leave to file a brief, as *amicus curiae*, granted. Motion of American Importers Association, Inc., for leave to file a brief, as *amicus curiae*, granted.

No. 77-693. Hubert L. Will, Judge, United States District Court, Northern District of Illinois, petitioner, *v.* Calvert Fire Insurance Company et al. Motion of American Mutual Reinsurance Company for additional time for oral argument is denied without prejudice. Should the petitioner cede a total of ten minutes, divided argument granted.

No. 77-1036. Jean D. Larsen, etc., appellant, *v.* Alfred Rogers. Solicitor General invited to file a brief in this case expressing the views of the United States.

No. 77-1360. Boyer Alfredo Bracy and Sandra Denise Martin, petitioners, *v.* United States. Application for reconsideration of denial of stay, presented to Mr. Justice Rehnquist and by him referred to the Court, denied.

No. 77-1377. James G. Hull, Jr., petitioner, *v.* Florida. Renewed application for stay, presented to Mr. Justice Brennan and by him referred to the Court, denied.

#### APPEALS—JURISDICTION NOTED

No. 77-69. Robert A. Panora, Registrar of Motor Vehicles of Massachusetts, appellant *v.* Donald E. Montrym et al. Appeal from the United States District Court for the District of Massachusetts. In this case probable jurisdiction noted.

No. 77-1163. E. Richard Friedman et al., appellants, *v.* N. Jay Rogers et al.;

No. 77-1164. N. Jay Rogers et al., appellants, *v.* E. Richard Friedman et al.; and

No. 77-1186. Texas Optometric Association, Inc., appellant, *v.* N. Jay Rogers et al. Appeals from the United States District Court for the Eastern District of Texas. In these cases probable jurisdiction noted. Cases consolidated and a total of one and one half hours allotted for oral argument.



No. 77-5992. Frank O'Neal Addington, appellant *v.* Texas. Appeal from Supreme Court of Texas. Motion of appellant for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted.

## CERTIORARI GRANTED

No. 77-1202. Michigan, petitioner, *v.* Harold William Doran. Petition for writ of certiorari to the Supreme Court of Michigan granted.

No. 77-6248. Jacquelyn E. Hunter, petitioner, *v.* Gerald Wallace Dean, Sheriff. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Georgia granted.

## CERTIORARI DENIED

No. 77-487. John D. Frazier, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-763. Walter S. Brackett, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-925. Roy P. Windham et al., petitioners, *v.* American Brands, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-977. Hubbard Broadcasting, Inc., petitioner, *v.* Federal Communications Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-978. Western Chain Company, petitioner, *v.* Nell Brownlee et al. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 77-984. Raul Mascarenhas, petitioner, *v.* Meridian Hospital Authority. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-988. David Richardson et al., petitioners, *v.* J. Means McFadden et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-1010. Miami Herald Publishing Company et al., petitioners, *v.* Ben Krentzman, Judge, United States District Court for the Middle District of Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1013. Vincent Puglisi et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 77-1019. Livestock Marketers, Inc. and Paulk and Batten Livestock Company, Inc., petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1027. John Doe et al., petitioners, *v.* John L. McMillan et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-1038. John S. Stewart, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-1041. Ex Parte Shearn Moody, Jr., petitioner. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 77-1064. Philip A. McLennan and Fred H. Bender, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1065. Anna Erna Lawriw, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-1087. Elias Ewanco, petitioner, *v.* Commissioner of Patents. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-1093. Ernest Malizia, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1096. Robert E. Feeney et al., petitioners, *v.* Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-1102. I. L. Vaughn, petitioner, *v.* United States; and

No. 77-6130. James E. Little, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-1109. Shearn Moody, Jr., petitioner, *v.* Alabama ex rel., Charles H. Payne, etc., et al. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 77-1135. Robert Brown, petitioner, *v.* Melvyn Tanenbaum, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1136. Louis G. O'Haver et ux., petitioners, *v.* Kenneth E. Black et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-1138. Ron Patterson, petitioner, *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 77-1140. Daniel R. W. Doyle, petitioner, *v.* Board of Fire and Police Commissioners of the Village of Schaumburg. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 77-1143. Bradford R. Jones, petitioner, *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Kansas City District, denied.

No. 77-1147. Firestone Tire & Rubber Company, petitioner, *v.* S. Martin Taylor, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1148. Bobby Joe Norris, petitioner, *v.* Arkansas. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 77-1149. Albert Hoffman and Rudolph Ness, petitioners, *v.* Public Employees Retirement Fund. Petition for writ of certiorari to the Court of Appeals of Oregon denied.

No. 77-1152. Bee Jay's Truck Stop, Inc., petitioner, *v.* Department of Revenue of Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 77-1156. Alnoa G. Corporation, petitioner, *v.* City of Houston, Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1157. Topps Chewing Gum, Inc., petitioner, *v.* Fleeer Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1165. Gary Everett Thompson and Myron Lester Tilton, petitioners, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Stark County, denied.

No. 77-1166. Philadelphia Gas Works, petitioner, *v.* Gulf Oil Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1180. Anthony P. LaFatch, petitioner, *v.* MM Corporation and United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1192. Sheila M. Lyons, petitioner, *v.* Salve Regina College et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-1194. Rodolfo Lozano, petitioner, *v.* Texas Mexican Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1198. A. M. Namirowski, petitioner, *v.* Nabisco, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-1199. Times-Picayune Publishing Company, petitioner, *v.* Joel I. Forrest. Petition for writ of certiorari to the Court of Appeal of Louisiana, First Circuit, denied.

No. 77-1208. Louise Orr Estabrook, petitioner, *v.* Watson W. Wise et al. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. 77-1210. Alitalia-Linee Aeree Italiane, S.p.A., petitioner, *v.* Manufacturers Hanover Trust Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1214. Arthur T. Davidson, petitioner, *v.* Columbia University et al. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 77-1223. Super Athletics Corporation and Donald E. Pinchock, petitioners, *v.* Universal Athletic Sales Co. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1281. Maurice Malcolm Dillon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-1291. Roel Angel Trevino, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1292. Walker Franklin Ivey and James Gilkison, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1295. Edward F. Burke, petitioner, *v.* The Narragansett Electric Company. Petition for writ of certiorari to the Supreme Court of Rhode Island denied.

No. 77-1296. United States Navigation, Inc., et al., petitioners, *v.* John Esposito. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1302. Roy Condy Woods, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1334. Jean Liebert, petitioner, *v.* United States; and

No. 77-1343. John Harkins, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1349. Joe Union, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-1350. Raymond Moreno and Jody Moreno, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-5157. Lanis Hurst, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5479. John Edward Lee, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5902. James Crawford Burgess, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 77-5931. Lonnie Duran, petitioner, *v.* New Mexico. Petition for writ of certiorari to the Court of Appeals of New Mexico denied.

No. 77-5956. Edward Stillman, petitioner, *v.* United States;  
No. 77-5967. David Ray Bryant, petitioner, *v.* United States;  
No. 77-5978. Waylon Dwight Perry, petitioner, *v.* United States;  
No. 77-6103. Irvin A. Campbell, petitioner, *v.* United States; and  
No. 77-6160. Leslie Ledon Smith, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-5958. Alan Elliott, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. 77-5984. Henry B. Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-5995. Gino Reda, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6005. Kenneth T. Himes, petitioner, *v.* Lowell D. Hewitt, Superintendent, Huntingdon State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6019. Frank Hocker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6023. Edward Leroy Clark, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6031. Daniel Wesley Davis, petitioner, *v.* Iowa. Petition for writ for certiorari to the Supreme Court of Iowa denied.

No. 77-6039. Kathryn L. Carr, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6078. Frank Tillman Lewis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6088. Arthur Lyle Robson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6104. Joseph Louis Carter, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6111. James Lee Brown, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6119. Charles G. Felts, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6125. Jeffrey Scott Barkley, petitioner, *v.* Walter Lumpkin, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6126. Dwight R. Crocker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6131. Esther Muncaster, petitioner, *v.* William N. Griffin, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6137. William A. Gillen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-6140. Edward Cooke, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6157. William Fred Phillips, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6161. James Martin Mize, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6167. Jackson Morgan, petitioner, *v.* United States; and

No. 77-6178. Vernice Garrett, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.



No. 77-6184. Robert Lee Wright, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6201. Carlton L. Pope, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 77-6209. George Ernst Von der Linden, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6212. Thomas F. Hoppe, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-6229. Joseph Anderson, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 77-6230. Robert J. Riddell, petitioner, *v.* Washington. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 77-6237. Richard Blitz, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 77-6238. Francis L. Sheridan, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. 77-6239. George Robinson, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 77-6241. James Gable, petitioner, *v.* Raymond D. Massey, Superintendent, Union Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6242. Frederick J. X. Martin, petitioner, *v.* Donald W. Wyrick. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6253. James Harris, petitioner, *v.* Officer Chase, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6254. Gilbert Marcus, petitioner, *v.* Paul D. McGinnis, Commissioner of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6256. Leon Backus, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 77-6258. James Louis Jackson, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

- No. 77-6260. Robert J. McKinley, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.
- No. 77-6263. Robert Wilton Evans, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.
- No. 77-6271. James J. McGowan, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.
- No. 77-6276. Jack Dempsey Phillips, petitioner, *v.* J. Robert Olian, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.
- No. 77-6277. Frank Howard, petitioner, *v.* Donald W. Wyrick, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.
- No. 77-6282. Miriam H. Coledanchise, petitioner, *v.* Randolph Murdaugh et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.
- No. 77-6287. William Martin Bunkis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.
- No. 77-6315. Macio Ennis, petitioner, *v.* E. LeFevre, Superintendent, Clinton Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.
- No. 77-6326. John Ralls, petitioner, *v.* John Manson, Commissioner of Correction of Connecticut. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.
- No. 77-6328. Mae Ethel Walker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.
- No. 77-6331. Barbara Jean Pittman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.
- No. 77-6335. James Joseph O'Brien, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.
- No. 77-6342. L. J. Gunston, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.
- No. 77-6344. Larry Eugene Watkins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.
- No. 77-6349. Barbara Ray Kizer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.



No. 77-6367. Noah Carl McNair, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6376. Tracy Melvin Bowers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6414. Walter Chavez-Chapula, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6415. Robert Louis Boettjer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6437. Johnny C. Green, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-643. United Steelworkers of America, AFL-CIO-CLC, petitioner, *v.* Edward Sadlowski and Ray Marshall, Secretary of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Dissenting opinion by Mr. Justice White with whom Mr. Justice Stewart and Mr. Justice Rehnquist join.

No. 77-765. Bruce W. Wadsworth, Administrator, etc., petitioner, *v.* Francis E. Whaland, Commissioner, Department of Insurance, New Hampshire; and

No. 77-772. James M. Dawson, Administrator, etc., petitioner, *v.* Francis E. Whaland, Commissioner, Department of Insurance, New Hampshire. Petitions for writs of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice White would grant certiorari.

No. 77-910. Government of the Virgin Islands et al., petitioners, *v.* Vitco, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice White and Mr. Justice Blackmun would grant certiorari.

No. 77-949. Illinois, petitioner, *v.* Walter Washington, Jr. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 77-6141. Michael M. Busic, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit dismissed it appearing that the judgment of the United States Court of Appeals for the Third has been vacated.

## LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. **77-6394**. George LeFebre, petitioner, *v.* Wisconsin et al., and  
 No. **77-6450**. William Douglas Davidson, petitioner, *v.* United  
 States. Motions for leave to file petitions for writs of habeas corpus  
 denied.

## LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. **77-1358**. David Gaetano et al., petitioners, *v.* Louis F. Ober-  
 dorfer, Judge, etc.;

No. **77-6245**. William Klein, petitioner, *v.* Bernard M. Decker,  
 U.S. District Judge; and

No. **77-6279**. Melvin Leroy Tyler, petitioner, *v.* Judge Grady,  
 Magistrate Court #8, etc. Motions for leave to file petitions for writs  
 of mandamus denied.

## REHEARINGS DENIED

No. **77-447**. C. Brice Ratchford, etc., et al., petitioners, *v.* Gay  
 Lib et al.;

No. **77-596**. Gulf Oil Corporation, petitioner, *v.* Federal Energy  
 Regulatory Commission et al.;

No. **77-777**. Alice Miller, petitioner, *v.* Patricia Roberts Harris,  
 Secretary, Department of Housing & Urban Development, et al.;

No. **77-853**. John W. Walton, Jr., et ux., petitioners, *v.* Louis J.  
 Papagianopoulos et al.;

No. **77-941**. Joel D. Ender, petitioner, *v.* Chrysler Corporation  
 et al.;

No. **77-957**. John A. Hutter, appellant, *v.* Bernard Korzen, etc.;

No. **77-975**. Oliver Paul Summers, petitioner, *v.* Alabama;

No. ~~77-1702~~  
<sup>1072</sup>. Janice Ching Yee, appellant *v.* Alfred Alphonse Yee  
 et al.;

No. **77-5801**. Adolfo G. Frivaldo, petitioner, *v.* Max Cleland, Ad-  
 ministrator, Veterans Affairs, et al.;

No. **77-5882**. Allan G. Kaplan, petitioner, *v.* Lawrence A. Whipple,  
 Sr., et al.;

No. **77-5908**. Herman L. Hampton, appellant, *v.* Alaska;

No. **77-5921**. Bobby Gene Gaddis, petitioner, *v.* Georgia;

No. **77-5923**. Gregg Morris, aka Raphael Hundley, petitioner, *v.*  
 United States; and

No. **77-6013**. Henry James Wyche, petitioner, *v.* Warden, Mary-  
 land Penitentiary. Petitions for rehearing denied.

No. **77-908**. John G. Madry, Jr., petitioner *v.* Otto G. Sorel et al.  
 Motion of petitioner to defer consideration of petition for rehearing  
 and petition for rehearing denied.

No. 77-5877. Roy E. Carroll, petitioner, v. John R. Manson, Commissioner of Corrections, etc., et al. Motion for leave to file petition for rehearing denied.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jones Carroll Abernethy Jr.	Hickory, N.C.	William Jerome Houck.
Bruce D. Abramson	Woodland Hills, Calif.	Marshall K. Gordon.
Harold Benjamin Albert	Albuquerque, N. Mex.	Marcelino Prelo, Jr.
Steven Wesley Allred	Salt Lake City, Utah	Gordon R. Hall.
Daniel L. Alterman	New York, N.Y.	Martin Robert Stolar.
Harold Altscher	Baltimore, Md.	William J. Evans.
Olaf K. Amdahl	San Francisco, Calif.	James Paul Murphy.
Susan Elizabeth Andelson	Los Angeles Calif.	Stephen Louis Murdock.
Craig Atchinson	Lansing, Mich.	Robert A. Derengoski.
David C. Backstrom	Fairbanks, Alaska	Hugh Hayden Connelly.
Peter J. Barack	Chicago, Ill.	Robert L. Stern.
Patricia Anne Barald	Washington, D.C.	Charles Alvin Miller.
Edwin T. Bean Jr.	Buffalo, N.Y.	Edwin T. Bean.
Gordon L. Belmont	Butler, N.J.	Samuel S. Nochimson.
Mark Roy Bendure	Detroit, Mich.	Arthur J. Tarnow.
Kenneth Lowry Black	Washington, Ill.	Donald A. Morgan.
Kenneth Wallace Black	Peoria, Ill.	Donald A. Morgan.
Jerry B. Blackstock	Atlanta, Ga.	Edward Eugene Dorsey.
Eduardo Castillo Blanco	San Juan, P.R.	Stanley L. Feldstein.
Earle Loring Blizzard	San Juan, P.R.	Donald M. Hall.
Mark Davis Blocher	Annandale, Va.	William Edwin Cumberland.
Alan Mark Blumenkopf	New York, N.Y.	Robert M. Pitler.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Charles Boger	New York, N.Y.	James Madison Nabrit III.
Hercules F. Bolos	Chicago, Ill.	William John Scott.
Robert M. Bratton Jr. Lewis Gordon Brewer	Cincinnati, Ohio Mannington, W.Va.	Roy W. Short. Kenneth D. Randall.
Hugh A. Brodkey Thomas W. Brunner William C. Butera James Laing Butler	Chicago, Ill. Washington, D.C. New York, N.Y. Dayton, Ohio	Edward Brodkey. Philip Elman. Robert J. Stolarik. Ronald Morgan Smith.
Frederic A. Buttner	Jacksonville, Fla.	Ray W. Richardson, Jr.
Paul Spencer Byard Charles Merriken Byrd	New York, N.Y. Hyattsville, Md.	David R. Hyde. Noyes Thompson Powers.
Kenneth V. Byrne	St. Louis, Mo.	Daniel T. Rabbitt, Jr.
Austin F. Canfield Jr.	Washington, D.C.	Edward J. Gorman, Jr.
Russell A. Cannon	Vista, Calif.	Donn Edward Cassity.
John Dennis Carlson	Tallahassee, Fla.	Jon David Caminez.
Sherman Carmell	Chicago, Ill.	Sheldon M. Charone.
John E. Carne	Oakland, Calif.	Charles W. Kenady.
Kaletah Newell Carroll Jan Eric Cartwright	Fairfax, Va. Oklahoma City, Okla.	Will H. Carroll. Lana Jeanne Tyree.
Patrick Joseph Casey	West Palm Beach, Fla.	Gerald Arthur Rosenthal.
Joseph Castellano Edward Dean Cavanagh	New York, N.Y. New York, N.Y.	Joseph DeFranco. Samuel W. Murphy, Jr.
Geoffrey Cheadle Jr.	Tucson, Ariz.	Dennis DeConcini.
John Steven Clark	Little Rock, Ark.	William Russell Meeks III.
Roger Earl Clark	Loveland, Colo.	Glenn G. Saunders.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
George Lewis Clauer III	Baton Rouge, La.	Arthur Joseph Boudreaux III.
C. David Clauss	Louisville, Ky.	James M. Ringo.
Howard W. Clement	Chicago, Ill.	James P. Hume.
Thomas William Connors	Northfield, Ill.	Victor M. Pilolla.
Rex Phillip Cowan	Winter Haven, Fla.	Robert Arthur Young.
Charles E. Craze	Cleveland, Ohio	Walter S. Haffner.
Jay J. Curley	Wakefield, Mass.	Thomas John McMahon.
John Michael Cutrone	Chicago, Ill.	Patrick Alan Tuite.
Paul R. D'Amato	Atlantic City, N.J.	Stephen Hankin.
Thomas J. Demski	Newark, N.J.	Steven S. Radin.
Robbie Dix III	New York, N.Y.	William L. Robinson.
Daniel D. Douglass	Balboa, Canal Zone	Henry L. Newell.
Larry Leon Eaton	Versailles, Ind.	John A. Westhafer.
George John Economos	Chicago, Ill.	Arthur Chris Perivolidis.
Robert Edelson	Baltimore, Md.	Leon Edelson.
Harold Mills Edwards	Charlotte, N.C.	Elwin Harland White, Sr.
Randall B. Ehlers	Bloomington, Ill.	James G. Walker.
Gerald R. Emil	Gulfport, Miss.	Leonard Adam Blackwell II.
James Arnold Endler	Elk Grove Village, Ill.	Walter Julian Liszka.
David C. Erdos	New York, N.Y.	Elliot D. Woocher.
Myrna Felder	New York, N.Y.	Raoul Lionel Felder.
James Welton Ferriman	Philadelphia, Pa.	John Albert Murphy, Jr.
James Carroll Fox	Wilmington, N.C.	James Benjamin Swails.
Robert L. Freeman	San Diego, Calif.	Paul C. McEwen, Jr.
Gerald Fry	Houston, Tex.	Bruce Bornefeld.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Wayne P. Fuller	Caldwell, Idaho	George H. Cohen.
Ralph D. Gaines Jr.	Talladega, Ala.	Stancil R. Starnes.
William J. Gallwey III	Miami, Fla.	Richard McLaughlin Leslie.
Gary Stephen Gasparovic	Bryans Road, Md.	T. Myron Loyd.
Larry Edward Gates Jr.	Myrtle Beach, S.C.	Donald D. Aaron.
David C. Gibbs Jr.	Cleveland, Ohio	Walter S. Haffner.
Agnes Rita Chandellier Glavin	Waterford, N.Y.	James Henry Glavin III.
William S. Glickfield	Marion, Ind.	Franklin Dwight Shipman.
Norin T. Grancell	Los Angeles, Calif.	Edward Freeman Lanigar.
William E. Grauer	New York, N.Y.	Leonard Joseph.
Edward Griffith	Philadelphia, Pa.	Henry T. Reath.
Raj Kumar Gupta	Washington, D.C.	Beatrice Rosenberg.
Keith Dunston Hackney	Washington, N.C.	Andre Jennings Evans.
Stephen J. Hadley	Washington, D.C.	Benjamin W. Boley.
Lynn Anderson Hammond	Loveland, Colo.	Benjamin F. Napheys III.
Thomas A. Harden	Clovis, N. Mex.	Frederick Turner Hensley.
Benny J. Harding	Kansas City, Mo.	Ian Karl Portnoy.
Dennis F. Harrigan	Milford, Conn.	Lewis A. Hurwitz.
William Wyatt Hawkins	Kingsport, Tenn.	Ernest Franklin Smith.
Paul M. Hebert Jr.	Baton Rouge, La.	Victor A. Sachse III.
John Robert Holland	Denver, Colo.	Patricia Ann Butler.
Thomas Eugene Hookano	Sacramento, Calif.	Ronald A. Zumbrun.
William Harvey Hoover Jr.	Houston, Tex.	Candace Lillian Cowan.
Parks Samuel Huff	Marietta, Ga.	G. Conley Ingram.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jim D. Hughes	Georgetown, Tex.	Samuel Downing McDaniel.
Steven J. Hyman	New York, N.Y.	Michael J. Kunstler.
Herbert Spencer Johnson	San Francisco, Calif.	Thomas E. Stanton, Jr.
Mallory L. Johnson	Stuart, Fla.	Lawrence Evans Crary, Jr.
Phillips Butler Johnson	Versailles, Ind.	John A. Westhafer.
John Reed Johnston, Jr.	St. Louis, Mo.	Robert Owen Hetlage.
Theodore T. Jones, Jr.	New York, N.Y.	Hesper A. Jackson, Jr.
Jimmy Darrell Joyce	Pine Bluff, Ark.	Wilton E. Steed.
Robert D. Junig	Beloit, Wis.	Frank X. Kinast.
Constantine N. Kangles	Chicago, Ill.	Robert J. Rafferty.
Frank X. Kelly	Washington, D.C.	Christopher T. Boland.
Elton William Killam	Pensacola, Fla.	Michael J. Minerva.
Douglas Howard Kohrt	McHenry, Ill.	Paul Kibler Lewis, Jr.
Robert Kit Korey	Ormond Beach, Fla.	James E. Taylor, Jr.
Carter Tate Lambeth	Southport, N.C.	James Benjamin Swails.
Solomon Landa	Brooklyn, N.Y.	Alvin Brent Blacksburg.
Edward Marshall Lane	Tacoma, Wash.	Jack E. Tanner.
Peter George Leriget	Boise, Idaho	Orland Keith Snyder.
Eric Andre Lile	Frederick, Md.	Franklin D. Arness.
Marcia Kay Lippincott	Winter Park, Fla.	Fred McCants Peed.
Robert L. Littlefield, Jr.	Stone Mountain, Ga.	Chandler Raymond Bridges.
F. Richard Losey	San Francisco, Calif.	John Andrew Ertola.
Alan Hall Maclin	St. Paul, Minn.	Byron E. Starns, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas Hugh Magee	Plainsboro, N.J.	Harold Christoffersen.
Anthony M. Mahoney	Cranford, N.J.	Robert A. Bernstein.
Joe Rolater Manning, Jr.	Cushing, Okla.	Winfrey D. Houston.
Frank J. Marine	New York, N.Y.	Thomas James Bryan.
William Earl Marple	Indianapolis, Ind.	John David Blumenthal.
Andrew H. Marshall	Athens, Ga.	David W. Griffeth.
Donald A. Marshall	Philadelphia, Pa.	Jack E. Feinberg.
P. H. McCarthy, Jr.	San Francisco, Calif.	Thomas E. Stanton, Jr.
Richard Douglas McClain	Lincoln, Nebr.	Paul L. Douglas.
James G. McGoldrick	New York, N.Y.	Vincent M. McConnell.
Michael Owens McGuire	Fargo, N. Dak.	John P. Dosland.
Ralph C. Menapace, Jr.	New York, N.Y.	David R. Hyde.
P. Richard Meyer	Phoenix, Ariz.	Powell B. Gillenwater, Jr.
Joseph E. Mihelich	East Detroit, Mich.	Robert P. Dank.
David Santee Miller	Washington, D.C.	Stuart Fisk Johnson.
James Eugene Miller	San Francisco, Calif.	Thomas E. Stanton, Jr.
Phillip Douglas Miller	New York, N.Y.	Hesper A. Jackson, Jr.
Marshall B. Miller, Jr.	San Antonio, Tex.	Richard B. Moore.
Dorothy Marie Miner	New York, N.Y.	Leonard J. Koerner.
W. Spencer Mitchem	Pensacola, Fla.	Peter J. Winders.
Edgar Garrison Moody	Kingsport, Tenn.	Ernest Franklin Smith.
Keith Wayne Moreton	Gulfport, Miss.	Billy Floyd Brown.
Gerald D. Morris	St. Louis, Mo.	Donald Edward Engle.
James John Murphy	Bradenton, Fla.	James Paul Murphy.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Louis Knox Newton	Wilmington, N.C.	James Benjamin Swails.
J. Michael Nichols	Beverly Hills, Calif.	Maurice C. Inman, Jr.
Henry O. Noffsinger	Lafayette, Calif.	James Warren Walsh.
James Callan Nokes	Arlington, Tex.	Dixon Wade Holman.
William R. Northcutt	Indian Harbour Beach, Fla.	J. Daniel Ennis.
Augusto R. Rossner Ortiz	Guayama, P.R.	Luis A. Feliciano-Carreras.
Larry Dean Ottaway	Oklahoma City, Okla.	Elliott C. Fenton.
Paul Robert Otto	Jefferson City, Mo.	John C. Danforth.
James W. Oxendine	Norcross, Ga.	W. Howard Fowler.
Donald M. Pach	Sacramento, Calif.	Ronald A. Zusbrun.
Gene S. Palmisano	New Orleans, La.	Bernard J. Caillouet.
Raul C. Palomino, Jr.	Tampa, Fla.	Emiliano J. Salcines, Jr.
James M. Parker	Newport Beach, Calif.	Richard Henry Spooner.
Neal C. Patterson, Jr.	Cape Coral, Fla.	Lawrence Chester Turk.
Frederick Warren Payne	Charlottesville, Va.	George Randolph St. John.
John David Pellegrin	Washington, D.C.	Frank Utley Fletcher.
Richard Anthony Penna	Washington, D.C.	Willie L. Leftwich.
Walter J. Phillips	Grand Junction, Colo.	James Montgomery Robb.
Henry A. Pictor	Batesville, Ind.	John A. Westhafer.
Walter R. Pierce	Columbus, Ohio	Cyrus E. Phillips IV.
Bruce John Ponder	El Paso, Tex.	D. Clark Hughes.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Wiliam Llewellyn Pope	Columbia, S.C.	Robert McCormick Figg, Jr.
Peter D. Post	Pittsburgh, Pa.	Walter Pattison DeForest III.
Preston L. Prevatt	Miami, Fla.	Thomas H. Anderson.
Phillip A. Proger	Rockville, Md.	Webb C. Hayes. III.
Gary Lee Putnam	Burlington, Iowa	Gene R. Krekel.
Lowell Fredric Raeder	Atlantic City, N.J.	Albert Squire.
David S. Raines	Gulfport, Miss.	William L. Stewart.
William L. Reeve	Palatine, Ill.	Donald R. Harris.
David George Reid	Bennington, Vt.	Paul Sender Berch.
Joseph V. Restifo	Philadelphia, Pa.	Leonard S. Wissow.
Richard M. Rindler	Washington, D.C.	John G. Harkin, Jr.
John Wilson Ringo	Atlanta, Ga.	Paul Dale Glenn.
Ferris S. Ritchey, Jr.	Birmingham, Ala.	William Marsh Acker, Jr.
J. Michael Robbins	Anchorage, Alaska	Robert Lee Hartig.
Hillary Rodham	Little Rock, Ark.	Vincent Foster, Jr.
Irwin Rubin	New York, N.Y.	Howard I. Rhine.
Joseph L. Rubin	San Diego, Calif.	A. Bruce Ferguson.
Jeffrey L. Russell	Akron, Ohio	Norman Purnell.
Stanley C. Sager	Albuquerque, N. Mex.	John E. Menig.
Rufus D. Sams III	Macon, Ga.	Charles M. Cork.
Randall J. Sandfort	Milwaukee, Wis.	William M. Coffey.
William P. Schey	Passaic, N.J.	Steven E. Pollan.
Stephen Douglas Schreiber	Corning, N.Y.	James N. Dulcan.
W. Allen Separk	Marietta, Ga.	John Milton Grubbs, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Alan Steven Shachter	Manassas, Va.	Martin F. O'Donoghue, Jr.
Michael Rust Sharp	Philadelphia, Pa.	John Randolph Young.
Joel A. Shawn	San Francisco, Calif.	John W. Kecker.
William Robert Shell	Wilmington, N.C.	James Benjamin Swails.
Harold Raymond Shire	Beverly Hills, Calif.	Sanford W. Hornwood.
Thomas E. Shumaker	Sturgis, Mich.	A. Allen King.
Melvyn A. Silver	South Bend, Ind.	Earl W. Yeagley, Jr.
Robert Matteson Simels	New York, N.Y.	Maurice Nadjari.
Mark B. Slavin	Miami, Fla.	Leslie Alan Schere.
Sam Sparks	El Paso, Tex.	Harold L. Sims.
William M. Stephens	Johnson City, Tenn.	Howell Hood Sherrod, Jr.
Clifford Louis Stilz, Jr.	Olympia, Wash.	John S. Lynch, Jr.
Gerald D. Stoltz	Washington, D.C.	Ronald Gilbert Birch.
Wilton Earl Stone, Jr.	Valdosta, Ga.	H. Arthur McLane.
William P. Sullivan, Jr.	New York, N.Y.	James B. McQuillan.
Robert Goss Szabo	Washington, D.C.	J. Bennett Johnston, Jr.
Stephen Jack Taminosian	Fort Myers, Fla.	Frank C. Alderman III.
Joseph Ovander Taylor, Jr.	Wilmington, N.C.	James Benjamin Swails.
Francis D'Arcy Terrell	New York, N.Y.	Hesper A. Jackson, Jr.
John M. Thompson	Iowa City, Iowa	Robert Donald Bartels.
Lee Dewolf Tout	East Detroit, Mich.	Robert P. Dank.
Jack P. Turner	Atlanta, Ga.	Mildred L. Kingloff.
Dennis Marc Unterman	Englewood, N.J.	Harold L. Marks.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James G. Vazzana	Rochester, N.Y.	J. William Ernstrom.
Patricia O'Toole Vazzana	Rochester, N.Y.	J. William Ernstrom.
Fernando Barnes Velez	Ponce, P.R.	Quintin Morales-Ramirez.
Daniel Wallen	New York, N.Y.	Kurt J. Wolff.
Maryann Walsh	Denver, Colo.	Peter Richard Steenland, Jr.
Ivan David Warner III	New Orleans, La.	Elliott G. Courtright.
Joseph DeVal Welton	Detroit, Mich.	Elbert L. Hatchett.
Thomas Livingston White, Jr.	Manteo, N.C.	Gerald F. White.
Louis Wiener, Jr.	Las Vegas, Nev.	Harry Eugene Claiborne.
A. Donald Wiles II	Indianapolis, Ind.	William Rigby Richards.
Walter Waylon Williams	Houston, Tex.	Warner F. Brock.
Donald R. Wilson	Oklahoma City, Okla.	Elliott C. Fenton.
Mary Bunting Wyatt	Washington, D.C.	Dorsey E. Lane.
Robert Anthony Zarnoch	Baltimore, Md.	Edward E. Borgerding.
Patrick John Zika	Indianapolis, Ind.	John A. Stanek.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Matthew Joseph Cronin	New York, N.Y.	Frank Hoover Easterbrook.
William Francis Welby	Boston, Mass.	Frank Hoover Easterbrook.
R. Thomas Wood	Carlsbad, Calif.	Kenneth Wayne Drew.

#### ORAL ARGUMENT

No. 77-444. Penn Central Transportation Company et al., appellants, v. City of New York et al. One and one half hours allowed for oral argument. Argued by Mr. Daniel M. Gribbon for the appellants, by Mr. Leonard J. Koerner for the appellees, and by Mrs. Patricia M. Wald for the United States, as *amicus curiae*, by special leave of Court.

No. 77-369. Furnco Construction Corporation, petitioner, *v.* William Waters et al. Argued by Mr. Jeol H. Kaplan for the petitioner and by Mr. Judson H. Miner for the respondents.

No. 76-1114. California et al., petitioners, *v.* Southland Royalty Company et al;

No. 76-1133. El Paso Natural Gas Company, petitioner, *v.* Southland Royalty Company et al.; and

No. 76-1587. Federal Energy Regulatory Commission, petitioner, *v.* Southland Royalty Company et al. One and one half hours allowed for reargument. Reargued by Mr. Stephen R. Barnett for the petitioner Federal Energy Regulatory Commission, by Mr. Randolph W. Deutsch for the petitioners California et al., by Mr. J. Evans Attwell for the respondents, and by Mr. John L. Hill for the State of Texas, as *amicus curiae*, by special leave of Court.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Sponsor</u>
Terrence B. Adamson	Atlanta, Ga.	Attorney General Griffin B. Bell.
John Michael Kelly	Atlanta, Ga.	Attorney General Griffin B. Bell.
James Stuart Jardine	Salt Lake City, Utah	Attorney General Griffin B. Bell.
Van D. Harrison, Jr.	Worthington, Ohio	Burton Alan Amernick.
Gertrude A. Reid	Biloxi, Miss.	C. Trent Lott.
Grace Polk Stern	Washington, D.C.	Theodore Kleinman.
John J. Cavanaugh III	Omaha, Nebr.	Warren C. Shrempp.
David William Adelman	Chicago, Ill.	Robert Bennett Lubic.

### OPINIONS

**No. 76-944.** Richard Nixon, petitioner, *v.* Warner Communications, Inc., et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the United States District Court for the District of Columbia with directions that an order be entered denying respondents' application with prejudice. Opinion by Mr. Justice Powell. Opinion by Mr. Justice White dissenting in part with whom Mr. Justice Brennan joins. Dissenting opinion by Mr. Justice Marshall. Dissenting opinion by Mr. Justice Stevens.

**No. 76-624.** Frank Lyon Company, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Blackmun. Dissenting statement by Mr. Justice White. Dissenting opinion by Mr. Justice Stevens.

## ORAL ARGUMENT

No. **76-1701**. Tennessee Valley Authority, petitioner, *v.* Hiram G. Hill, Jr., et al. Argued by Mr. Attorney General Griffin B. Bell for the petitioner and by Mr. Zygmunt J. B. Plater for the respondents.

No. **77-380**. Cecil D. Andrus, Secretary of the Interior, petitioner, *v.* Charlestone Stone Products Co., Inc. Argued by Mrs. Sara S. Beale for the petitioner and by Mr. Gerry Levenberg for the respondent.

No. **77-677**. Owen Equipment and Erection Company, *v.* Geraldine Kroger, Administratrix of the Estate of James D. Kroger, deceased. Argued by Mr. Emil F. Sodoro for the petitioner and by Mr. Warren C. Schrempp for the respondent.

No. **77-528**. Federal Communications Commission, petitioner, *v.* Pacifica Foundation. Argument commenced by Mr. Joseph A. Marino for the petitioner and continued by Mr. Harry M. Plotkin for the respondent Pacifica Foundation.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Samuel J. Buffone	Washington, D.C.	Michael E. Tigar.
Margaret Loss Blomquist	New York, N.Y.	Louis Loss.
Edwin Rodney Smith	Philadelphia, Miss.	Richard Benjamin Collins.

### OPINIONS

No. **77-154**. Wilson H. Elkins, President, University of Maryland, petitioner, *v.* Juan Carlos Moreno et al. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Question to be certified to the Court of Appeals of Maryland pursuant to Md. Code Ann., Courts & Jud. Proceedings, § 12-601 (1974): Are persons residing in Maryland who hold or are named in a visa under 8 U.S.C. § 1101 (a) (15) (G) (iv) (1976 ed.), or who are financially dependent upon a person holding or named in such a visa, incapable as a matter of State law of becoming domiciliaries of Maryland? Opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Rehnquist with whom Mr. Chief Justice Burger joins.

No. **76-1427**. Paul A. McDaniel, appellant, *v.* Selma Cash Paty et al. Appeal from the Supreme Court of Tennessee, Eastern Division. Judgment reversed and case remanded to the Supreme Court of Tennessee, Eastern Division, for further proceedings not inconsistent with the judgment of this Court. Mr. Chief Justice Burger announced the judgment of this Court and delivered an opinion in which Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens joined. Opinion by Mr. Justice Brennan concurring in the judgment with whom Mr. Justice Marshall joins. Opinion by Mr. Justice Stewart concurring in the judgment. Opinion by Mr. Justice White concurring in the judgment. Mr. Justice Blackmun took no part in the consideration or decision of this case.

### ORAL AGREEMENT

No. **77-528**. Federal Communications Commission, petitioner, *v.* Pacifica Foundation. Argument continued by Mr. Louis F. Claiborne

for the respondent United States and concluded by Mr. Joseph A. Marino for the petitioner.

No. 77-575. Smith John and Harry Smith John, appellants, *v.* Mississippi; and

No. 77-836. United States, petitioner, *v.* Smith John and Harry Smith John. One and one half hours allowed for oral argument. Argued by Mr. H. Bartow Farr III, for the United States, by Mr. Richard B. Collins for Smith John and Harry Smith John and by Mr. Carl F. Andre for the State of Mississippi.

No. 77-693. Hubert L. Will, Judge, United States District Court, Northern District of Illinois, petitioner, *v.* Calvert Fire Insurance Company et al. Argued by Mr. Milton V. Freeman for the petitioner and by Mr. Louis Loss for the respondents.

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Adjourned until Monday, April 24, 1978, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

### APPEALS—SUMMARY DISPOSITIONS

**No. 76-1738.** William M. Sewell, appellant, *v.* Georgia. Appeal from the Supreme Court of Georgia. The appeal is dismissed for want of a substantial federal question. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Marshall joins. Dissenting opinion by Mr. Justice Stewart.

**No. 77-790.** Warren Teal, appellant, *v.* Georgia. Appeal from the Court of Appeals of Georgia. The appeal is dismissed for want of a substantial federal question. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Marshall joins. Dissenting opinion by Mr. Justice Stewart.

**No. 77-915.** Ernest H. Robinson, appellant, *v.* Georgia. Appeal from the Court of Appeals of Georgia. Judgment vacated and case remanded to the Court of Appeals of Georgia for further consideration in light of *Ballew v. Georgia*, 435 U.S. ——— (1978). Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Marshall joins. Dissenting opinion by Mr. Justice Stewart.

**No. 77-1220.** John H. Schroeder, appellant, *v.* Municipal Court of the Los Cerritos Judicial District (California, real party in interest). Appeal from the Court of Appeal of California, Second Appellate District. The appeal is dismissed for want of a substantial federal question.

**No. 77-1229.** Gary George Huffman, etc., appellant *v.* Kentucky et al. Appeal from the Court of Appeals of Kentucky. The appeal is dismissed for want of a substantial federal question.

**No. 77-6365.** John H. Gill, appellant, *v.* Kathleen M. Gill et al. Appeal from the United States Court of Appeals for the Third Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

## CERTIORARI—SUMMARY DISPOSITION

No. 77-440. Pleasure Driveway and Park District of Peoria, Illinois, et al., petitioners *v.* William Kurek et al. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Petition for writ of certiorari granted, judgment vacated and cases remanded to Court of Appeals for further consideration in light of *City of Lafayette v. Louisiana Power and Light Co.*, 435 U.S. — (1978). Mr. Justice Stevens took no part in the consideration or decision of this case.

No. 77-734. City of Impact, et al., petitioners, *v.* Edgar E. Whitworth, etc. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Petition for a writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *City of Lafayette v. Louisiana Power and Light Co.*, 435 U.S. — (1978).

No. 77-826. Fairfax Hospital Association, et al., petitioners, *v.* City of Fairfax, et al. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Petition for a writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *City of Lafayette v. Louisiana Power and Light Co.*, 435 U.S. — (1978).

No. 77-835. University of Texas System et al., petitioners, *v.* Said A. Assaf. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the United States District Court for the Southern District of Texas with directions to dismiss the case as moot. *Board of Regents of the University of Texas System v. New Left Education Project*, 414 U.S. 807 (1973).

## ORDERS IN PENDING CASES

No. A-807. Kenneth Brown et al., applicant, *v.* Meldrim Thomson, Jr., Governor of New Hampshire. Motion to amend or to clarify order which this Court entered March 24, 1978, denied.

No. A-856. Henry A. Kissinger, applicant, *v.* The Reporters Committee For Freedom Of The Press et al. Application for stay of the order of the United States District Court for the District of Columbia, case Nos. 77-0220 and 77-0391, entered January 25, 1978, presented to the Chief Justice and by him referred to the Court, granted pending final disposition of the appeals in the United States Court of Appeals for the District of Columbia Circuit.

No. D-134. In the Matter of Disbarment of S. Richard Beitling. It is ordered that S. Richard Beitling of Independence, Missouri, be

suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 75-679. Internal Revenue Service, petitioner, *v.* Fruehauf Corporation et al. Motion of respondents to retax costs denied.

No. 77-529. Wes Wise, Mayor of the City of Dallas, et al., petitioners, *v.* Albert L. Lipscomb et al. Motion of Adelfa B. Callejo et al. for leave to participate in oral argument denied. Mr. Justice Brennan, Mr. Justice Marshall and Mr. Justice Stevens would grant motion.

#### APPEAL—JURISDICTION NOTED

No. 77-1248. Illinois State Board of Elections, appellant, *v.* Socialist Workers Party, et al. Appeal from the United States Court of Appeals for the Seventh Circuit. In this case probable jurisdiction noted.

#### CERTIORARI GRANTED

No. 77-533. Jess H. Hisquierdo, petitioner, *v.* Angela Hisquierdo. Petition for writ of certiorari to the Supreme Court of California granted.

#### CERTIORARI DENIED

No. 77-880. Thomas D. Lowther et al., petitioners, *v.* Maryland Employees Retirement System, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-993. Union Oil Company of California, petitioner, *v.* Ashland Oil Company of California et al. Petition for writ of certiorari to the United States Temporary Emergency Court of Appeals denied.

No. 77-1039. H. Bruce Franklin, petitioner, *v.* Dale M. Atkins et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-1063. Sydney M. Eisenberg, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-1068. Frederick B. Pfister, petitioner, *v.* Joseph C. Waddy, United States District Judge, et al.; Frederick B. Pfister, petitioner, *v.* Delta Air Lines, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.



No. 77-1080. Virgil Redmond, petitioner, *v.* United States; and No. 77-6073. Francis Lund, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-1081. Adolph H. Knehans, Jr., petitioner, *v.* Clifford L. Alexander. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-1092. Winthrop Drake Thies, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1097. Reynolds Metals Company, petitioner, *v.* Harold Brown et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-1099. Myron Buttram, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1101. Pappas Television, Inc., petitioner, *v.* Federal Communications Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-1117. Heather McFadyen-Snider, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1120. Andrew Tsanas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1124. Southwestern Life Insurance Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1133. Joseph Marino, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1160. Local 144, etc., petitioner, *v.* The Long Island College Hospital et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1191. Howard Gish et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.



No. 77-1209. Long Mfg., N.C., Inc., petitioner, *v.* Sarah Helen Williams Dollar et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1218. Bert Charles Whitten and Kenneth Weichman, petitioners, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 77-1222. Norma Ruud et al., petitioners, *v.* Minnesota. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 77-1231. City of Cleveland, petitioner, *v.* Cleveland Electric Illuminating Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1232. Larry A. Carr, petitioner, *v.* United States;

No. 77-6283. Richard B. Anderson, petitioner, *v.* United States; and

No. 77-6291. Cleo H. Bullard, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1241. Marlene Wagner et al., petitioners, *v.* Burlington Northern Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-1243. Homer E. Detrich, etc., petitioner, *v.* Sheldon G. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 77-1244. Henry J. Waddell, petitioner, *v.* Pepsi Cola Company. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-1245. Paradise Palms Community Association, petitioner, *v.* Paradise Homes et al. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 77-1246. Maryland, petitioner, *v.* John W. Wheeler. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 77-1304. Joseph M. McAdams, petitioner, *v.* Griffin B. Bell, Attorney General of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1357. Barbara Coleman, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 77-1367. Lawrence Malcolm Welsh, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1375. Augustine Dozal Moroyoqui, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1393. Anthony J. Cardarella, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-5942. Steve Hanna, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. 77-5972. Edward James Armstead, Jr., and Larry Steven Perkins, petitioners, *v.* C. Paul Phelps, Secretary, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6054. Jimmy Louis Phillips, petitioner, *v.* Ned Benton et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6094. Robert Todd Rosenmund, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 77-6101. Paul E. Shaver, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6117. James L. Jackson, petitioner, *v.* Roger T. Overberg, Superintendent, London Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6191. Johnny D. Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-6211. Noah Carl McNair, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6226. Jimmie Leroy Luna, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6234. Christian Ben Patrick Perez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6255. William Eugene Young, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District denied.

No. 77-6265. William Thompson, petitioner, *v.* Florida; Rocco Surace, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 77-6280. Joseph Davis, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

- No. 77-6296. Alvin J. Chapman, petitioner, *v.* Indiana. Petition for writ of certiorari to the Court of Appeals of Indiana denied.
- No. 77-6297. Archie Burr, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.
- No. 77-6299. James William Plemons, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.
- No. 77-6301. Duward X. Williams, petitioner, *v.* Ohio et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.
- No. 77-6305. Carlton Trice, petitioner, *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.
- No. 77-6310. Charles Jackie Keeling, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.
- No. 77-6317. Rudolph Gonzales Aguirre, petitioner, *v.* Paul J. Morris, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.
- No. 77-6320. Fred Mabery, petitioner, *v.* New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.
- No. 77-6322. Patricia Morgan, petitioner, *v.* Charlotte Setliff, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.
- No. 77-6324. Richard Aldon Burrell, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.
- No. 77-6329. Homer Lee Sherley, Jr., petitioner, *v.* Kentucky. Petition for writ of certiorari to the Supreme Court of Kentucky denied.
- No. 77-6417. Raymond L. Watkins, etc., petitioner, *v.* Lou Bachrodt Chevrolet, Inc. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.
- No. 77-6436. Eddie Roy Gay, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.
- No. 77-6446. Louis William Roach, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6449. Arthur W. Clyburn, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-6452. Frank Black Horse, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6453. Lorenzo Hernandez and Luis Hernandez, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6461. Frank Sacco, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6491. Robert Jackson, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 77-1089. Patricia Campbell Hearst, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Brennan would grant certiorari limited to questions VII and VIII presented by the petition.

No. 77-1308. National Broadcasting Company, Inc., et al., petitioners, *v.* Olivia Niemi, etc. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied. Mr. Justice Brennan would grant certiorari.

No. 77-1329. Ohio, petitioner, *v.* Danie Lee Teter. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Court of Appeals of Ohio, Summit County, denied.

No. 77-1385. Gary Allen May, petitioner, *v.* Indiana. Petition for writ of certiorari to the Court of Appeals of Indiana denied. Mr. Justice Stewart would grant certiorari.

No. 77-5953. Thomas Riley, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Brennan joins.

No. 77-6016. Lynell Franklin et al., petitioners, *v.* Pleasant C. Shields et al. Motion of Public Defender of Wisconsin for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Brennan, Mr. Justice White and Mr. Justice Marshall would grant certiorari.

No. 77-6288. Richard Henry Gibson, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Mr. Justice Brennan and Mr. Justice Marshall, dissenting: Adhering to

our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentence in this case.

#### LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 77-6462. Elmer Begley, Jr., petitioner, *v. James Carter, etc., et al.*, and

No. 77-6479. Robert Allen Ricks, petitioner, *v. George Collins, Warden*. Motions for leave to file petitions for writs of habeas corpus denied.

#### LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 77-1200. American Association of Councils of Medical Staffs of Private Hospitals, Inc., petitioner, *v. Judges of the United States Court of Appeals for the Fifth Circuit*. Motion for leave to file petition for writ of mandamus denied.

No. 77-1131. In the Matter of the Vendo Company, petitioner. On February 10, 1978, petitioner filed for leave to file a petition for writ of mandamus and further prayed that a writ of mandamus issue to the United States District Court for the Northern District of Illinois directing the District Court to dissolve the preliminary injunction in *Lektro-Vend Corp. v. Vendo Co.*, No. 65-C-1755. In *Vendo Co. v. Lektro-Vend Corp.*, 433 U.S. 623 (1977), this Court had held that the preliminary injunction violated the Anti-Injunction Act, 28 U.S.C. § 2283. The Court has now been advised of an order entered on April 6, 1978, dissolving the injunction in accordance with the judgment of this Court. Petitioner's motion is therefore dismissed as moot.

#### REHEARINGS DENIED

No. 77-863. Mark Frederick Buthorn, Jr., petitioner, *v. United States*; and

No. 77-1028. Insurance Company of North America, petitioner, *v. Robert Lee Mosley et al.* Petitions for rehearing denied.

#### ORDER

It is ordered that the call of the calendar, except for special assignments, be suspended for the term upon the conclusion of the arguments in the cases listed for hearing this week.

#### RECESS ORDER

The Court will take a recess from Monday, May 1, 1978, until Monday, May 15, 1978.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Alvin Adelman	Brooklyn, N.Y.	Robert B. Lisle.
Lee Alan Adlerstein	Maplewood, N.J.	A. Seth Greenwald.
William S. Andrews	Phoenix, Ariz.	Richard T. Treon.
Louis C. Andrews, Jr.	Ann Arbor, Mich.	Gerald A. Lipnik.
Pearle Appelman	New York, N.Y.	Annamarie Policriti.
Timothy John Armstrong	Cleveland, Ohio	John T. Corrigan.
David Leach Baird, Jr.	Houston, Tex.	John D. Dingell.
Stanley William Balis	Washington, D.C.	Grace Powers Monaco.
Michael Sloane Barranco	West Chester, Pa.	John Robert Marrick.
Ursula Bentele	New York, N.Y.	Carol Berkman.
James Morton Bowling	Charlottesville, Va.	George Randolph St. John.
IV C. Bryant Boydston, Jr.	St. Petersburg, Fla.	William John Anderson.
Mark West Burkhalter	Ottawa, Ill.	G. Joseph Weller.
Roy David Carlton	Fairfax, Va.	James F. Price.
Charles Edward Chatman	Los Angeles, Calif.	Michael R. Lemov.
Eugene P. Cicardo	Alexandria, La.	Leonard Fuhrer.
Michael Mark Cohen	New York, N.Y.	Edward G. Wolff.
Richard Arnold Cohn	Los Angeles, Calif.	John Harvey Sacks.
John B. Davidson	Chicago, Ill.	James E. S. Baker.
Keith L. Davidson	Chicago, Ill.	James E. S. Baker.
Leonard J. DeLayo, Jr.	Albuquerque, N. Mex.	James R. Toulouse.
Richard Earl DePetris	Riverhead, N.Y.	Isidore Scheinberg.
Michael M. Disler	Zionsville, Ind.	William Royce Nichols.
Raymond Wesley Edwards	Lancaster, Va.	James Preston King.
David Avrum Elden	Los Angeles, Calif.	Howard E. Beckler.
James Frederick Ernst	Corte Madera, Calif.	John W. Ford.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Nicoll Feldmann	St. Louis, Mo.	Burton H. Shostak.
Larry Luther Foerster	Conroe, Tex.	Ronald A. Frederick.
Stanley L. Foster	Oklahoma City, Okla.	Arthur Leroy Rakestraw.
Wilson Jerome Foster, Jr.	Tallahassee, Fla.	Richard Caughey McFarlain.
Jerome Joseph Froelich, Jr.	Atlanta, Ga.	Solicitor General Wade H. McCree, Jr.
Richard Lee Geissal, Jr.	St. Louis, Mo.	John D. Connaghan.
Andrew J. Genna	New York, N.Y.	Lee S. Kreindler.
David F. Girard-diCarlo	Philadelphia, Pa.	John M. Elliott.
John J. Gonzales	Feasterville, Pa.	Daniel J. Lawler.
Walter Lee Gorelick	Visalia, Calif.	James T. Wilson.
Jacob Gorny	Atlantic City, N.J.	Donald M. Kaplan.
Ronald Kirk Gouling	Chicago, Ill.	George Norman Gordon.
Littleton Mears Gunn	San Bernardino, Calif.	Dyson William Cox.
Ivan Dublin Hafley	Austin, Tex.	Frank Russell Douglass.
William W. Head, Jr.	Gallup, N. Mex.	Walter F. Wolf, Jr.
Samson Helfgott	New York, N.Y.	Jacob D. Fuchsberg.
David R. Hendrick	Atlanta, Ga.	Ira J. Smotherman, Jr.
Michael R. Hoffmann	Des Moines, Iowa	Henry J. Haugan.
Charles Athiel Huggett	New York, N.Y.	Michael Gerald Gilman.
Douglas Jesse Hunt	Stone Ridge, N.Y.	Joseph John Traficanti, Jr.
William Lee Irons	Birmingham, Ala.	William W. Smith.
Robert Livingston Johnson III	Houston, Tex.	Spurgeon E. Bell.
Joel David Joseph	Washington, D.C.	Daniel Ray Ferry.
Paul Gordon Komarek	Lynn Haven, Fla.	W. Fred Turner.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James E. Krahulec	Riverside, Ill.	Walter Julian Liszka.
George A. LaMarca	West Des Moines, Iowa	Louis A. Lavorato.
Whitney M. Lewendon	Bridgeport, Conn.	David Stillman Branch.
Robin Adair Lloyd, Sr.	Vero Beach, Fla.	Theodore William Herzog.
Herbert B. Lowe	Decatur, Ill.	William Arthur McNutt.
Thomas Edward Lynch	Washington, D.C.	William F. Lindquist.
Mark John Mahoney	Buffalo, N.Y.	Vincent E. Doyle, Jr.
Aubrey Dickson Martin, Jr.	Houston, Tex.	Joseph D. Jamail.
Robert Moore McMahon	Los Angeles, Calif.	Bernard Eugene O'Connor, Jr.
Houston McMurry	Henrietta, Tex.	Jack E. Hightower.
John E. Moye	Denver, Colo.	Ira C. Rothgerber, Jr.
Joseph F. Nakamura	Silver Spring, Md.	John Ward Dewhirst.
Albert Newell NeSmith	Cochran, Ga.	Denmark Groover, Jr.
L. Lyn O'Berry	Douglasville, Ga.	Robert J. James.
Philip Edward O'Neill	Gretna, La.	Lionel Randolph Collins.
Melvin L. Ortner	New York, N.Y.	Jeffrey Alan Schwab.
Brian William Pariser	Miami, Fla.	Howard S. Susskind.
Anatole Joseph Plaisance	Lafayette, La.	James E. Diaz.
Jeffrey David Raden	Silver Spring, Md.	Nicholas N. Kittric.
Jerome Radosh	Martinsburg, W. Va.	Clarence E. Martin, Jr.
David Bancroft Robinson	Washington, D.C.	George Blow.
Graham T. Ross	Somerville, N.J.	Nicholas Louis Bissell, Jr.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Bruce J. Rothman	Portland, Oreg.	Roger G. Tilbury.
Richard L. Ryan	Chicago, Ill.	Bernard Genis.
Bernard Sacks	Philadelphia, Pa.	E. Alfred Smith.
Anthony A. Santangelo	East Meadow, N.Y.	Alan A. D'Ambrosio.
Barry Scheinberg	Hartford, Conn.	Marc Jerome Glass.
Cletus Charles Schenk	Wichita Falls, Tex.	Marquis Perry Wesbrooks, Jr.
Richard Carl Schisler	Poughkeepsie, N.Y.	Irving O. Farber.
John N. Schroeder	Reno, Nev.	Edward C. Reed, Jr.
Jere W. Sears	Annapolis, Md.	Frederick Earl McKelvey.
Axel A. Shield II	Philadelphia, Pa.	Michael von Moschzisker.
Robert C. Sifrit	Port Charlotte, Fla.	Bernard R. Moseley.
Warren Emerson Slifer	Germantown, Ohio	William Ernest Rathman.
James A. Smith	Miami, Fla.	G. Victor Tutan.
M. Jane Snyder	Washington, D.C.	Peter Kimberley Bleakley.
Dean Elliot Swartz	Washington, D.C.	W. Dean Pfeiffer.
Robert A. Swift	Philadelphia, Pa.	David H. Marion.
John R. Thomas	Greenville, S.C.	David A. Merline.
John Robert Thomas	Klamath Falls, Oreg.	Richard Clarence Beesley.
Wayne Marshall Thomas	Philadelphia, Pa.	Stuart Hubert Savett.
David E. Varner	Tulsa, Okla.	Richard Alan Brady.
Leslie S. Waite III	Great Falls, Mont.	Emilie Loring.
Donald Lincoln Weinberg	Philadelphia, Pa.	Stuart Hubert Savett.
David H. Weinstein	Overbrook Hills, Pa.	Stuart Hubert Savett.
Thomas Franklin Wenning	Washington, D.C.	Henry J. Bison, Jr.
Warren S. Wepman	Miami, Fla.	Steven Jay Wisotsky.
Albert E. Wheless	North Myrtle Beach, S.C.	Robert McLeod McInnis.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Brian P. Williams	Des Moines, Iowa	Louis A. Laborato.
Malcolm B. Wiseheart, Jr.	Miami, Fla.	Robert N. Reynolds.
Glenn R. Woods	Berkeley, Calif.	Donald L. Reidhaar.
Walter Barry Wraga	Rockville, Md.	Richard W. Galiher.
Stephen Yagman	New York, N.Y.	Max Goldman.
Joseph W. Zampino	Pennsauken, N.J.	Eivind H. Barth, Jr.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Janson F. Stewart	Las Vegas, Nev.	James D. Santini.
Harold John Pinsoneault	Missoula, Mont.	Thomas R. Kennedy.
Bertram W. Allen	Manchester, Mass.	Thomas R. Kennedy.
Kenneth Francis Stoll	Little Rock, Ark.	Frank Hoover Easterbrook.
Michael Joseph Stewart	Charleston, S.C.	David Ferber.
Frank Robert Gasdia	Downey, Calif.	Robert W. Ginnane.
David B. Meyer	Saginaw, Mich.	Willoughby George Sheane, Jr.
E. Joseph Peperone	Buffalo, N.Y.	Samuel C. Borzilleri.
I. Steven Siglin, Jr.	Washington, D.C.	Michael Edmund Bodson.
Gary David Krugman	Washington, D.C.	Michael Edmund Bodson.
Carol Louise McCoy	Nashville, Tenn.	Michael N. Khourie.
John W. Broad	San Francisco, Calif.	Michael N. Khourie.
Arnold Martin Marrow	Danvers, Mass.	Norton Jay Come.

## ORAL ARGUMENT

No. 77-598. The Greyhound Corporation et al., petitioners, *v.* Mt. Hood Stages, Inc., etc. Argued by Mr. John R. Reese for the petitioners and by Mr. Eugene C. Crew for the respondent.

No. 77-152. Beth Israel Hospital, petitioner, *v.* National Labor Relations Board. Argued by Mr. Robert Chandler for the petitioner, by Mr. Norton J. Come for the respondent and by Mr. Laurence Gold for the intervenor Union.

No. 77-888. Joseph Vitek, etc., et al., appellants, *v.* Charles Miller et al. Argued by Mr. Melvin Kent Kammerlohr for the appellants and by Mr. Thomas A. Wurtz for the appellees.

No. 77-510. United States, petitioner, *v.* New Mexico. Argument commenced by Mr. James W. Moorman for the petitioner and continued by Mr. Richard A. Simms for the respondent.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Philip Lanier Martin	Decatur, Ga.	Elliott Harris Levitas.
F. Lawrence Taylor, Jr.	Saint Paul, Minn.	Charles O'Connell.
Clement Leo Hyland, Jr.	Reston, Va.	Michael Joseph Hurley.
Laurence Marshall Huffman <sup>1</sup>	Norman, Okla.	Michael Joseph Hurley.
Eugene McCracken	Savannah, Ga.	Robert Lee McCarty.

### OPINIONS

No. **76-1767**. National Society of Professional Engineers, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed. Opinion by Mr. Justice Stevens. Opinion by Mr. Justice Blackmun concurring in part and concurring in judgment with whom Mr. Justice Rehnquist joins. Opinion by Mr. Chief Justice Burger concurring in part and dissenting in part. Mr. Justice Brennan took no part in the consideration or decision of this case.

No. **76-1810**. City of Los Angeles, Department of Water and Power, et al., petitioners, *v.* Marie Manhart et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment vacated and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stevens. Opinion by Mr. Justice Blackmun concurring in part and concurring in judgment. Opinion by Mr. Chief Justice Burger concurring in part and dissenting in part with whom Mr. Justice Rehnquist joins. Opinion by Mr. Justice Marshall concurring in part and dissenting in part. Mr. Justice Brennan took no part in the consideration or decision of this case.

ORAL ARGUMENT

No. 77-510. United States, petitioner, v. New Mexico. Argument continued by Mr. John U. Carlson for the Twin Lakes Reservoir & Canal Co., et al., as *amici curiae*, by special leave of Court and concluded by Mr. James W. Moorman for the petitioner.

No. 77-642. Lutrelle F. Parker, Acting Commissioner of Patents and Trademarks, petitioner, v. Dale R. Flook. Argued by Mr. Lawrence G. Wallace for the petitioner and by Mr. D. Dennis Allegetti for the respondent.

No. 77-747. Walter J. Fleck et al., appellants, v. Warren Spannaus et al. Argued by Mr. George B. Christensen for the appellants and by Mr. Byron E. Starns for the appellees.

No. 77-453. Eastex, Incorporated, petitioner, v. National Labor Relations Board. Argued by Mr. John B. Abercrombie for the petitioner and by Mr. Richard A. Allen for the respondent.

No. 77-539. Zenith Radio Corporation, petitioner, v. United States. Argument commenced by Mr. Frederick L. Ikenson for the petitioner.

Adjourned until tomorrow at 10 o'clock.

X

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Sponsor</u>
Candace Saari Kovacic	Washington, D.C.	James M. Boyle.
Patricia Nan Gillman	Chevy Chase, Md.	Jeffrey Frank Axelrad.

### OPINIONS

No. **76-1172**. First National Bank of Boston et al., appellants, *v.* Francis X. Bellotti, etc., *et al.* Appeal from the Supreme Judicial Court of Massachusetts. Judgment reversed and case remanded to the Supreme Judicial Court of Massachusetts for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Powell. Concurring opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice White with whom Mr. Justice Brennan and Mr. Justice Marshall join. Dissenting opinion by Mr. Justice Rehnquist.

No. **76-1706**. Department of Revenue of the State of Washington, petitioner, *v.* Association of Washington Stevedoring Companies et al. On writ of certiorari to the Supreme Court of Washington. Judgment reversed and case remanded to the Supreme Court of Washington for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Blackmun. Opinion by Mr. Justice Powell concurring in part and concurring in the result. Mr. Justice Brennan took no part in the consideration or decision of this case.

### ORAL ARGUMENT

No. **77-539**. Zenith Radio Corporation, petitioner, *v.* United States. Argument continued by Mr. Solicitor General Wade H. McCree, Jr. for the respondent and concluded by Mr. Frederick L. Ikenson for the petitioner.

No. **77-529**. Wes Wise, Mayor the City of Dallas, et al., petitioners, *v.* Albert L. Lipscomb et al. One and one half hours allowed for oral

argument. Argued by Mr. Joseph G. Werner for the petitioners, by Mr. James A. Johnston, Jr. for the respondents and by Mr. Peter Buscemi, *pro hac vice*, for the United States, as *amicus curiae*, by special leave of Court.

No. 77-911. National Labor Relations Board, petitioner, *v.* Robbins Tire and Rubber Company. Argued by Mr. Carl L. Taylor for the petitioner and by Mr. William M. Earnest for the respondent.

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Adjourned until Monday, May 1, 1978, at ten o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

### APPEALS—SUMMARY DISPOSITION

No. **77-1061**. Maxwell Darks, appellant, *v.* Transok Pipe Line Company. Appeal from the Court of Criminal Appeals of Oklahoma. The appeal is dismissed for want of a substantial federal question.

No. **77-1250**. International Tracers of America, appellant, *v.* Estate of Eric Hard et al. Appeal from the Supreme Court of Washington. The appeal is dismissed for want of a substantial federal question.

No. **77-1285**. Township of Midland et al., appellants, *v.* Michigan State Boundary Commission et al. Appeal from the Supreme Court of Michigan. The appeal is dismissed for want of a substantial federal question.

No. **77-6361**. Eli Raitport, appellant, *v.* Acro-Matic, Inc. Appeal from the Superior Court of Pennsylvania, Eastern District. The appeal is dismissed for want of a substantial federal question.

No. **77-1176**. Nabisco, Inc., et al., appellants, *v.* Bernard Korzen et al. Appeal from the Supreme Court of Illinois. Motion of Northwestern University for leave to file a brief, as *amicus curiae*, granted. The appeal is dismissed for want of a substantial federal question.

No. **77-1287**. Jack Lee Fisher, appellant, *v.* Ohio. Appeal from the Supreme Court of Ohio. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. **77-6289**. Joseph Duane Ward, appellant, *v.* Utah. Appeal from the Supreme Court of Utah. The appeal is dismissed for want of jurisdiction. Treating the paper whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

### ORDERS IN PENDING CASES

No. **76-1560**. United States, petitioner, *v.* United States Gypsum Company et al. Motion of respondents Colon Brown and J. P. Nicely for leave to file supplemental brief, after argument granted. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. 77-1234. International Association of Machinists & Aerospace Workers, AFL-CIO, petitioners, *v.* Compagnie Nationale Air France. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 77-1471. Mickey Edwards et al., petitioners, *v.* James Earl Carter, President of the United States. Motion of petitioners to expedite consideration of the petition for writ of certiorari denied. Application for an injunction, presented to the Chief Justice and by him referred to the Court, denied.

#### CERTIORARI GRANTED

No. 77-1301. Gannett Co., Inc., petitioner, *v.* Daniel A. DePasquale, etc., et al. Petition for writ of certiorari to the Court of Appeals of New York granted.

No. 77-1305. Parklane Hosiery Company, Inc., et al., petitioners, *v.* Leo M. Shore. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 77-6067. Billy Duren, petitioner, *v.* Missouri. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Missouri granted.

#### CERTIORARI DENIED

No. 77-755. Rocky Mountain Motor Tariff Bureau, Inc., and Bulk Carrier Conference, Inc., petitioners *v.* United States and Interstate Commerce Commission. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-1008. Sioux City and New Orleans Barge Lines, Inc., petitioner, *v.* Helena Marine Service, Inc., etc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-1062. Maxwell Darks and Marvin Olivo, petitioners, *v.* Transok Pipe Line Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-1095. Vera Zabala Clemente et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-1104. Monroe County Conservation Council, Inc., et al., petitioners, *v.* Brock Adams, Secretary of Transportation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1128. Thomas Biggs Griffin, III, et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1145. Louis Vernell, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1155. Dominga Santana, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1170. William James Bibbs et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1174. David Bell, petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1182. United Air Lines, Inc., petitioner, *v.* Kathleen C. Inda. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1190. All Island Delivery Service, Inc., et al., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-1235. Lake Livingston Washateria, Inc., et al., petitioners, *v.* Ed Hasty et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1242. Pleasant Richard Tally, petitioner, *v.* William P. Johnson et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1249. Robert Casper Bisping, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 77-1252. Donovan Construction Company of Minnesota, petitioner, *v.* Florida Telephone Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1256. Michael Barone, petitioner, *v.* Susan Graham Barnes, Judge, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-1259. Ben R. Hendrix Trading Co., Inc., petitioner, *v.* J. Henry Schroeder Banking Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1274. Aluminum Company of America and Jones & Laughlin Steel Corporation, petitioners, *v.* Cuyahoga County Board of Revision et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 77-1280. E.F.I., Inc., petitioner, *v.* M.I.I., etc., et al. Petition for writ of certiorari to the Court of Civil Appeals of Texas, 14th Supreme Judicial District, denied.

No. 77-1286. City of East Detroit, petitioner, *v.* James D. Llewellyn and Las Vegas Cinema, Inc.; City of East Detroit, petitioner, *v.* Robert L. Vickery et al.; City of East Detroit et al., petitioners, *v.* Capri Theatre Company, Inc. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 77-1309. Maryland Public Interest Research Group, petitioner, *v.* Wilson H. Elkins et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-1406. David Gaetano et al., petitioners, *v.* Earl J. Silbert, etc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-5941. Prasarn Bhongsupatana, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5951. Benjamin Smith, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 77-5957. Luciano Cedillo, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6084. Kenneth D. Eminhizer, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 77-6100. George Edward Washington, petitioner, *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 77-6192. Roderick Marvin Greer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6222. Charles Wayne Brannon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6225. Edward Rock, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6273. Charles L. Moore, petitioner, *v.* Ford Motor Company, etc. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 77-6290. Bob Dale McDaniel, petitioner, *v.* Cliff Hopper, Assistant District Attorney of Tulsa County, Oklahoma. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6330. Bobbie Anderson, petitioner, *v.* Louis Dabdo et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6336. Larry Lee Christiansen, petitioner, *v.* Louis S. Gunn. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6337. Frank Ervin Altizer, Jr., petitioner, *v.* Richard A. Young, Acting Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6338. Raymond Thornton, petitioner, *v.* Delaware. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 77-6340. Joseph David Solomon, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 77-6341. Leonard Turner, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 77-6343. Robert Lee Skinner, petitioner, *v.* Harold Cardwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6345. Daniel Willis Apel, Sr., petitioner, *v.* Louie L. Wainwright, Secretary, Department of Offender Rehabilitation of Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6350. James Earl Hines, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 77-6351. Merle L. Royse, petitioner, *v.* Washington et al. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 77-6360. Aaron Holsey, petitioner, *v.* Warden, Maryland Penitentiary. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 77-6364. John T. Martin, petitioner, *v.* New England Telephone and Telegraph Company. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-6369. Wayne Anthony Ray, petitioner, *v.* Henry E. Cowan, Superintendent, Kentucky State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6370. Jimmy Ray Ellis, petitioner, *v.* Oklahoma et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6401. Mrs. Roger M. Reeb, petitioner, *v. Economic Opportunity Atlanta, Inc.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6430. Frederick C. Fermin, petitioner, *v. Joseph A. Califano, Jr., Secretary of Health, Education and Welfare.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6456. Eduardo Johnny Montoya-Guerrero, petitioner, *v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6464. Larry Wayne Pugh, petitioner, *v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6469. Rosten Keith Burnett, petitioner, *v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6490. Carlos Andres Ortiz Olivera, petitioner, *v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-6495. Richard G. Warme, petitioner, *v. United States.* Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-784. Maryland, petitioner, *v. Victor Dennis Marzullo.* Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Dissenting opinion by Mr. Justice White with whom Mr. Justice Rehnquist joins.

No. 77-943. Illinois, petitioner, *v. Robert L. Gray.* Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of Illinois denied it appearing that the judgment of the Illinois Supreme Court rests on an adequate state ground. Separate statement by Mr. Justice Stevens. Mr. Justice Stewart and Mr. Justice Marshall would deny the petition without explanation.

No. 77-1262. Louis Beck, petitioner, *v. Morrison Pump Co., Inc.* Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Stevens took no part in the consideration or decision of this petition.

No. 77-1266. Ernest N. Morial et al., petitioners, *v. Judiciary Commission of the State of Louisiana et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice White would grant certiorari.



No. 77-1277. Missouri State Highway Commission, petitioner, *v.* Rachel J. Meyer. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6025. David S. Huffman, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Brennan joins. Separate opinion by Mr. Justice Stevens.

No. 77-6359. Willie X. Ross, petitioner, *v.* Joe S. Hopper, Warden. Petition for writ of certiorari to the Supreme Court of Georgia denied. Mr. Justice Brennan and Mr. Justice Marshall, dissenting: Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentence in this case.

#### LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 77-6278. Henry W. Knight, petitioner, *v.* United States District Court for the District of Massachusetts:

No. 77-6352. Robert W. Townsley, petitioner, *v.* Alan A. Lindsay, Alameda County Superior Court, et al.; and

No. 77-6358. William Q. Siddle, petitioner, *v.* United States District Court for the Southern District of Ohio et al. Motions for leave to file petitions for writs of mandamus denied.

#### REHEARINGS DENIED

No. 76-1719. Washington Medical Center, Inc., et al., petitioners, *v.* United States;

No. 77-953. Buffalo River Conservation & Recreation Council et al., petitioners, *v.* National Park Service et al.;

No. 77-1056. Sunbeam Television Corporation et al., appellants, *v.* Robert L. Shevin, as Attorney General et al.;

No. 77-5733. William R. Morgan, Jr., petitioner, *v.* United States; and

No. 77-5965. Eddie David Cox, petitioner, *v.* United States. Petitions for rehearing denied.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Arnon Remington Allen	Madison, Wis.	Charles Bennett Vetzner.
Hira D. Anderson, Jr.	Birmingham, Mich.	Charles Andrew Newman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Stephen J. Avrach	Miami, Fla.	Stephen H. Cypen.
Richard Jay Barnett	Glencoe, Ill.	David Walker Raymond.
John Roger Beers	San Francisco, Calif.	Richard E. Ayres.
Fred C. Begy III	Chicago, Ill.	Wallace E. Maloney.
Richard V. Beliles	Louisville, Ky.	Joseph V. Mobley, Jr.
Michael D. Blutrigh	New York, N.Y.	Donald L. Kreindler.
Wilber H. Boies	Chicago, Ill.	Theodore A. Groenke.
Alan E. Boles, Jr.	Denver, Colo.	Patrick M. Westfeldt.
Philip P. Bonafide	Tilton, N.H.	Peter Van Etton Millham.
J. Stephen Brackett	Hickory, N.C.	Young M. Smith.
Charles H. Bradley III	Tilton, N.H.	Peter Van Etten Millham.
Benjamin Brafman	New York, N.Y.	Robert J. McGuire.
Lawrence Brenner	Washington, D.C.	James Roll Tourtellotte.
Charles Lawrence Brody	New York, N.Y.	Howard Bernard Holt.
Trevor G. Bryan	New Orleans, Mo.	William Jennings Jefferson.
Marcia Pearce Burgdorf	Baltimore, Md.	Robert Lee Burgdorf, Jr.
Frank Albert Busmann	St. Louis, Mo.	John James Inkley, Jr.
Robert A. Cantor	Washington, D.C.	David Armentrout Vaughan.
Gerald N. Capps	Miami, Fla.	Stephen H. Cypen.
Hugh Alfred Carithers, Jr.	Jacksonville, Fla.	Wm. J. Sheppard.
James Lee Carroll	Temple, Tex.	Ralph W. Yarborough.
Luther Stephen Cash	Knoxville, Tenn.	E. Bruce Foster.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ben T. Castle	Wilmington, Del.	Harley James Conaway, Jr.
William Richard Casto, Jr.	Oak Ridge, Tenn.	Herbert Shelton Sanger, Jr.
Marvin Sanford Cherin	Los Angeles, Calif.	William Jerome Pollack.
Nicholas Edward Christin	Miami, Fla.	Miller Walton.
Robert S. Cohen	Boston, Mass.	Lawrence J. Ball.
Alfred V. Contarino	Los Angeles, Calif.	William Jerome Pollack.
Charles Patrick Dupree	Chattanooga, Tenn.	Jesse O. Farr.
Stephen J. Dutton	Indianapolis, Ind.	Donald W. Buttrey.
Van N. Eden	Tulsa, Okla.	Charles A. Kothe.
Bruce McCord Edenfield	Atlanta, Ga.	Roland F. Matson.
John B. Estes	Oklahoma, City, Okla.	Paul Edward Harper.
Ernest A. Eynon II	Cincinnati, Ohio	Douglas G. Cole
Michael Joseph Farrell	Huntington, W. Va.	Donald Randolph Wilson.
Kenneth T. Fibich	Houston, Tex.	William Donald Bonham.
Arnold Fieldman	Washington, D.C.	Reuben Goldberg.
James F. Findlay	Augusta, Ga.	Jack E. McGahee.
Terry Noble Fiske	Denver, Colo.	Stephen M. Duncan.
Donald Robert Fitch, Jr.	Grass Valley, Calif.	Leonard Francis Jansen.
John Robert Fitzgerald	New Orleans, La.	Harry S. Hardin III.
Richard B. Foley	Denver, Colo.	Harold Taft King.
Steven Franklin Friedell	Philadelphia, Pa.	Helene E. Schwartz.
Norman C. Frost	Birmingham, Ala.	Atley A. Kitchings, Jr.
Gerald H. Galligan	Denver, Colo.	Harold Taft King.
Raymond W. Gearey	Tallahassee, Fla.	Daniel Sears Dearing.
Gavin Miller Gentry	Memphis, Tenn.	Thomas Ryan Prewitt.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Eugene O. George	Sarasota, Fla.	John F. Burket, Jr.
James T. Giles	Philadelphia, Pa.	Edward W. Madeira, Jr.
Richard B. Girdler	Butler, N.J.	Gordon L. Belmont.
H. Eldon Hanson	Phoenix, Ariz.	Jerry H. Glenn.
Robert Lea Harris	Montgomery, Ala.	Francis J. Mizell, Jr.
Richard Andrew Henry	West Palm Beach, Fla.	Frank G. Cibula, Jr.
Harry C. Hewson	Charlotte, N.C.	John Henderson Hasty.
Michael B. Hirsch	Washington, D.C.	Thomas Stephen Burke.
Roger Ward Hirsch	Lincoln, Nebr.	Melvin Kent Kammerlohr.
Stephen Kurt Huber	Houston, Tex.	Stephen Daily Susman.
Tanner Truett Hunt Jr.	Beaumont, Tex.	George E. Duncan.
Robert Ira Jadd	Buffalo, N.Y.	Conrad Christel.
Hunter M. Jones	Charlotte, N.C.	John Henderson Hasty.
Richard Joseph Karam	San Antonio, Tex.	Anthony Nicholas, Jr.
Gerhard Henry Kaup	Middleton, Ohio	William Ernest Rathman.
Ronald C. Koksal	Knoxville, Tenn.	E. Bruce Foster.
Aaron J. Kramer	Chicago, Ill.	Mitchell Sheridan Rieger.
Joseph Edward Lannon	New York, N.Y.	Richard M. Merriman.
Angelo De Lara Larraga	Boston, Mass.	Alfred Legelis.
Eric C. Larson	Gresham, Oreg.	James William Lock.
David Lew	New York, N.Y.	Clifford S. Bart.
Herman Lieblich	New York, N.Y.	Harold M. Hershman.
Gregory Michael MacGregor	Beverly Hills, Calif.	Allan Browne.
Gene Majors	San Marcos, Tex.	Ernest Morgan.
David Mannheimer	Fairbanks, Alaska	Avrum M. Gross.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John B. Martin	Philadelphia, Pa.	Henry T. Reath.
Thomas J. McDermott Jr.	Los Angeles, Calif.	Stuart L. Kadison.
Christopher P. McKenzie	Honolulu, Hawaii	Joseph Morton Gedan.
Jerome Anthony Messina	Philadelphia, Pa.	Edward W. Madeira, Jr.
Joseph A. Milligan	Deer Park, N.Y.	Joseph Stabile.
Bruce Russell Millman	New York, N.Y.	Harry H. Rains.
Robert J. Moses	Boston, Mass.	Jack H. Backman.
Glen L. Moss	Hayward, Calif.	W. James Snyder.
Charles P. Mullaney	New York, N.Y.	Frederick Bernard Dean.
Edward J. Murphy	New York, N.Y.	J. Ward O'Neill.
Kenneth Lee Oliver Jr.	Philadelphia, Pa.	Peter Hearn.
Gary A. Owen	Zephyr Cove, Nev.	Lester Berkson.
Robert Dewit Owen	New York, N.Y.	John L. Warden.
Edgar K. Parks	Washington, D.C.	Howard Eliot Shapiro.
William Nicholas Patrick	Los Angeles, Calif.	John Woodworth Alden.
Vincent J. Pentima	Philadelphia, Pa.	Peter Hearn.
David E. Pesonen	San Francisco, Calif.	Francis J. McTernan.
Ronald E. Pettis	Riverside, Calif.	J. David Hennigan.
Charles Stephen Rand	Rockville, Md.	Robert G. Tobin, Jr.
Raymond Gilbert Reed	Orange, Calif.	Richard L. Dombrow.
Steve Robertson	Clifton, Tex.	Floyd Richard Wilson.
Kenneth C. Rollston	Zephyr Cove, Nev.	Lester H. Berkson.
Wheeler Armston Rosenbalm	Knoxville, Tenn.	E. Bruce Foster.
Charles Russell Rubright	Indianapolis, Ind.	Ronald Edward Elberger.
Jesse Richardson Rudisill, Jr.	Hickory, N.C.	Young M. Smith.
Ford Douglas Ruud	Seattle, Wash.	Josef Diamond.
W. L. Salter, Jr.	Vidalia, Ga.	George E. Argo.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ralph Barat Saltsman	Marina Del Ray, Calif.	Stephen Warren Solomon.
John Nasif Samaha	St. Petersburg, Fla.	Lawrence Hanna Samaha.
Donald Sawaya	Salt Lake City, Utah	Ernest F. Baldwin, Jr.
Albert Joseph Schibani	Birmingham, Ala.	James Carlton McGohan.
J. Brian Scott	Rocky Mount, N.C.	Thomas L. Young.
Eric M. Sears	New York, N.Y.	Annamarie Policriti.
Randolph L. Seger	Indianapolis, Ind.	William F. Welch.
Arthur G. Seymour	Knoxville, Tenn.	E. Bruce Foster.
Arthur G. Seymour, Jr.	Knoxville, Tenn.	E. Bruce Foster.
Stephen B. Shiffrin	New York, N.Y.	Peter L. Zimroth.
Richard B. Slosberg	Pittsburgh, Pa.	Stuart Ivan Saltman.
Fredricka Greene Smith	Miami, Fla.	Bruce S. Rogow.
Truman Henry Smith, Jr.	Fayetteville, Ark.	Lewis D. Jones.
Anthony P. Spirito	Elizabeth, N.J.	Daniel J. O'Hara.
James Emanuel Spitz	Cleveland, Ohio	Harold Lawrence Levey.
David John Stetler	Washington, D.C.	C. Joseph Stetler.
Vickie Ann Stewart	Chicago, Ill.	Maurice D. Pompey.
Gene Stipe	McAlester, Okla.	Paul Edward Harper.
G. Todd Stress	Mission Viejo, Calif.	Edward Robert Metz.
Harold Kipling Stubbs	Akron, Ohio	Norman Purnell.
William E. Sundstrom	Tallahassee, Fla.	Leon F. Olmstead.
James Hadley Tatem	Stafford, Va.	Willie L. Leftwich.
Herbert John Theisen	Chicago, Ill.	Herbert R. Tews.
Marcus George Theodore	Salt Lake City, Utah	Merrill K. Davis.
Curtis Frank Thompson	Jefferson City, Mo.	Bruce A. Ring.
Randall Davis Bryant Tigue	Minneapolis, Minn.	Lynn Sumner Castner.
Albert Hanauer Turkus	Columbia, Md.	Judge Gerhard A. Gesell.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
R. Paul Van Dam	Salt Lake City, Utah	Ernest F. Baldwin, Jr.
Arnaldo Velez	Miami, Fla.	Henry H. Taylor, Jr.
Jeffrey Adrian Villagran	Los Angeles, Calif.	Donald C. Mitchell.
Carl Vizzi	Buffalo, N.Y.	H. Hershel Katz.
Edward J. Webber	Topeka, Kans.	Harry Gordon Wiles.
Peter D. Webster	Jacksonville, Fla.	Chester Bedell.
Wayne Martin Whitaker	Fort Worth, Tex.	Richard Merrill Hewitt.
H. Newell Williams	Los Angeles, Calif.	Robert Elijah Jordan III.
Robert Harold Wolf	Baltimore, Md.	Nelson R. Kandel.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Betty M. Wolfe	Sacramento, Calif.	Sophie Saposnekoo Cozier.
Richard Jonathan Burton	Beverly Hills, Calif.	Brenda Lee Fox.
Robert Nichols Farquhar	Dayton, Ohio	James Henry Duffy.
Gary Bruce Sack	Miami, Fla.	Donald Edward Van Koughnet.
Edward Lee O'Brien	Washington, D.C.	William J. O'Brien.
Nolan Wayne Rappaport	Washington, D.C.	Patrick R. Caine.
Frank Schnidman	Washington, D.C.	Rufus Calhoun Young, Jr.
Cornwell G. Appleby	Washington, D.C.	John Sparkman.
Beatrice Anne Brickell	Washington, D.C.	John Sparkman.
Christina Monica Cerna	Washington, D.C.	John Sparkman.
David John Cohen	Washington, D.C.	John Sparkman.
Frank G. Corder	Washington, D.C.	John Sparkman.
Ronald Alan Feuerstein	Washington, D.C.	John Sparkman.
Carl Leddin Gell	Washington, D.C.	John Sparkman.
Christopher Gales Hoge	Washington, D.C.	John Sparkman.
Jacqueline L. Jackson	Washington, D.C.	John Sparkman.
Edith M. Kloeber	Washington, D.C.	John Sparkman.
Richard Eric Nielson	Washington, D.C.	John Sparkman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Cynthia A. Niklas	Washington, D.C.	John Sparkman.
Alan Franklyn Post	Washington, D.C.	John Sparkman.
Richard Greene Price	Washington, D.C.	John Sparkman.
T. Timothy Ryan, Jr.	Washington, D.C.	John Sparkman.
Virginia Mona Schlundt	Washington, D.C.	John Sparkman.
Barry Clinton Stiller	Washington, D.C.	John Sparkman.
Richard J. K. Stratford	Washington, D.C.	John Sparkman.
John T. Westermeier, Jr.	Washington, D.C.	John Sparkman.
Daniel Mark Keil	Miami, Fla.	John Sparkman.
Scott Marshall Kenney	Fort Pierce, Fla.	John Sparkman.
C. Kent Miller	Key West, Fla.	John Sparkman.
Patricia O'Donnell James	Libertyville, Ill.	John Sparkman.
Wayne L. Bromley Sr.	Louisa, Ky.	John Sparkman.
Gordon Graham	Clinton, Mass.	John Sparkman.
Neil Edward Axel	Rockville, Md.	John Sparkman.
Michael Joseph Bernstein	College Park, Md.	John Sparkman.
Eric Stuart Davis	Olney, Md.	John Sparkman.
Edith Mendelson Gelfand	Rockville, Md.	John Sparkman.
Joan Irma Gordon	Bethesda, Md.	John Sparkman.
Steven Anthony Hamilton	Silver Spring, Md.	John Sparkman.
Lawrence Steven Jacobs	Chevy Chase, Md.	John Sparkman.
Stephen Parke Johnson	Rockville, Md.	John Sparkman.
Steven R. Migdal	Annapolis, Md.	John Sparkman.
Stephen J. Orens	Rockville, Md.	John Sparkman.
David Allan Richin	Silver Spring, Md.	John Sparkman.
David Gray Ross	Bowie, Md.	John Sparkman.
Norbert William Schroeder	Silver Spring, Md.	John Sparkman.
Marc Harvey Sliffman	Gaithersburg, Md.	John Sparkman.
Ann Rhind Sparrough	Upper Marlboro, Md.	John Sparkman.
Ernst Hermann Ruf	Niles, Mich.	John Sparkman.
Gary K. Allen	Kansas City, Mo.	John Sparkman.
Anthony Joseph Marchetta	Plainfield, N.J.	John Sparkman.
Robert Powell Williams	Toms River, N.J.	John Sparkman.
Patrick J. Fitzgibbons, Jr.	Las Vegas, Nev.	John Sparkman.
Warren J. Bronsnick	New York, N.Y.	John Sparkman.
Lawrence Phillip Kessler	Penfield, N.Y.	John Sparkman.
Sat Jivan Singh Khalsa	Brooklyn, N.Y.	John Sparkman.
Maureen A. McCready	Buffalo, N.Y.	John Sparkman.
Andrew C. Morganstern	Mineola, N.Y.	John Sparkman.
Ronald E. Pump	New York, N.Y.	John Sparkman.
Marc William Roberts	New York, N.Y.	John Sparkman.
Jeffrey Stephen Shumejda	Riverhead, N.Y.	John Sparkman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Arthur Clancy	Fort Washington, Pa.	John Sparkman.
Gary L. Lieber	Scranton, Pa.	John Sparkman.
Daniel J. Menniti	Harrisburg, Pa.	John Sparkman.
Stephen Mark Rappoport	Warwick, R.I.	John Sparkman.
Bruce Allan Gross	Arlington, Va.	John Sparkman.
Robert William Haas	Alexandria, Va.	John Sparkman.
James Robert Maher	McLean, Va.	John Sparkman.
Martin R. Mann	Falls Church, Va.	John Sparkman.
Robert D. Milburn	Fairfax, Va.	John Sparkman.
James Richard Mogle	Fairfax, Va.	John Sparkman.
John Victor Notarianni	Arlington, Va.	John Sparkman.
Peter A. T. Sartin	Arlington, Va.	John Sparkman.
Gary Richards Sheehan	Vienna, Va.	John Sparkman.
Charles Williams Sickels	Fairfax, Va.	John Sparkman.
Charles Michael Simpson	Arlington, Va.	John Sparkman.
Leone Bernstein	New York, N.Y.	Beverly Gross.
Cheryl J. Bradley	White Plains, N.Y.	Beverly Gross.
Ingrid S. Braslow	White Plains, N.Y.	Beverly Gross.
Ione E. Burrell	New York, N.Y.	Beverly Gross.
Barbara H. Carroll	New York, N.Y.	Beverly Gross.
Rebecca Davis	New York, N.Y.	Beverly Gross.
Betty Gross Elder	New York, N.Y.	Beverly Gross.
Doris Toltz Friedman	Irvington, N.Y.	Beverly Gross.
Madonna S. Ghandi	Albany, N.Y.	Beverly Gross.
Ellen L. Hill	New York, N.Y.	Beverly Gross.
Frederica A. Jaret	New York, N.Y.	Beverly Gross.
Marjorie E. Karowe	Albany, N.Y.	Beverly Gross.
Dorothy Rubin Kowaloff	New York, N.Y.	Beverly Gross.
Ruth Kroll	Mamaroneck, N.Y.	Beverly Gross.
Katharine S. J. Law	New York, N.Y.	Beverly Gross.
Grace Olander LaBerteau	New York, N.Y.	Beverly Gross.
Ann Cadmus McNamara	New York, N.Y.	Beverly Gross.
Ruth M. Miner	Albany, N.Y.	Beverly Gross.
Karla Moskowitz	New York, N.Y.	Beverly Gross.
Marvin Moskowitz	New York, N.Y.	Beverly Gross.
Helene K. Netter	New York, N.Y.	Beverly Gross.
Paula J. Omansky	New York, N.Y.	Beverly Gross.
Margrethe R. Powers	Albany, N.Y.	Beverly Gross.
Joyce Pulliam	Albany, N.Y.	Beverly Gross.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gertrude Schwartz	Brooklyn, N.Y.	Beverly Gross.
Helen B. Stoller	Elmsford, N.Y.	Beverly Gross.
Bernard Strauss	New York, N.Y.	Beverly Gross.
Hazel C. Fichtner Strauss	New York, N.Y.	Beverly Gross.
Helen Dohrau Volk	Albany, N.Y.	Beverly Gross.
Maryellen Weinberg	New York, N.Y.	Beverly Gross.
Robin Wendy Weiner	New York, N.Y.	Beverly Gross.
Gertrude T. Zaff	New York, N.Y.	Beverly Gross.

#### OPINIONS

No. **76-39**. Memphis Light, Gas and Water Division, et al., petitioners, *v.* Willie S. Craft et al. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment affirmed. Opinion by Mr. Justice Powell. Dissenting opinion by Mr. Justice Stevens with whom Mr. Chief Justice Burger and Mr. Justice Rehnquist join.

No. **75-1892**. United States, petitioner, *v.* Jeffrey R. MacDonald. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Blackmun. Mr. Justice Brennan took no part in the consideration or decision of this case.

No. **76-1450**. Landmark Communications, Inc., appellant, *v.* Virginia. Appeal from the Supreme Court of Virginia. Judgment reversed and case remanded to the Supreme Court of Virginia for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Burger. Opinion by Mr. Justice Stewart concurring in the judgment. Mr. Justice Brennan and Mr. Justice Powell took no part in the consideration or decision of this case.

No. **76-1193**. United States, petitioner, *v.* Estelle Jacobs aka "Mrs. Kramer". On writ of certiorari to the United States Court of Appeals for the Second Circuit. Writ of certiorari dismissed as improvidently granted. Opinion *per curiam* announced by Mr. Chief Justice Burger.

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Adjourned until Monday, May 15, 1978, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

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The Chief Justice said:

“Today’s orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally.”

### APPEALS—SUMMARY DISPOSITION

No. **76-1616**. County of Los Angeles et al., appellants, *v.* Jose Chavez-Salido et al. Appeal from the United States District Court for the Central District of California. Judgment vacated and case remanded to the United States District Court for the Central District of California for further consideration in light of *Foley v. Connelie*, 435 U.S. — (1978).

No. **77-950**. Collection Consultants, Inc., and Stella Thornton, appellants, *v.* Texas. Appeal from the Court of Criminal Appeals of Texas. The appeal is dismissed for want of a substantial federal question.

No. **77-6409**. William E. Conrad, appellant, *v.* Commerce Bank of Kansas City. Appeal from the Court of Appeals of Missouri, St. Louis District. The appeal is dismissed for want of a substantial federal question.

No. **77-6447**. Harold Smith, appellant, *v.* Illinois. Appeal from the Appellate Court of Illinois, Fifth District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

### ORDERS IN PENDING CASES

No. **A-726**. Allan G. Kaplan, applicant, *v.* New Jersey. Application for stay, presented to Mr. Justice Blackmun, and by him referred to the Court, denied.

No. **A-930**. City of Mobile, Alabama, et al., applicants, *v.* Wiley L. Bolden, et al. Application for recall and stay of mandate presented to Mr. Justice Powell, and by him referred to the Court, denied. Mr. Justice Stewart and Mr. Justice Rehnquist would grant application.

No. **77-1373**. Maine Central Railroad Company, appellant, *v.* Raymond L. Halpern et al. Solicitor General invited to file a brief in this case expressing the views of the United States.

No. 77-1538. Alan Herbert Abrahams, aka James A. Carr, petitioner, *v.* United States. Application for bail, presented to Mr. Justice Powell and by him referred to the Court, denied.

No. 77-6639. Willis W. Chapman, petitioner, *v.* Federal National Mortgage Association. Application for stay, presented to the Chief Justice and by him referred to the Court, denied.

#### APPEALS—JURISDICTION NOTED

No. 76-808. Ewald Nyquist, individually and as Commissioner of the New York State Department of Education, et al., appellants, *v.* Susan M. W. Norwick. Appeal from the United States District Court for the Southern District of New York. In this case probable jurisdiction noted.

No. 77-1254. Cyrus R. Vance, Secretary of State, et al., appellants, *v.* Holbrook Bradley et al. Appeal from the United States District Court for the District of Columbia. In this case probable jurisdiction noted.

No. 77-6431. Abdiel Caban, appellant, *v.* Kazim Mohammed and Maria Mohammed. Motion for appellant for leave to proceed *in forma pauperis* granted. Appeal from the Court of Appeals of New York. In this case probable jurisdiction noted.

#### CERTIORARI GRANTED

No. 77-1172. National Muffler Dealers Association, Inc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 77-1359. United States, petitioner, *v.* Kimbell Foods, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

#### CERTIORARI DENIED

No. 76-1163. Ewald B. Nyquist, as Commissioner of Education of the State of New York, et al., petitioners, *v.* Suphi Surmeli et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1002. Sabato Vigorito, petitioner, *v.* United States;

No. 77-1004. Michael DeLuca, Robert Voulo, and Saverio Carrara, petitioners, *v.* United States;

No. 77-6026. Anthony DiMatteo, petitioner, *v.* United States;

No. 77-6035. Barrio Mascitti, petitioner, *v.* United States; and

No. 77-6165. Eugene Scafidi, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1074. Affiliated Ute Citizens of the State of Utah, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 77-1086. Edward Kerr, Police Director, City of Newark, etc., et al., petitioners *v.* Ronald Gasparinetti et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1144. W. Earl Duncan et al., petitioners, *v.* Furrow Auction Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-1153. Thomas Reese, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1161. Albert C. Drebin et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1213. Raul Llorente, petitioner, *v.* New York; Alvaro Doronzoro, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 77-1227. Warren J. Moity, Sr., petitioner, *v.* Swift Agricultural Chemicals Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1228. Cecil K. Nickell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1236. General Atomic Company, petitioner, *v.* Edwin L. Felter, District Judge, etc., et al.; and

No. 77-1269. General Atomic Company, petitioner, *v.* Edwin L. Felter, Judge, etc., et al. Petitions for writs of certiorari to the Supreme Court of New Mexico denied.

No. 77-1240. Adiba Mahroom, petitioner, *v.* John Hook, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1263. Robert L. Anthony, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1267. Lewis T. Wireman, petitioner, *v.* Indiana Supreme Court Disciplinary Commission. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 77-1272. Alfred Viner, aka Sonny, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1276. Leo Oxberger, petitioner, *v.* John R. Winegard. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 77-1278. Clark County, Nevada, petitioner, *v.* Arby W. Alper and Ruth Alper. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 77-1299. Four Winds, Inc., petitioner, *v.* Indiana Aeronautics Commission. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 77-1300. Sydney M. Eisenberg, petitioner, *v.* Ed Margis Plumbing and Heating Company, Inc. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 77-1311. Shell Oil Company et al., petitioners, *v.* Fred Weber, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-1313. Lela Ensor Bailey, petitioner, *v.* J. W. Street. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1314. Harry Goodkin & Company, petitioner, *v.* Robert Abrahamson et ux. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1315. James F. Lawrence et al., petitioners, *v.* Joseph B. Klein et al. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 77-1316. Elwyn L. Cady, Jr., petitioner, *v.* Mary Elizabeth Gould et al. Petition for writ of certiorari to the Court of Appeals of Missouri, Kansas City District, denied.

No. 77-1317. Lyle Kent, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Third District, denied.

No. 77-1319. Joseph D. Smith and Clayton L. Hummel, petitioners, *v.* Indiana. Petition for writ of certiorari to the Court of Appeals of Indiana denied.

No. 77-1320. Roger Williams, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Court of Appeals of North Carolina denied.

No. 77-1323. Hubbard Broadcasting, Inc., et al., petitioners, *v.* M. A. Ammerman et al. Petition for writ of certiorari to the Court of Appeals of New Mexico denied.

No. 77-1333. Michael Thorstad, petitioner, *v.* North Dakota. Petition for writ of certiorari to the Supreme Court of North Dakota denied.

No. 77-1335. Interstate Properties et al., petitioners, *v.* Gary Becker et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1348. Connecticut, petitioner, *v.* Ralph Penland. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 77-1353. Owendale-Gagetown School District, petitioner, *v.* State Board of Education et al. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 77-1361. Calvert Fire Insurance Company, petitioner, *v.* American Mutual Reinsurance Company. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 77-1362. Ve-Ri-Tas, Inc., and Pat Walker's of Colorado, Inc., petitioners, *v.* Advertising Review Council of Metropolitan Denver, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-1365. Norman F. Dacey, petitioner, *v.* Charles S. House et al.; Norman F. Dacey, petitioner, *v.* Peter H. Dorsey. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1368. James Harold Dondich, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1369. Mary Santo, petitioner, *v.* Feick Security Systems et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 77-1377. James G. Hull, Jr., petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 77-1384. Flota Mercante Grancolombiana, S.A., petitioner, *v.* Hudson Waterways Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1412. Arnold S. Barber et al., petitioners, *v.* Skyline Aviation, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-1414. Annemarie Hoffman Beckwith, petitioner, *v.* Robert T. L. Beckwith. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-1416. Pasquale Temporale, petitioner, *v.* Connecticut. Petition for writ of certiorari to the Appellate Session, Superior Court of Connecticut, denied.

No. 77-1433. Roy Lee Cecil, petitioner, *v.* United States; and

No. 77-1441. Randy Leon Manzer, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-1440. Manuel J. Sugar, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-1471. Mickey Edwards et al., petitioners, *v.* James Earl Carter, President of the United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-1477. William David Finley and Sylvia Hicks, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-1480. Joseph Iannelli et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1487. Gary Woody, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6147. Willie James Williams, petitioner, *v.* Delaware. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 77-6156. Dossie X. Faison, Jr., petitioner, *v.* J. P. Mitchell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6158. Robert Allan Stewart et al., petitioners, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 77-6170. Manuel Napoles, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-6194. Eddie Pipes, petitioner, *v.* Ronald A. Coco, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6208. Anthony P. Cozza, petitioner, *v.* Department of Health, Education and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6235. L. R. Bretz, petitioner, *v.* Roger W. Crist, Warden. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 77-6250. Lovell Smith, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 77-6268. Earl Teeman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-6303. Lizzie Banks et al., petitioners, *v.* United States Department of Housing and Urban Development et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.



No. 77-6304. Louis R. Jones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6308. Jaimie W. Nixon, III, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6318. Danny Ray Wolgemuth, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 77-6356. Harold Roger Conant, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6363. Andrew Lewis, Jr., petitioner, *v.* James Rose, Warden; and

No. 77-6404. Isadore Hodges, Jr., petitioner, *v.* James Rose, Warden. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6368. Willie Jackson, Jr., and Carl Fortson, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6377. Robert A. Hohmann, petitioner, *v.* California et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6380. Derald Allen Hetland, petitioner, *v.* Oregon. Petition for writ of certiorari to the Court of Appeals of Oregon denied.

No. 77-6381. George Eugene Young, petitioner, *v.* T. L. Clanon, Superintendent, California Medical Facility. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6382. Silvestre Mulero et al., petitioners, *v.* Autoridad De Las Fuentes Fluviales de Puerto Rico. Petition for writ of certiorari to the Supreme Court of Puerto Rico denied.

No. 77-6391. Harvey Porter Gibson, petitioner, *v.* James Rose, Warden. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Middle Division, denied.

No. 77-6392. Luis A. Pineda, petitioner, *v.* Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6399. Frederick Lee Batten, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 77-6402. Charles Edward Hardin, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 77-6408. Charles E. Clayton, petitioner, *v.* Otis J. Loggins, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6412. Eunice Justice, petitioner, *v.* Hesselden Plumbing Company. Petition for writ of certiorari to the Court of Appeals of Ohio, Franklin County, denied.

No. 77-6419. William Gregory Bowers, petitioner, *v.* Donald Battles, Camp Supervisor, Harlan County Forestry Camp. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6420. David W. Wion, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6426. Michael J. Downing, petitioner, *v.* Nancy Fraggassi et al. Petition for writ of certiorari to the Commonwealth Court of Pennsylvania denied.

No. 77-6427. Freddie Villion Garcia, petitioner, *v.* Walter T. Stone, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6433. Harold Braham, petitioner, *v.* Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 77-6435. In re Estate of Peter Basalyga, Deceased, Gene Basalyga, petitioner. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 77-6440. Ivory Wayne Johnson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 77-6441. Clifton Cloudy, petitioner, *v.* Thomas Allison. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-6448. Marvin Winters, petitioner, *v.* Warden, Tennessee State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6455. Edwin E. Drum, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6457. Anthony Bamond, Jr., petitioner, *v.* New York et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6471. Jose L. Castillo (Lopez), petitioner, *v.* Government of the Canal Zone. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.



No. **77-6482**. Raymond Richardson, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. **77-6503**. Louis Anthony DeSantis, petitioner, *v.* United States;

No. **77-6529**. Louis Charles Boscia, petitioner, *v.* United States;

No. **77-6556**. Paul N. Scolieri, petitioner, *v.* United States; and

No. **77-6557**. Robert Louis Plusquellec, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **77-6506**. Jessie D. McDonald, petitioner, *v.* Vinson Thompson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **77-6513**. Sant R. Pallan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **77-6518**. Ciro M. Caruso, petitioner. *v.* United States Board of Parole. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **77-6525**. Lawrence F. Maguire, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **77-6527**. Ernest Jones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **77-6530**. Jose Cruz, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **77-6533**. Gerald Edwin Heft, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **77-6535**. Richard Allen Wakefield, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **77-6550**. David M. Spicer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **77-6552**. Edward J. Arlt III, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **77-6561**. Michael Edward Cyphers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6568. Jackie Edward Stancell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6580. John Edward Hughes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6590. Calvin Lionel Robinson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6597. Melvin Thomas Wilcox, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6608. James Wimbley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6609. Melvin Shane, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-6613. Robert Lee Baer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6620. John Michael Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1003. James V. Napoli, Sr., and James Napoli, Jr., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Brennan and Mr. Justice Stewart would grant certiorari.

No. 77-1066. Eugene Enslin, petitioner, *v.* J. W. Bean, Superintendent, New Hanover County Prison Unit, North Carolina Department of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Brennan and Mr. Justice Marshall would grant certiorari.

No. 77-1201. Zeigler Coal Company, petitioner, *v.* Local Union No. 1870, United Mine Workers of America, et al. Motion of Bituminous Coal Operators' Association, Inc. for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-1275. Martin B. Glauser Dodge Co., petitioner, *v.* Chrysler Corporation et al. Motion of Independent Dealers Committee Dedicated to Action for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1279. Malcolm K. Fleschner et al., petitioners, *v.* Robert Abrahamson et ux. Motion of Investment Counsel Association of America, Inc. for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Stewart and Mr. Justice Powell would grant certiorari.

No. 77-1284. Russel James Gaudet, petitioner, *v.* Exxon Corporation; and

No. 77-1328. Ruven J. St. Pierre, petitioner, *v.* Exxon Corporation et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Powell took no part in the consideration or decision of these petitions.

No. 77-1345. Telephone Users Association, Inc., petitioner, *v.* Public Service Commission of the District of Columbia et al. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 77-1341. Leon Vincent, Superintendent of Green Haven Correctional Facility, petitioner, *v.* Efrain Santiago. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1346. Lewis S. Taylor, etc., et al., petitioners, *v.* Luis A. Rodriguez, etc. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1421. Lahman Manufacturing Company, Inc., et al., petitioners, *v.* Farmhand, Inc. Motion to defer consideration of petition and petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6095. Edward Sawyer, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied. Mr. Justice Brennan would grant certiorari.

No. 77-6202. Jerry St. John, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun would grant certiorari.

No. 77-6378. Joseph Thomas, petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied. Mr. Justice Brennan and Mr. Justice Marshall, dissenting: Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentence in this case.

No. 77-6424. Charles Thomas Corn, petitioner, *v. Georgia*. Petition for writ of certiorari to the Supreme Court of Georgia denied. Mr. Justice Brennan and Mr. Justice Marshall, dissenting: Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentence in this case.

No. 77-6542. Eddie Earl Hopson and Durand Cephas, petitioners, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Stevens took no part in the consideration or decision of this petition.

#### LEAVE TO FILE PETITION FOR WRIT OF PROHIBITION DENIED

No. 77-1438. John Walsh, petitioner, *v. H. Kenneth Wangelin*, United States District Judge. Motion for leave to file petition for writ of prohibition denied.

#### LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 77-6362. Clovis Carl Green, Jr., petitioner, *v. Elmo B. Hunter*, Judge, United States District Court for the Western District of Missouri; and

No. 77-6379. Clovis Carl Green, Jr., petitioner, *v. United States District Court for the Western District of Missouri*. Motions for leave to file petitions for writs of mandamus denied.

#### REHEARINGS DENIED

No. 77-1088. Chestnutt Corporation, petitioner, *v. Mildred Galand and American Investors Fund, Inc.*;

No. 77-1142. Ruben Morales Robles, petitioner, *v. United States*;

No. 77-5644. Maxine M. Jenkins, petitioner, *v. District of Columbia*;

No. 77-6080. Orzell Billingsley, Sr., et al., petitioners, *v. George S. Seibels, Jr., etc., et al.*;

No. 77-6107. William "Billy" Mitchell, petitioner, *v. Joe S. Hopper, Warden*;

No. 77-6108. Geneva H. Sayles, petitioner, *v. Margaret A. Haywood*, Judge of the Superior Court of the District of Columbia, et al.;

No. 77-6127. Joseph Charles Noone, petitioner, *v. Charles Szoradi and Attila Sztanko*;

No. 77-6163. Charles A. Fahrig, et al., petitioners, *v. Jack H. Berger et al.*;

No. 77-6283. Bobby Keith Williams et al., petitioners, *v. John Hoyt et al.*;

No. 77-6186. Lillian McElroy, petitioner, *v.* Charles H. Wilson, Jr., et al.; and

No. 77-6213. Paul J. Hernandez and Ross Arguello, petitioners, *v.* Colorado. Petitions for rehearing denied.

No. 76-1359. Bankers Trust Company, petitioner, *v.* Samuel Mallis and Franklyn Kupferman. Petition for rehearing denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

## RECESS ORDER

The Court will take a recess from today until Monday, May 22, 1978.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Franklin E. Alan	Bellevue, Wash.	Denis Donrellan McKenna.
F. Dennis Alvarez	Tampa, Fla.	Robert Whitney Knight.
Sherman Donald Ames	San Bernardino, Calif.	Jack Oliva Luoma.
Ronald Joseph Apperson	Los Angeles, Calif.	Allan B. McKittrick.
Lawrence D. Bernfeld	New York, N.Y.	Seymour Shainswit.
Alfred P. Bianucci	Oak Brook, Ill.	James Bernard Sloan.
Robert Henry Bonanno	Tampa, Fla.	Robert Whitney Knight.
George Geil Bovington	Seattle, Wash.	Slade Gorton.
Thomas Leigh Bryant	Gulfport, Miss.	Christopher James Lowrie.
Carl Peter Buhler	Miami, Fla.	Robert E. Venney.
David Alan Burge	Cleveland, Ohio	Frederic B. Schramm.
Robert Greenway Byrum	Chesapeake, Va.	Harold Jacob Goodman.
Philip F. Cardarella	Kansas City, Mo.	Charlotte P. Thayer.
John Allen Chalk	Abilene, Tex.	Judge Donald Hyram Lane.
Thomas Jack Challis	Saint Louis, Mo.	Donald J. Stohr.
Bruce A. Coggeshall	Portland, Maine	Fred C. Scribner, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas P. Connally	Albany, N.Y.	Harry Post Meislahn.
James A. Courter	Dearborn, Mich.	Olga Shniper Boikess.
Ronald Cramin	Los Angeles, Calif.	Mary Ellen Berke.
William Earl Daily	Indianapolis, Ind.	Theodore Lorraine Sendak.
Alfred E. Devendorf	Mill Neck, N.Y.	Leo C. Fennelly.
Frederick R. DeCesaris	Exeter, R.I.	Thomas Durne Gidley.
John T. Di Palma	West Islip, N.Y.	Bernard Joseph Reilly.
J. Henry Doscher, Jr.	Abilene, Tex.	Judge Donald Hiram Lane.
Thomas Edward Douglass	St. Louis, Mo.	Richmond C. Coburn.
Richard S. Dunn	Baton Rouge, La.	Robert L. Roland III.
Barry M. Epstein	Cranford, N.J.	Daniel Louis Grossman.
Dan A. Erwin	Chandler, Okla.	Donald El Roy Powers.
Richard Stewart Feldman	Schenectady, N.Y.	Michael Ralph Caprio, Jr.
Stanley Fink	Memphis, Tenn.	Felix H. Bean III.
James L. Flannery	Lebanon, Ohio	Morris J. Turkelson.
Ben Barrett Floyd	Houston, Tex.	Eugene Blackwell Wilshire, Jr.
William Francis Ford	Atlanta, Ga.	Robert W. Berry.
Edward LeBron Free	Clearwater, Fla.	J. Rex Farrior, Sr.
Rembert Arthur Gaddy	Oxon Hill, Md.	Myles E. Flint.
John Bernard Galus	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Harry Gibson	Detroit, Mich.	Olga Shniper Boikess.
William H. Gilliam	Waterloo, Iowa	Richard A. Knock.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Gardner Golding	Charlotte, N.C.	John Henderson Hasty.
John Chris Goodman	Chicago, Ill.	Clark C. Shire.
Richard Merrill Gordon	Atlanta, Ga.	Richard Mc- Kendrie Asbill.
Ronald E. Gother	Los Angeles, Calif.	Samuel O. Pruitt, Jr.
Christopher M. Guidroz	New Orleans, La.	Malcolm W. Monroe.
John A. Hallbauer	Cleveland, Ohio	G. Del Bates.
John Columbus Hammock	Columbia, Md.	Sandra H. Shapiro.
Glenn Edward Heatherly	Abilene, Tex.	Judge Donald Hiram Lane.
Kenneth Heller	Sumiton, Ala.	Harold Heller.
Michael Chaim Hennenberg	Cleveland, Ohio	Judge Adrian B. Fink, Jr.
Deanna Elizabeth Hickman	Denver, Colo.	Gary L. Greer.
Charles Leroy Howard, III	Birmingham, Ala.	William Worthington Clark.
Marc Richard Isaacson	Los Angeles, Calif.	Samuel O. Pruitt, Jr.
Robert Marc Jacobs	Hackensack, N.J.	Joseph A. Rizzi.
Mark M. Jaffe	New York, N.Y.	Benjamin E. Haller.
Jerome James	Norfolk, Va.	Ronald Charles Jessamy.
W. Jan Jankowski	Savannah, Ga.	John Wright Jones.
Anne Feigus Johnson	New York, N.Y.	Ronald P. Fischetti.
John Patrick Joyce	Pittsburgh, Pa.	Robert A. Jarvis.
Donald W. Kahn	Vernon Hills, Ill.	Dominic R. Fichera.
Louis N. Kash	Rochester, N.Y.	Lee G. Lovett.
Thomas Buchan Kelley	Denver, Colo.	Gail L. Ireland.
Gilbert King, Jr.	Gary, Ind.	Odas Nicholson.
Christopher Rutgers Knauth	Lutherville, Md.	Thomas M. Raysor.
Daniel W. Krasner	New York, N.Y.	Richard Mizrack.
Robert Blair Krueger	Los Angeles, Calif.	John H. Pickering.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David R. Larrouy	Ann Arbor, Mich.	Olga Shniper Boikess.
Ronald F. Layer	Hammond, Ind.	R. Cordell Funk.
Thomas Lazar	Southfield, Mich.	David Robinson Hood.
Kevin Leese Mannix	Salem, Oreg.	William Michael Gillette.
Stephen D. Manz	Kansas City, Mo.	Glenn E. McCann.
Cecil William Marr	Los Angeles, Calif.	James Alan Doherty.
James F. Marsh	Stroudsburg, Pa.	Frank Kennard Lewis.
Ronald F. Martignetti	Stoughton, Mass.	Abraham Goldstein.
Richard A. Mastaw	Redford, Mich.	William F. Delhey.
Dorothea Elizabeth Matthews	New York, N.Y.	Christine Beshar.
Hugh James McCarthy, Jr.	Chicago, Ill.	Hugh J. McCarthy.
Robert S. McEwan, Jr.	Ramsey, N.J.	Joseph C. Zisa.
Patrick L. McKay	San Antonio, Tex.	Roy R. Barrera
Kenneth C. McManaman	Pensacola, Fla.	Charles Edmund Ellis, Jr.
James H. Mellion	New York, N.Y.	Kenneth Gribetz.
Marvin Miller	San Antonio, Tex.	Harold D. Putman.
Alonzo Daniel Mitchell	New York, N.Y.	Richard Bernard Rutledge.
Robert Allan Mix	Bellefonte, Pa.	Eugene William Lederer.
Lee R. Mohr	Palm Springs, Calif.	Noah Ned Jamin.
Charles B. Molineaux, Jr.	New York, N.Y.	E. Nobles Lowe.
N. Forrest Montet	Atlanta, Ga.	Hosea Alexander Stephens.
John E. Morris, Jr.	Fort Lauderdale, Fla.	Dwight L. Rogers, Jr.
Marilyn Miriam Mosberg	New York, N.Y.	Judith Grad.
James R. Myers	Sioux Falls, S. Dak.	Franklin P. Gibbs, Jr.
Marvin P. Nodvin	Atlanta, Ga.	Theodore S. Worozbyt.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Mark M. Nolan	St. Paul, Minn.	Gerald L. Seck.
Henry R. Nolte, Jr.	Dearborn, Mich.	Olga Shniper Boikess.
Robert Hienrich Nutter	Tampa, Fla.	Robert Whitney Knight.
Hodge O'Neal III	Alexandria, Va.	John L. Pitts.
Leslie E. Osborne, Jr.	San Diego, Calif.	Eugene Mac Amos, Jr.
Arthur Erwin Peabody, Jr.	Danvers, Mass.	Solicitor General Wade H. McCree, Jr.
Frederick W. Peirsol	Orlando, Fla.	James A. Urban
John D. Phillips, Jr.	Denver, Colo.	Gail L. Ireland.
Vaden S. Pitts	Washington, D.C.	Donald D. Wike.
Richard Jasper Metcalfe Poulson	Norfolk, Va.	E. Barrett Prettyman, Jr.
Brenda Paulette Prewitt	Detroit, Mich.	Donald L. Hobson.
Robert Eben Price	Dallas, Tex.	Bradford Deene Corrigar, Jr.
Richard Douglas Price, Jr.	Peoria, Ill.	John E. Cassidy, Jr.
Clark Gerald Redick	Mission Hills, Kans.	Glenn Brooks Redick.
S. Paul Richards	Shawnee, Okla.	Terry W. West.
Paul William Robinson	Albuquerque, N. Mex.	William A. Sloan.
James Alan Royal	New Carrollton, Md.	Bryce Rea, Jr.
Andrew E. Rubin	San Bernardino, Calif.	Littleton Mears Gunn.
Burton T. Ryan	New York, N.Y.	Thomas McGanney.
Murray G. Sagsveen	Bismarck, N. Dak.	Frederick L. Miller, Jr.
James H. Sandman	Newburyport, Mass.	Stuart I. August.
Steven R. Schaars	Washington, D.C.	Judge Gerhard A. Gesell.
Robert Lewis Schwartz	Phoenix, Ariz.	Philip Walter Marquardt.
Malcolm Stuart Segal	San Francisco, Calif.	Edward P. Davis, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Arthur B. Seymour	Atlanta, Ga.	Ralph B. Matthews.
Steven Farrel Shames	Chesapeake, Va.	Harold Jacob Goodman.
Leonard S. Sigall	Columbus, Ohio	Lawrence Alan Berlin.
Wayne W. Smith	Los, Angeles, Calif.	Theodore B. Olson.
Bruce Douglas Sokler	Washington, D.C.	Michael S. Horne.
Fred L. Somers, Jr.	Atlanta, Ga.	John Joseph Tarleton.
Anthony Speranza	Ridgewood, N.J.	Russell C. MacFall.
Samuel Eugene Spital	San Diego, Calif.	Harold Sherwin Small.
Eugene Michael Steinfeld	Miami, Fla.	B. Paul Pettie, Jr.
Peter W. Steketee	Grand Rapids, Mich.	George R. Cook.
Carl E. Stewart	Newport Beach, Calif.	George Frazier Bethel.
Larry D. Struve	Reno, Nev.	Howard W. Cannon.
Harry S. Sudman	Cincinnati, Ohio	Frank M. Gusweiler.
Alan H. Susman	Phoenix, Ariz.	Philip Walter Marquardt.
Robert N. Swetnick	New York, N.Y.	Harry Grossman.
Stephen R. Swofford	Chicago, Ill.	William John Scott.
Ronald L. Taylor	Rancho Palos Verdes, Calif.	Franklyn C. Weiss.
James Taylor, Jr.	Washington, D.C.	Ralph Oman.
Richard McCrary Taylor, Jr.	Chapel Hill, N.C.	Adam Stein.
Morris Ashcroft Thurston	Newport Beach, Calif.	Henry J. Steinman, Jr.
Robert Charles Tobias	Denver, Colo.	H. Edward Burns, Jr.
John Sanford Todd	Lakewood, Calif.	Samuel Siegel.
Jack E. Toliver	Niles, Mich.	Fred Edward Schulz.
Joseph J. Urban	Johnstown, Pa.	Stuart Evan Seigel.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Daniel Jason Wallace	Newport Beach, Calif.	Arthur DePra Guy, Jr.
Samuel Bernard Weiner	Columbus, Ohio	William Roe Cromley.
Lawrence A. Whipple, Jr.	Newark, N.J.	Michael R. Griffinger.
Glenn Allen White	Newark, Ohio	E. Clark Morrow.
Lloyd T. Williams, Jr.	Dearborn, Mich.	Olga Shniper Boikess.
Theodore Joseph Williams, Jr.	St. Louis, Mo.	William Leonard Hungate.
Calvin T. Wilson	Philadelphia, Pa.	A. Leon Higginbothan, Jr.
B. Ray Woodard	Walterboro, S.C.	Harris Lewis Beach, Jr.
Harvey Leffert York	Toms River, N.J.	Robert F. Novins.
James R. Zazzali	Newark, N.J.	Michael R. Griffinger.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Nancy H. Fink	Brooklyn, N.Y.	Jeffrey B. Morris.
William Frank Allen	Lansing, Mich.	Glen R. Murphy.
Haskell M. Goodman	San Jose, Calif.	Alan A. Parker.
Thomas J. Goger	Rochester, N.Y.	Thomas J. Oliver.
Kim Alan Richards	Tucson, Ariz.	Gene Karo.
Myron Karman	Washington, D.C.	Richard Cullen Browne.
William J. O'Donnell	Scarsdale, N.Y.	Richard M. Merriman.
William Joseph O'Donnell	Scarsdale, N.Y.	Richard M. Merriman.
Robert Grant O'Donnell	White Plains, N.Y.	Richard M. Merriman.
Joshua Zev Rokach	New York, N.Y.	Stuart Alan Smith.
Bernard J. Killion	Boston, Mass.	Francis J. Lorson.
Rocco Conte	Darien, Conn.	Thomas J. Cote.
Douglas John Besharov	Washington, D.C.	Thomas J. Cote.
John Quincy Adams	Glen Head, N.Y.	Thomas J. Cote.
William Raphael Ahmuty III	Glen Head, N.Y.	Thomas J. Cote.
Joan Penny Alexander	New York, N.Y.	Thomas J. Cote.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Leonard Mark Bakal	New York, N.Y.	Thomas J. Cote.
Gary S. Basso	New York, N.Y.	Thomas J. Cote.
Seth Benson	New York, N.Y.	Thomas J. Cote.
Raymond P. Berberian	New York, N.Y.	Thomas J. Cote.
James Leon Berenthal	New York, N.Y.	Thomas J. Cote.
John Michael Bergin	Larchmont, N.Y.	Thomas J. Cote.
Harold S. Berzow	New York, N.Y.	Thomas J. Cote.
Steven George Michael Biro	New York, N.Y.	Thomas J. Cote.
David Ira Blejwas	New York, N.Y.	Thomas J. Cote.
Peter Sage Blodgett	Watertown, N.Y.	Thomas J. Cote.
Edward David Bloom	Rochester, N.Y.	Thomas J. Cote.
Robert S. Blume	Mineola, N.Y.	Thomas J. Cote.
Howard Joel Borenstein	Staten Island, N.Y.	Thomas J. Cote.
John Howard Breeze	New Scotland, N.Y.	Thomas J. Cote.
Ruth Tompkins Bridgham	Albany, N.Y.	Thomas J. Cote.
Teddar S. Brooks	Little Valley, N.Y.	Thomas J. Cote.
John Joseph Brunetti	Syracuse, N.Y.	Thomas J. Cote.
James David Burchetta	Carmel, N.Y.	Thomas J. Cote.
Joseph L. Burchetta	Carmel, N.Y.	Thomas J. Cote.
Neil R. Cahn	Mineola, N.Y.	Thomas J. Cote.
Richard S. Candee	Peekskill, N.Y.	Thomas J. Cote.
George J. Cappiello, Jr.	New York, N.Y.	Thomas J. Cote.
Arthur Frederic Casey	Schenectady, N.Y.	Thomas J. Cote.
Raymond Augustine Catanzano	Old Westbury, N.Y.	Thomas J. Cote.
Carmine John Clemente	Gloversville, N.Y.	Thomas J. Cote.
Anthony T. Conforti	Southampton, N.Y.	Thomas J. Cote.
David Charles Cook	New York, N.Y.	Thomas J. Cote.
Linda M. Cook	Syracuse, N.Y.	Thomas J. Cote.
John P. Coseo	Saratoga Springs, N.Y.	Thomas J. Cote.
Michael Louis Costello	Albany, N.Y.	Thomas J. Cote.
Michael L. Cserhalmi	Bayside, N.Y.	Thomas J. Cote.
Richard Gerald Dana	New York, N.Y.	Thomas J. Cote.
Michael Davidoff	Monticello, N.Y.	Thomas J. Cote.
Jerry DeSantis	New York, N.Y.	Thomas J. Cote.
John P. Donohue	New York, N.Y.	Thomas J. Cote.
Dennis T. Boyle	White Plains, N.Y.	Thomas J. Cote.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Martin I. Efman	Brentwood, N.Y.	Thomas J. Cote.
Edward Vincent Egert	Skaneateles, N.Y.	Thomas J. Cote.
Thomas Carl Emerson	Norwich, N.Y.	Thomas J. Cote.
Richard J. Evans	Rochester, N.Y.	Thomas J. Cote.
John Edward Fasciana	New York, N.Y.	Thomas J. Cote.
Paul D. Feinstein	New York, N.Y.	Thomas J. Cote.
Jack Kenneth Feirman	New York, N.Y.	Thomas J. Cote.
Barry Howard Feldman	Southampton, N.Y.	Thomas J. Cote.
Richard Laurans Feller	New York, N.Y.	Thomas J. Cote.
Daniel Anthony Ferrara	New York, N.Y.	Thomas J. Cote.
Martin C. Fisher	Rockville Centre, N.Y.	Thomas J. Cote.
Gregg Lewis Fishman	New York, N.Y.	Thomas J. Cote.
J. Michael Fitzgerald	Lockport, N.Y.	Thomas J. Cote.
William M. Freeman, Jr.	New York, N.Y.	Thomas J. Cote.
Stuart Frum	Westport, N.Y.	Thomas J. Cote.
Allan Fudim	New York, N.Y.	Thomas J. Cote.
Madeline Sheila Galvin	Slingerlands, N.Y.	Thomas J. Cote.
Robert E. Genant II	Parish, N.Y.	Thomas J. Cote.
Terence Germain	Watertown, N.Y.	Thomas J. Cote.
Peter M. Gilman	New York, N.Y.	Thomas J. Cote.
Paul Joseph Ginnelly	Syracuse, N.Y.	Thomas J. Cote.
Arthur James Giorgini	Lindenhurst, N.Y.	Thomas J. Cote.
Richard Alan Glickel	New York, N.Y.	Thomas J. Cote.
Bruce Allan Glubin	New York, N.Y.	Thomas J. Cote.
Diana Stasia Gondek	Boston, Mass.	John P. Hederman.
Donald G. Koch	Hackensack, N.J.	John P. Hederman.
Roger N. Levine	Verona, N.J.	John P. Hederman.
David Steward Mulchinock	Princeton, N.J.	John P. Hederman.
Marc Stuart Goldberg	New York, N.Y.	John P. Hederman.
Richard I. Goldsand	Carmel, N.Y.	John P. Hederman.
Gerald Patrick Gorman	Buffalo, N.Y.	John P. Hederman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Joseph G. Goubeaud, Jr.	Mount Vernon, N.Y.	John P. Hederman.
Kenneth F. Gracie	New York, N.Y.	John P. Hederman.
Wayne L. Graff	Kingston, N.Y.	John P. Hederman.
James Dieter Greenhalgh	New York, N.Y.	John P. Hederman.
Lawrence J. Groskin	Suffern, N.Y.	John P. Hederman.
William C. Gross	White Plains, N.Y.	John P. Hederman.
Raymond Clarence Groth	New York, N.Y.	John P. Hederman.
Robert Ian Gruber	Port Chester, N.Y.	John P. Hederman.
James Roger Gunderman	Buffalo, N.Y.	John P. Hederman.
Michael A. Gurda, Jr.	Middletown, N.Y.	John P. Hederman.
Kenneth S. Guttenplan	Great Neck, N.Y.	John P. Hederman.
Kenneth Ivan Haber	New York, N.Y.	John P. Hederman.
Edward S. Haddad	Albany, N.Y.	John P. Hederman.
Richard Eugene Hahn	New York, N.Y.	John P. Hederman.
Morris Handler	New York, N.Y.	John P. Hederman.
Barbara Ellen Handschu	Buffalo, N.Y.	John P. Hederman.
Cecilia Lynn Hanig	Poughkeepsie, N.Y.	John P. Hederman.
Joel Dennis Hanig	Poughkeepsie, N.Y.	John P. Hederman.
Robert P. Hanks	Rochester, N.Y.	John P. Hederman.
Frank Jonathan Hariton	New York, N.Y.	John P. Hederman.
Charles M. Harrigan, Jr.	West Valley, N.Y.	John P. Hederman.
Stephen Jay Harrison	Albany, N.Y.	John P. Hederman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Clifford Stanley Hays	New York, N.Y.	John P. Hederman.
Norman Robert Hayes, Jr.	Schenectady, N.Y.	John P. Hederman.
Mary Jane Heinlein	Scarsdale, N.Y.	John P. Hederman.
Richard J. Horwitz	Rochester, N.Y.	John P. Hederman.
Bruce A. Hubbard	New York, N.Y.	John P. Hederman.
Richard Koch Hughes	Syracuse, N.Y.	John P. Hederman.
James Horatio Huyck III	Endicott, N.Y.	John P. Hederman.
Daniel Hwang	New York, N.Y.	John P. Hederman.
Liberatore Joseph Iannarone	Centereach, N.Y.	John P. Hederman.
Thomas P. Ivanyi	New York, N.Y.	John P. Hederman.
Robert Wm. Johnson III	Albany, N.Y.	John P. Hederman.
Howard A. Jones	White Plains, N.Y.	John P. Hederman.
Peter A. Junge	New York, N.W.	John P. Hederman.
David B. Kahl	Corning, N.Y.	John P. Hederman.
Dennis Allen Kaufman	Albany, N.Y.	John P. Hederman.
James J. Kelleher	Stony Brook, N.Y.	John P. Hederman.
James J. Kelleher	Northport, N.Y.	John P. Hederman.
Ruth M. Kelly	Albany, N.Y.	John P. Hederman.
Walter P. Kelly	New York, N.Y.	John P. Hederman.
Allan J. Kirschner	New York, N.Y.	John P. Hederman.
Jerald David Kreppel	New York, N.Y.	John P. Hederman.
David B. Krogmann	Glenn Falls, N.Y.	John P. Hederman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard Alan Kroll	Rochester, N.Y.	John P. Hederman.
Daniel Kevin Lalor	Catskill, N.Y.	John P. Hederman.
Joseph William Latham	Canisteo, N.Y.	John P. Hederman.
H. Brian Levinson	Binghamton, N.Y.	John P. Hederman.
Alan S. Liebman	New York, N.Y.	John P. Hederman.
Mark A. Lillenstein	Delevan, N.Y.	John P. Hederman.
James D. Linnan	Albany, N.Y.	John P. Hederman.
Glenn Frances Litchfield	Rochester, N.Y.	John P. Hederman.
James A. Locke III	Rochester, N.Y.	John P. Hederman.
John Joseph Lynch	Kingston, N.Y.	John P. Hederman.
Patrice Ann Lyons	Albany, N.Y.	John P. Hederman.
Anthony George Maccarini	Carmel, N.Y.	John P. Hederman.
Richard B. MacFarland	Syracuse, N.Y.	John P. Hederman.
Kenneth Steven Magida	Huntington, N.Y.	John P. Hederman.
Patrick J. Malone	Delmar, N.Y.	John P. Hederman.
Jerry Alan Marr	New York, N.Y.	John P. Hederman.
Wayne R. Martell	Elmsford, N.Y.	John P. Hederman.
Thomas Francis McDermott	Garden City, N.Y.	John P. Hederman.
John R. McGlenn	Elmira, N.Y.	John P. Hederman.
Arthus F. McMahan, Jr.	New York, N.Y.	John P. Hederman.
Martin Philip Mehler	Plainview, N.Y.	John P. Hederman.
Bruce J. Miller	Lynbrook, N.Y.	John P. Hederman.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Russell Michael Mirabile	Brooklyn, N.Y.	John P. Hederman.
Robert Lyman Trescott	Coral Gables, Fla.	Thomas J. Cote.
Jeffrey M. Novick	Mineola, N.Y.	Thomas J. Cote.
James Paul Nunemaker, Jr.	New York, N.Y.	Thomas J. Cote.
Kevin P. O'Malley	New York, N.Y.	Thomas J. Cote.
Wayne Iven Ohl	Rochester, N.Y.	Thomas J. Cote.
William S. Oleson	White Plains, N.Y.	Thomas J. Cote.
Robert Charles Oilman	New Rochelle, N.Y.	Thomas J. Cote.
Karen K. Peters	New Paltz, N.Y.	Thomas J. Cote.
Robert J. Ponzini	White Plains, N.Y.	Thomas J. Cote.
Richard H. Popper	New York, N.Y.	Thomas J. Cote.
Vincent Louis Prandi	New York, N.Y.	Thomas J. Cote.
Marianne Regitsky	New York, N.Y.	Thomas J. Cote.
Richard Alexander Rehbock	New York, N.Y.	Thomas J. Cote.
George C. Reid	Boonville, N.Y.	Thomas J. Cote.
Edward J. Rose	Little Falls, N.Y.	Thomas J. Cote.
Robert Stanter Rose	Binghamton, N.Y.	Thomas J. Cote.
Arthur R. Rosen	Albany, N.Y.	Thomas J. Cote.
Ted Manus Rosen	New York, N.Y.	Thomas J. Cote.
Richard H. Rosenblum	New York, N.Y.	Thomas J. Cote.
Gerald Stephen Sacca	Lockport, N.Y.	Thomas J. Cote.
David Saft	New York, N.Y.	Thomas J. Cote.
Joseph Samet	New York, N.Y.	Thomas J. Cote.
Jay Lawrence Samoff	Kingston, N.Y.	Thomas J. Cote.
Anthony Richard Santucci	White Plains, N.Y.	Thomas J. Cote.
Edward J. Sarzynski	Binghamton, N.Y.	Thomas J. Cote.
Robert Stephen Saxon	New York, N.Y.	Thomas J. Cote.
Michael W. Schell	Watertown, N.Y.	Thomas J. Cote.
Jeffrey Robert Schiff	Brooklyn, N.Y.	Thomas J. Cote.
Daniel Leonard Schoenborn	Buffalo, N.Y.	Thomas J. Cote.
Steven S. Schwartzreich	Great Neck, N.Y.	Thomas J. Cote.
Anthony Joseph Sciolino	Rochester, N.Y.	Thomas J. Cote.
Frances A. Sclafani	West Islip, N.Y.	Thomas J. Cote.
Lester Guinn Sconiers	Buffalo, N.Y.	Thomas J. Cote.
Rose Hamlin Sconiers	Buffalo, N.Y.	Thomas J. Cote.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Norman Wight Seiter, Jr.	Mexico, N.Y.	Thomas J. Cote.
Michael George Shannon	New York, N.Y.	Thomas J. Cote.
Howard Shapiro	Albany, N.Y.	Thomas J. Cote.
Gary Lawrence Sharpe	Binghamton, N.Y.	Thomas J. Cote.
Daniel C. Shaughnessy, Jr.	Herkimer, N.Y.	Thomas J. Cote.
Elizabeth K. Shequine	Millbrook, N.Y.	Thomas J. Cote.
James W. Smyton	Buffalo, N.Y.	Thomas J. Cote.
Franklyn H. Snitow	New York, N.Y.	Thomas J. Cote.
Frederick R. Stortecky	Johnstown, N.Y.	Thomas J. Cote.
Edward T. Sumber	Carmel, N.Y.	Thomas J. Cote.
Elliot Simon Tetenbaum	White Plains, N.Y.	Thomas J. Cote.
Michael John Thomas	New York, N.Y.	Thomas J. Cote.
Michael E. Tierney	Port Jefferson Station, N.Y.	Thomas J. Cote.
G. Peter Van Zandt	Binghamton, N.Y.	Thomas J. Cote.
Kenneth G. Walsh	New York, N.Y.	Thomas J. Cote.
Daniel Kent Warner	New York, N.Y.	Thomas J. Cote.
Kenneth Francis Weliczka	Saratoga Springs, N.Y.	Thomas J. Cote.
Phillip Allen Werbel	Oceanside, N.Y.	Thomas J. Cote.
Charles Nisbet White	Amsterdam, N.Y.	Thomas J. Cote.
Bruce Duxbury Wilson	Ithaca, N.Y.	Thomas J. Cote.
Carl Wisotsky	New York, N.Y.	Thomas J. Cote.
Kenneth Robert Wolff	Mount Kisco, N.Y.	Thomas J. Cote.
Jed Blair Wolkenbreit	Albany, N.Y.	Thomas J. Cote.
Craig Alan Wolson	New York, N.Y.	Thomas J. Cote.
Gregory Paul Young	Mount Vernon, N.Y.	Thomas J. Cote.
Alan Stanley Zwiebel	Kingston, N.Y.	Thomas J. Cote.

#### OPINIONS

No. 76-750. Sears, Roebuck and Co., petitioner, *v.* San Diego County District Council of Carpenters. On writ of certiorari to the Supreme Court of California. Judgment reversed and case remanded to the Supreme Court of California for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Stevens. Concurring opinion by Mr. Justice Blackmun. Concurring opinion by Mr. Justice Powell. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice Marshall join.

No. 76-1607. Securities and Exchange Commission, petitioner, *v.* Samuel H. Sloan. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Mr. Justice Rehnquist. Opinion by Mr. Justice Brennan concurring in judgment with whom Mr. Justice Marshall joins. Opinion by Mr. Justice Blackmun concurring in judgment.

No. 76-6767. Frank R. Scott, etc. and Bernis L. Thurmon, etc., petitioners, *v.* United States. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed. Opinion by Mr. Justice Rehnquist. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Marshall joins.

No. 77-25. Flagg Brothers, Inc., etc., et al., petitioners, *v.* Shirley Herriott Brooks et al.;

No. 77-37. Louis J. Leftkowitz, Attorney General of New York, petitioner, *v.* Shirley Herriott Brooks et al.; and

No. 77-42. American Warehousemen's Association and the International Association of Refrigerated Warehouses, Inc., petitioners, *v.* Shirley Herriott Brooks et al. On writs of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed and cases remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rehnquist. Dissenting opinion by Mr. Justice Marshall. Dissenting opinion by Mr. Justice Stevens with whom Mr. Justice White and Mr. Justice Marshall join. Mr. Justice Brennan took no part in the consideration or decision of this case.

No. 76-682. Santa Clara Pueblo et al., petitioners, *v.* Julia Martinez et al. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Marshall. Mr. Justice Rehnquist joins Parts I, II, IV, and V of this opinion. Dissenting opinion by Mr. Justice White. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 77-293. Ezra Kulko, appellant, *v.* Superior Court of California in and for the City and County of San Francisco (Sharon Kulko Horn, real party in interest). Appeal from the Supreme Court of California. Appeal dismissed for want of jurisdiction. Treating papers whereon appeal was taken a petition for certiorari, certiorari granted, judgment reversed and case remanded to Supreme Court of California for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Marshall. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice White and Mr. Justice Powell join.

No. 5, Original. United States of America, plaintiff, *v.* State of California. On motion of State of California for entry of third supplemental decree. Motion of State of California for entry of third supplemental decree granted. Parties requested to submit an appropriate decree within 90 days. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice White with whom Mr. Chief Justice Burger and Mr. Justice Blackmun join. Mr. Justice Marshall took no part in the consideration or decision of this case.

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Adjourned until Monday, May 22, 1978, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

**Mr. Justice Brennan said:**

"Today's orders of the Court have been certified by Mr. Justice Brennan, filed with the Clerk, and will not be announced orally."

### APPEALS—SUMMARY DISPOSITION

**No. 77-1371.** James T. Conway, appellant, *v.* Wisconsin. Appeal from the Supreme Court of Wisconsin. The appeal is dismissed for want of a substantial federal question.

**No. 77-1380.** James Hepperle, appellant, *v.* Roy Ricks et al. Appeal from the United States Court of Appeals for the Fifth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

### ORDERS IN PENDING CASES

**No. A-891.** E. Jan Roberts, applicant, *v.* United States. Application for an extension of time in which to file a petition for writ of certiorari, presented to Mr. Justice Marshall and by him referred to the Court, granted and time to file such petition extended to and including May 30, 1978.

**No. A-954.** American Telephone and Telegraph Company, applicant, *v.* MCI Telecommunications Corporation et al.; and

**No. A-966.** United States Independent Telephone Association, applicant, *v.* MCI Telecommunications Corporation et al. Applications for stay of April 14, 1978, order of the United States Court of Appeals for the District of Columbia Circuit, Case No. 75-1635, presented to the Chief Justice and by him referred to the Court, denied.

**No. 73, Original.** State of California, plaintiff, *v.* State of Nevada. Motion of California State Assemblyman Mike Cullen for leave to file a brief, as *amicus curiae*; motion of Nevada for leave to file amended answer setting forth counterclaim; and motion of California for leave to file amended complaint referred to the Special Master.

**No. 77-5992.** Frank O'Neal Addington, appellant, *v.* Texas. Motion of appellant for appointment of counsel granted and it is ordered that Martha L. Boston, of Austin, Texas, is appointed to serve as counsel for appellant in this case.

## APPEAL—JURISDICTION NOTED

No. 77-1134. Montana et al., appellants, *v.* United States. Appeal from the United States District Court for the District of Montana. In this case probable jurisdiction noted.

## CERTIORARI GRANTED

No. 77-1387. Federal Open Market Committee of the Federal Reserve System, petitioner, *v.* David R. Merrill. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 77-1258. Minnesota, petitioner, *v.* First of Omaha Service Corporation et al.; and

No. 77-1265. Marquette National Bank of Minneapolis, petitioner, *v.* First of Omaha Service Corporation et al. Petitions for writs of certiorari to the Supreme Court of Minnesota granted. Cases consolidated and a total of one hour allotted for oral argument. In addition to the questions presented by the petitions, parties directed to brief and argue the jurisdictional issue as to whether petitions were timely filed.

## CERTIORARI DENIED

No. 77-1123. W. D. Dunning et al., petitioners, *v.* Earl Boyes. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 77-1126. Frank D. Stanley and O/S National, etc., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1169. John Bazzano, petitioner, *v.* United States;

No. 77-6097. David Rankin Guffey, petitioner, *v.* United States; and

No. 77-6236. John Franklin Matz, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1273. Blanche Hawn et al., petitioners, *v.* County of Ventura, California, et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 77-1282. Service Armament Co., etc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 77-1290. William Scott Shepherd, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 77-1297. Aaron Lax, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1307. Minnesota et al., petitioners, *v.* Zay Zah et al. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 77-1379. Edmund J. Godin, petitioner, *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 77-1382. Jack B. Ballard, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-1386. Frisco Land and Mining Co., petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 77-1391. Gloria Delesdernier, etc., petitioner, *v.* Estate of Julia Loga, etc., et al. Petition for writ of certiorari to the Court of Appeal of Louisiana, Fourth Circuit, denied.

No. 77-1392. Nevada ex rel. Roland D. Westergard, State Engineer, et al., petitioners, *v.* Salmon River Canal Co., Ltd. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1400. Frank Tangora et al., petitioners, *v.* Steven Petz et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1403. R. R. Robinson, etc., petitioner, *v.* Bob Bullock, etc. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Third Supreme Judicial District, denied.

No. 77-1404. Lloyd Fox and Howard Jensen, petitioners, *v.* Richard F. Kneip et al. Petition for writ of certiorari to the Supreme Court of South Dakota denied.

No. 77-1449. Vernon Ray Olmstead, petitioner, *v.* North Dakota. Petition for writ of certiorari to the Supreme Court of North Dakota denied.

No. 77-1474. Roy W. Hunt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1478. Pacific Gas and Electric Company and James C. Carroll, petitioners, *v.* Donald Widener. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 77-1498. Richard Taxe, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.



No. 77-1541. Arthur Garrett, Angelo Morini, and Fiesta Foods, Inc., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6059. John J. O'Leary, President, Florida Harvestore, Inc., petitioner, *v.* A. O. Smith Harvestore Products, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6087. Juanita Moorer et al., petitioners, *v.* Department of Housing and Urban Development et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6180. Henry Daniels, petitioner, *v.* New Mexico. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6247. John P. Witherow, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6267. Michael R. Yoder, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6274. Guadalupe Rodriquez-Gastelum, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6323. Francis E. Gillings, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6332. Frank Joseph Casciola, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6346. Vernon L. Woodson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6353. Walter J. Weddell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6357. Ervin Hohensee et al., petitioners, *v.* James Carter, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6371. Paul Hernandez Bunts, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.



No. 77-6374. Hugo Gomez-Silva, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6383. Richard Alan Basile, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6397. William Eugene Young, aka Clifton Cloudy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-6411. Everette Otis Shrader, petitioner, *v.* J. P. Mitchell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6421. John R. Sek, petitioner, *v.* Bethlehem Steel Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6422. Robert George Muncaster, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6423. Michael Loren Hintz, petitioner, *v.* Alaska et al. Petition for writ of certiorari to the Supreme Court of Alaska denied.

No. 77-6445. Louis Butler O'Neal, petitioner, *v.* Cleo G. Griffin et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6467. Charles J. Groomes, petitioner, *v.* Daniel J. Whitner, Jr., et al. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 77-6472. Jesse Lee Brake, petitioner, *v.* Franklin L. Adams, Jr. et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6474. Leroy Smith, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 77-6475. John Harvin Marshall, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 77-6478. Charles E. Hardin, petitioner, *v.* Lon Evans, Sheriff, Tarrant County, Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6481. Jessie Wayne Satterfield, petitioner, *v.* J. P. Mitchell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6487. Lloyd V. King, petitioner, *v.* A. Chavez, Superintendent, Techachapi Prison, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6492. Luis Garcia, Jr., petitioner, *v.* Clyde Malley, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6498. James McBride, petitioner, *v.* Delta Air Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6499. Alfred Menard, petitioner, *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 77-6500. James Willie Cleveland, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 77-6504. Monty Lee Eddings, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 77-6505. McArthur Watson, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 77-6507. Cheryl Todd, petitioner, *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 77-6509. Robert Lesley Goode, Jr., petitioner, *v.* E. P. Perini, Superintendent, Marion Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6512. Ruth Anna Kickasola, petitioner, *v.* Jim Wallace Oil Company et al. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 77-6515. James Roy Hill, petitioner. *v.* Donald Wyrick, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6523. Abdur-Rahim Dib Dudar, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6524. Juanita K. Snyder, petitioner *v.* Dan E. Snyder et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6534. Robert W. Lyon et ux., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6565. Johnny Delay, petitioner, *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 77-6593. Virgil Carter, petitioner, *v.* The Executive Branch of the United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6606. Reginald Edison Wright, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 77-6633. William J. Pierce, petitioner, *v.* Indiana et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-6672. Evelyn Frist, petitioner, *v.* Wesley M. Walker, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-689. Indiana & Michigan Electric Company, petitioner, *v.* City of Mishawaka, Indiana, et al. Motion of Edison Electric Institute for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-1015. Ronald Prate et al., petitioners, *v.* Elisha Freedman, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice White would grant certiorari.

No. 77-1106. James T. O'Brien, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied. Mr. Justice Brennan and Mr. Justice White would grant certiorari.

No. 77-1408. Dando Enterprises, Ltd., petitioner, *v.* Joseph H. Pritchett et al. Motion of respondent for damages denied. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6325. Blair Watson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Brennan and Mr. Justice Powell would grant certiorari.

#### LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 77-6657. William E. Conrad, petitioner, *v.* First State Bank & Trust Co. Motion for leave to file petition for writ of habeas corpus denied.

#### REHEARINGS DENIED

No. 77-959. Isaac Newton Hulver, petitioner, *v.* United States;

No. 77-5874. Deborah Lynn Little, petitioner, *v.* Arkansas;

No. 77-5995. Gino Reda, petitioner, *v.* United States;

No. 77-6079. Allen Blair Smith, petitioner, *v.* United States;

No. 77-6276. Jack Dempsey Phillips, petitioner, *v.* J. Robert Olian, etc., et al.; and

No. 77-6462. Elmer Begley, Jr., petitioner, *v.* James Carter, etc., et al. Petitions for rehearing denied.

## RECESS ORDER

The Court will take a recess from Tuesday, May 23, 1978, until Tuesday, May 30, 1978.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard Alan Anderson	Dallas, Tex.	John Calder Vance.
Satya Pal Asija	St. Paul, Minn.	Warren A. Sturm.
Phillip H. Baer	Philadelphia, Pa.	S. Gerald Litvin.
Robert A. Bailey	Kansas City, Mo.	Joseph A. Sherman.
John Murray Ballenger	Alexandria, Va.	Russell R. Sage.
Andrew J. Banyas III	Pittsburgh, Pa.	Carl Andrew Eck.
Jacob Bernstein	Oyster Bay, N.Y.	Charles J. Barnett.
Jay S. Bernstein	Potomac, Md.	Stanton Jay Gildenhorn.
Robert Louis Best	Chicago, Ill.	Robert Marion Smierciak.
Jerome A. Blaha	Castro Valley, Calif.	Fred M. Duman.
George Milton Boles	Birmingham, Ala.	Maurice Fugh Bishop.
Martha L. Boston	Austin, Tex.	William Peel Allison.
Stephen Henry Brandt	Honolulu, Hawaii	D. Alden Newland.
Margaret Marie Breinholt	Wichita, Kans.	Donald Hugh Heitman.
Paul L. Bricker	Detroit, Mich.	Joseph Earl Jackson.
John Louis Casey	New York, N.Y.	Ramsay D. Potts, Jr.
Kathleen Grogan Heirich Casey	New York, N.Y.	Maria Lenhoff Marcus.
James Roby Clopton	McAllen, Tex.	Henry Hollis Rankin, Jr.
Joseph T. Cohen	Schenectady, N.Y.	Frank L. Neuhauser.
Marvin A. Cohen	Jackson, Miss.	Ross Frederick Bass, Jr.
Gary L. Collings	Whittier, Calif.	Edward L. Miller.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Norton A. Colvin, Jr.	Brownsville, Tex.	Eduardo Roberto Rodriguez.
Leonard A. Costa, Jr.	Pittsburgh, Pa.	Mark F. Geary.
Wilbur C. Creveling, Jr.	Allentown, Pa.	William Henry Platt.
Curtis Newton Culver	Fayetteville, Ark.	Robert Raymond Keegan.
Kathleen Mary Cummins	Detroit, Mich.	James R. Neuhard.
Richard Lee Dally	Denver, Colo.	Alex Stephen Keller.
Robert Dean	Lansing, Mich.	Harold Hoag.
James F. Dear, Jr.	Austin, Tex.	Charles D. Mathews.
Norman Milton Dreyfuss	Washington, D.C.	Patrick Carroll McKeever.
Larry Dropiewski	Birmingham, Mich.	Donald E. Mather.
Phyllis Kay Dryden	San Francisco, Calif.	John R. Reese.
Marvin Ellin	Baltimore, Md.	Melvin J. Sykes.
Fred Lewis Epstein	New York, N.Y.	Robert David Arenstein.
Andrew F. Erba, Jr.	New Haven, Conn.	David A. Scholl.
Diana Lee Evans	Salisbury, N.C.	Daniel R. Ohlbaum.
Robert Graham Ferrell III	Melbourne, Fla.	Milton M. Ferrell.
Peter F. Fletcher	Oxford, Conn.	James C. Lyons.
Paul Lanaux Fourt	Dallas, Tex.	Marcellus Wooten, Jr.
Spencer W. Frank, Jr.	Philadelphia, Pa.	Paul A. Wolkin.
Eric A. Frey	Terre Haute, Ind.	David E. Rosenfeld.
Bennett Drew Fultz	Miami, Fla.	Lister Wither- spoon IV.
Nicholas George Garaufis	Bayside, N.Y.	Maria Lenhoff Marcus.
Jack F. Gardner	Farmington Hills, Mich.	Clarence H. Ledwon.
Theodore A. Gardner	Jersey City, N.J.	James B. Ventantonio.
Michael Frederick George	Columbus, Ohio	C. Richard Grieser.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James H. Gill, Jr.	Baton Rouge, La.	Gillis W. Long.
Frank Donald Gilliam	San Diego, Calif.	Patrick J. Schlesinger.
Richard J. Gonzalez	San Juan, P.R.	Ramon Lomba- Miranda.
Teddy B. Gordon	Louisville, Ky.	Estelle Gordon Cohen.
Maxwell Grabove	Miami, Fla.	George H. Salley.
Jimmylee Gray	Detroit, Mich.	Alphonso R. Harper.
James Lewis Griffith	Philadelphia, Pa.	Charles B. Burr II.
Richard A. Grigg	Austin, Tex.	John Farris Morehead.
Thomas Bradley Gumbel	Edwardsville, Ill.	Daniel B. Edelman.
John R. Harrington	Fort Lauderdale, Fla.	Harvey Kenneth Mattel.
Bernadine Teresa Harrity	Philadelphia, Pa.	Wilton B. Persons, Jr.
Roy Shelton Hatcher, Jr.	Hendersonville, Tenn.	Roy A. Miles, Jr.
Edmund P. Hennelly	New York, N.Y.	James Blackwood Pearson.
J. Patrick Herald	Chicago, Ill.	Francis D. Morrissey.
David C. Hjelmfelt	Washington, D.C.	Reuben Goldberg.
Thomas G. Hoffman	Boston, Mass.	Fern L. Nesson.
Charles Ralph Hogshead	Tulsa, Okla.	W. Keith Rapp.
Richard W. Horton	Reno, Nev.	David Warner Hagen.
R. Boatner Howell, Jr.	Baton Rouge, La.	Robert J. Vandaworker.
William R. Hudson	Philadelphia, Pa.	Paul A. Wolkin.
Melvin Russell Hughes, Jr.	Richmond, Va.	Harvey Latney, Jr.
Jon Scott Hutcheson	Houston, Mo.	Robert Michael Becker.
Clyde J. Jackson, Jr.	Corpus Christi, Tex.	George G. Brin.
Stephen Pleck Johnson	Sturgeon Bay, Wis.	Sven V. Kirkegaard.
Joseph B. Joyce	Des Moines, Iowa	Lex Hawkins.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Paul A. Joyce, Jr.	St. Paul, Minn.	James R. Bresnahan.
David Bayard Judson	Sacramento, Calif.	Allan J. Goodman.
Christopher Burgess Kende	New York, N.Y.	J. Paul McGrath.
Warren M. Kifferstein	Birmingham, Mich.	Edward M. Miller.
Keith John Kinsman	Oregon City, Oreg.	John Henry Hingson III.
Harvey S. Kronfeld	Philadelphia, Pa.	Paul A. Wolkin.
Anthony J. La Marca	Oyster Bay, N.Y.	Charles J. Barnett.
David Alexander Lawson III	Bellevue, Wash.	David Rodney Pigott.
Glenn W. Letham	Washington, D.C.	Reuben Goldberg.
Alan M. Levin	Chicago, Ill.	Anthony E. Dombrow.
George Hing Chong Liu	Chicago, Ill.	Carl E. Moore, Jr.
Paul Charles Madden	Philadelphia, Pa.	Paul A. Wolkin.
Timothy K. Madden	Jersey City, N.J.	Frank P. Addas.
Mel R. Martinez	Orlando, Fla.	Willard Drawn Frederick, Jr.
Cecil Shelton Mathis	Fort Worth, Tex.	Irving M. Pollack.
Joseph Michael Mayo	El Cajon, Calif.	David Paul Kuhfal.
Leo Italo MaLossi	Schenectady, N.Y.	Frank L. Neuhauser.
Robert T. McAllister	Chicago, Ill.	William J. Bauer.
B. Gary McBride	Toledo, Ohio	Benjamin B. Durfee.
Allen Whayne McClure	Dallas, Tex.	Allen Ray Morris.
Edward Wilson McCorkle	Arkadelphia, Ark.	Otis Hawes Turner.
Thomas G. McCuskey	Des Moines, Iowa	Robert E. Dreher.
Thomas Gilbert McKeon	Brewster, N.Y.	Robert E. Nowak.
Henry Dargon McMaster	Columbia, S.C.	J. Strom Thurmond.
Raymond F. McNally, Jr.	St. Louis, Mo.	Lon Hocker.
Leonard Meldman	Detroit, Mich.	Milton Lucow.
Martin J. Meyer	Wilkes-Barre, Pa.	John Richard Padova.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Alan S. Miller	Boston, Mass.	Louis Chandler.
Robert J. Miller.	New York, N.Y.	Donald L. Kreindler.
William Brode Mobley, Jr.	Corpus Christi, Tex.	Josquin Villarreal III.
C. Gary Moody	Gainesville, Fla.	Selig I. Goldin.
Gerald Francis Moore	Phoenix, Ariz.	Clayton Ray Hamblen.
Mitchell Roy Mulino	Los Angeles, Calif.	Millard M. Mier.
John H. Neiman	Des Moines, Iowa	Robert E. Dreher.
Marvin B. Nodel	Miami, Fla.	Robert H. Newman.
Gary Zane Nothstein	Baltimore, Md.	Albert Samuel Cook.
John Ohlson, Jr.	Reno, Nev.	Michael R. Specchio.
Frank Merriam Palmour	Orlando, Fla.	Leon Hunter Handley.
Thomas L. Pfister	Los Angeles, Calif.	Reed E. Hundt.
Gregory Russell Piche	Colorado Springs, Colo.	William R. Aman.
Ernst Fredrick Preis, Jr.	New Orleans, La.	Samuel Lang.
John Edwin Pruitt, Jr.	Fredericksburg, Va.	Nicholas N. Kittrie.
Edward H. Rasmussen	Bagley, Minn.	Aurel L. Ekvall.
William Sells Richards	Salt Lake City, Utah	William A. Harding.
Mary T. Robinson	Elgin, Ill.	Theodore Alexander Gottfried.
Douglas D. Roche	Detroit, Mich.	John E. S. Scott.
John V. Roscich	Naperville, Ill.	J. Michael James.
Theodore M. Rowen	Toledo, Ohio	Joseph Hyman Nathanson.
Leslie J. Ruben	Washington, D.C.	George Kaufmann.
Michael J. Ruffatto	Phoenix, Ariz.	Robert F. Watson.
James Prowant Sale, Jr.	Houston, Tex.	William B. Cassin.
Philippe Marc Salomon	New York, N.Y.	Anthony F. Phillips.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Martin C. Schroeder, Jr.	Baton Rouge, La.	Robert J. Vandaworker.
Isaac A. Scott, Jr.	Little Rock, Ark.	Robert S. Lindsey.
W. Joseph Shoemaker	Denver, Colo.	Robert S. Wham.
Marian E. Silber	New York, N.Y.	Burton Gordon.
Gregg P. Skall	McLean, Va.	Henry Geller.
Robert M. Smith	Chicago, Ill.	Robert William Karr.
Roger D. Smith	New Paltz, N.Y.	Charles Lyman Stewart.
Robert Miles Snader	Los Angeles, Calif.	Dennis L. Pearlmutter.
Maria Milagros Soto	San Juan, P.R.	Enrique A. Jordan Musa.
Kenneth G. Spillias	West Palm Beach, Fla.	Basil S. Diamond.
Robert Steinbock-Sinclair	Oak Brook, Ill.	Anna R. Lavin.
Bill Stephens	Phoenix, Ariz.	Mark Wilmer.
Richard A. Straser	Arlington, Va.	Bushrod Corbin Washington.
John C. Sullivan	Harrisburg, Pa.	Wilhelm E. Shissler.
William T. Surin	Ottawa, Ill.	Alexander Thomas Bower.
Matthew Robert Sutherland	New Orleans, La.	Atley A. Kitchings, Jr.
David L. Swimmer	Miami, Fla.	Raymond J. Dwyer.
Santi Tafarella, Jr.	Los Angeles, Calif.	Samuel A. Gordon.
Harry Raymond Terpstra	Cedar Rapids, Iowa.	Thomas Joseph Wilkinson, Jr.
Walter Polk Tillman	Memphis, Tenn.	George Russell Stanton, Jr.
John Abney Townsend	Houston, Tex.	Harold A. Chamberlain.
Richard Bruce Turer	Arlington, Va.	Edward Ernest Kubasiewicz.
Elliot W. Urdang	Park Ridge, N.J.	Kenneth G. Poller.
Harold Carl Verhaaren	Salt Lake City, Utah	Richard Clare Cahoon.
Theodore Voorhees, Jr.	Washington, D.C.	Michael Boudin.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Elyse G. Wander	Washington, D.C.	Peter R. Reilly.
Richard Lloyd Warrick	Washington, D.C.	Mark Shelton Anderson.
Lloyd J. Webb	Twin Falls, Idaho	James J. May.
Edmund T. Wegener, Jr.	New Orleans, La.	Albert P. Gallinghouse.
John J. Welch, Jr.	Rutland, Vt.	Richard Clarke Smith.
Bruce D. Wellman	Mt. Morris, Ill.	John Bayard Anderson.
Michael J. Wiethe	Cincinnati, Ohio	Richard H. Lippert.
Mervin M. Wilf	Philadelphia, Pa.	Paul A. Wolkin.
J. E. Wingfield	Washington, D.C.	Cynthia A. Niklas.
Christopher N. Zodrow	Carrollton, Ga.	Van C. Wilks.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David Harris Rule	Stockton, Calif.	Herbert E. Hoffman.
Joanne Mickelson Rocks	Anaheim, Calif.	Charles Edward Wiggins.
David LeRoy Lieser	Cincinnati, Ohio	Francis J. Lorson.
William Owne Ward III	San Diego, Calif.	Nancy Halliday Ely.
Richard B. Leather	New York, N.Y.	David Booth Beers.
Richard A. Danen	Waterbury, Conn.	Ronald David Eastman.
David William Buckley	Washington, D.C.	Judge John Printz Corderman.
Richard J. Krips	Washington, D.C.	Judge John Printz Corderman.
Lewis Jan Baker	Columbia, Md.	Judge John Printz Corderman.
John Bernard Bartkowiak, Jr.	Baltimore, Md.	Judge John Printz Corderman.
John Walter Beckley	Baltimore, Md.	Judge John Printz Corderman.
Ronald B. Bergman	Laytonsville, Md.	Judge John Printz Corderman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Henry Berniker	Baltimore, Md.	Judge John Printz Corderman.
Andrew Gwynn Bowie Jr.	Annapolis, Md.	Judge John Printz Corderman.
Douglas Morton Bregman	Bethesda, Md.	Judge John Printz Corderman.
Richard Joseph Brooks	Baltimore, Md.	Judge John Printz Corderman.
Stanley C. Brown	Baltimore, Md.	Judge John Printz Corderman.
James R. Brown III	Towson, Md.	Judge John Printz Corderman.
Luke Kenny Burns, Jr.	Westminster, Md.	Judge John Printz Corderman.
Michael J. Cooper	Towson, Md.	Judge John Printz Corderman.
John R. Costello	Baltimore, Md.	Judge John Printz Corderman.
Arthur King Davis	Baltimore, Md.	Judge John Printz Corderman.
James Edward Davitt	Silver Spring, Md.	Judge John Printz Corderman.
Robert Andrew Diem	Bel Air, Md.	Judge John Printz Corderman.
Donald A. Dunbar	Towson, Md.	Judge John Printz Corderman.
Joseph Louis Ely	Indian Head, Md.	Judge John Printz Corderman.
Thomas Oliver Evans	Baltimore, Md.	Judge John Printz Corderman.
Matthew S. Evans, Jr.	Annapolis, Md.	Judge John Printz Corderman.
Kevin P. Fay	Silver Spring, Md.	Judge John Printz Corderman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Stanley S. Fine	Baltimore, Md.	Judge John Printz Corderman.
Lewis L. Fleury	Towson, Md.	Judge John Printz Corderman.
Kenneth I. Ford	Baltimore, Md.	Judge John Printz Corderman.
James Kemp Fowley	Baltimore, Md.	Judge John Printz Corderman.
Steven Jay Fox	Columbia, Md.	Judge John Printz Corderman.
Edward Alan Frankle	Cheverly, Md.	Judge John Printz Corderman.
Eugene Allan Friedman	Baltimore, Md.	Judge John Printz Corderman.
Joseph Ryne Gallen	Cumberland, Md.	Judge John Printz Corderman.
Alan Garfinkle	Baltimore, Md.	Judge John Printz Corderman.
Barry E. Gordon	Rockville, Md.	Judge John Printz Corderman.
James M. Greenan	Lanham, Md.	Judge John Printz Corderman.
Nathan Joel Greenbaum	Columbia, Md.	Judge John Printz Corderman.
David Morris Guggenheim	Frederick, Md.	Judge John Printz Corderman.
Joseph McClain Hardman	Bowie, Md.	Judge John Printz Corderman.
Robert Henry Haslinger	Gaithersburg, Md.	Judge John Printz Corderman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Howard M. Henson	Baltimore, Md.	Judge John Printz Corderman.
Michael Clifford Hickey, Jr.	Baltimore, Md.	Judge John Printz Corderman.
James Charles Hubbard	Denton, Md.	Judge John Printz Corderman.
Allan Gabriel Innacone	Baltimore, Md.	Judge John Printz Corderman.
Steven Mark Jacoby	Columbia, Md.	Judge John Printz Corderman.
Robert Edward Jarrell	Denton, Md.	Judge John Printz Corderman.
Harvey Chester Jones II	Towson, Md.	Judge John Printz Corderman.
Bert W. Kapinus	Mt. Rainier, Md.	Judge John Printz Corderman.
Bruce A. Kent	Baltimore, Md.	Judge John Printz Corderman.
Harold Krauthamer	Chevy Chase, Md.	Judge John Printz Corderman.
Mark William Kugler	Beltsville, Md.	Judge John Printz Corderman.
Jerry A. Casser	West Orange, N.J.	Judge John Printz Corderman.
Richard Wilder Manning	Washington, D.C.	Judge John Printz Corderman.
Paul Boyce Tierney	Washington, D.C.	Judge John Printz Corderman.
Kenneth M. Trombly	Washington, D.C.	Judge John Printz Corderman.
Roy Eugene Estes	Towson, Md.	Judge John Printz Corderman.
Barbara Joanne Grappo Lampe	College Park, Md.	Judge John Printz Corderman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Jay Lavine	Silver Spring, Md.	Judge John Printz Corderman.
Alan Harvey Levitas	Baltimore, Md.	Judge John Printz Corderman.
Mark Alan Lobar	Silver Spring, Md.	Judge John Printz Corderman.
Randall Matthew Lutz	Baltimore, Md.	Judge John Printz Corderman.
Barbara A. Maher	Laurel, Md.	Judge John Printz Corderman.
James Francis Maher	Laurel, Md.	Judge John Printz Corderman.
Carlo Anthony Maio	Baltimore, Md.	Judge John Printz Corderman.
Thomas Joseph Mancuso	Bethesda, Md.	Judge John Printz Corderman.
Lawrence Anthony Melfa	Towson, Md.	Judge John Printz Corderman.
Marvin Bryan Miller	Greenbelt, Md.	Judge John Printz Corderman.
Robert L. Miller	Bel Air, Md.	Judge John Printz Corderman.
Alan J. Mojol	Baltimore, Md.	Judge John Printz Corderman.
James Francis O'Neill	Bel Air, Md.	Judge John Printz Corderman.
Glenn J. Perry	Columbia, Md.	Judge John Printz Corderman.
John H. Price, Jr.	Baltimore, Md.	Judge John Printz Corderman.
Jeffrey Neil Pritzker	Baltimore, Md.	Judge John Printz Corderman.
Charles Clarke Raley	Leonardtown, Md.	Judge John Printz Corderman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Leonard C. Redmond III	Baltimore, Md.	Judge John Printz Corderman.
Gregory Lee Reed	Baltimore, Md.	Judge John Printz Corderman.
Raymond Arthur Richards	Baltimore, Md.	Judge John Printz Corderman.
Barry Dale Richmond	Chevy Chase, Md.	Judge John Printz Corderman.
Essom Velow Ricks, Jr.	Annapolis, Md.	Judge John Printz Corderman.
Steven Rosen	Bowie, Md.	Judge John Printz Corderman.
Kenneth L. Samuelson	Baltimore, Md.	Judge John Printz Corderman.
Francis Armand Sauer	Baltimore, Md.	Judge John Printz Corderman.
Steven Michael Selzer	Rockville, Md.	Judge John Printz Corderman.
Dennis Gary Silverman	Baltimore, Md.	Judge John Printz Corderman.
Steven David Silverman	Baltimore, Md.	Judge John Printz Corderman.
Richard Wayne Single	Baltimore, Md.	Judge John Printz Corderman.
William Single III	Baltimore, Md.	Judge John Printz Corderman.
James Philip Sites	Chevy Chase, Md.	Judge John Printz Corderman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert William Skelton	Ellicott City, Md.	Judge John Printz Corderman.
Diane E. Slabicki	Laurel, Md.	Judge John Printz Corderman.
John W. Sloan	Baltimore, Md.	Judge John Printz Corderman.
William M. Smith, Jr.	Baltimore, Md.	Judge John Printz Corderman.
Joseph Sperling	Rockville, Md.	Judge John Printz Corderman.
Neil Warren Steinhorn	Baltimore, Md.	Judge John Printz Corderman.
Emory Earl Tamplin Jr.	Cambridge, Md.	Judge John Printz Corderman.
Anthony James Tirone	Reisterstown, Md.	Judge John Printz Corderman.
J. Merrill Turner	Bel Air, Md.	Judge John Printz Corderman.
Franklin Somes Tyng	Bel Air, Md.	Judge John Printz Corderman.
Edward Monroe Ulsch	Westminster, Md.	Judge John Printz Corderman.
Steven VanGrack	Rockville, Md.	Judge John Printz Corderman.
Thomas E. Walker	Lanham, Md.	Judge John Printz Corderman.
Judith S. Waranch	Baltimore, Md.	Judge John Printz Corderman.
Joseph Philip Webber	Baltimore, Md.	Judge John Printz Corderman.
Richard Mayor Weintraub	Owings Mills, Md.	Judge John Printz Corderman.
Timothy J. West	Silver Spring, Md.	Judge John Printz Corderman.
Charles E. Wilson, Jr.	Rockville, Md.	Judge John Printz Corderman.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David Carey Woll	Rockville, Md.	Judge John Printz Corderman.
Alexander Wright, Jr.	Baltimore, Md.	Judge John Printz Corderman.
John Joseph Zarych	Baltimore, Md.	Judge John Printz Corderman.
Sherry Ellen Aaron	Forest Hills, N.Y.	Judge Leonard Leigh Finz.
Steven Robert Abrams	Kew Gardens, N.Y.	Judge Leonard Leigh Finz.
Anthony Albert Aliano	White Plains, N.Y.	Judge Leonard Leigh Finz.
Samuel A. Almon	New York, N.Y.	Judge Leonard Leigh Finz.
Burton J. Apat	New York, N.Y.	Judge Leonard Leigh Finz.
Andrew Martin Axler	New York, N.Y.	Judge Leonard Leigh Finz.
Richard E. Beaman	New York, N.Y.	Judge Leonard Leigh Finz.
Jeff Bernstein	New York, N.Y.	Judge Leonard Leigh Finz.
Stanley Ira Birnbaum	New York, N.Y.	Judge Leonard Leigh Finz.
Sidney Block	Jamaica, N.Y.	Judge Leonard Leigh Finz.
Allan S. Botter	New York, N.Y.	Judge Leonard Leigh Finz.
Martin Lawrence Bracken	Belle Harbor, N.Y.	Judge Leonard Leigh Finz.
Allen B. Breslow	New York, N.Y.	Judge Leonard Leigh Finz.
Eleanor Mae Cohen Burstein	New York, N.Y.	Judge Leonard Leigh Finz.
Stuart D. Byron	New York, N.Y.	Judge Leonard Leigh Finz.
Robert Cahn	New York, N.Y.	Judge Leonard Leigh Finz.
Bruce G. Clark	New York, N.Y.	Judge Leonard Leigh Finz.
Cosmo J. Di Tucci	New York, N.Y.	Judge Leonard Leigh Finz.
Eric S. Edelstein	New York, N.Y.	Judge Leonard Leigh Finz.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
George Martin Faber	New York, N.Y.	Judge Leonard Leigh Finz.
James S. Falletta	New York, N.Y.	Judge Leonard Leigh Finz.
Samuel B. Freed	New York, N.Y.	Judge Leonard Leigh Finz.
Stanley M. Glasser	New York, N.Y.	Judge Leonard Leigh Finz.
Michael B. Goldenthal	Queens, N.Y.	Judge Leonard Leigh Finz.
Samuel A. Goldenthal	Queens, N.Y.	Judge Leonard Leigh Finz.
William Lester Goldstein	New York, N.Y.	Judge Leonard Leigh Finz.
Louis H. Hauck	New York, N.Y.	Judge Leonard Leigh Finz.
George Michael Heymann	New York, N.Y.	Judge Leonard Leigh Finz.
Paul S. Jason	New York, N.Y.	Judge Leonard Leigh Finz.
Morton Klein	New York, N.Y.	Judge Leonard Leigh Finz.
Seymour Lakritz	New York, N.Y.	Judge Leonard Leigh Finz.
Thomas Joseph Lopresto	New York, N.Y.	Judge Leonard Leigh Finz.
Soloman M. Lowenbraun	New York, N.Y.	Judge Leonard Leigh Finz.
Douglas S. Mackay	Jamaica, N.Y.	Judge Leonard Leigh Finz.
Thaddeus L. Majcherek	New York, N.Y.	Judge Leonard Leigh Finz.
Jerome M. Rehr	Woodside, N.Y.	Judge Leonard Leigh Finz.
Isidore N. Rosansky	New York, N.Y.	Judge Leonard Leigh Finz.
Edward H. Rosenthal	New York, N.Y.	Judge Leonard Leigh Finz.
Ronald Rubinstein	Queens, N.Y.	Judge Leonard Leigh Finz.
Eric B. Schoenfeld	New York, N.Y.	Judge Leonard Leigh Finz.
Frederick L. Segal	New York, N.Y.	Judge Leonard Leigh Finz.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Alan Seibel	New York, N.Y.	Judge Leonard Leigh Finz.
Perry Sklarin	Kew Gardens, N.Y.	Judge Leonard Leigh Finz.
Howard Donald Stave	Forest Hills, N.Y.	Judge Leonard Leigh Finz.
Allan David Summers	New York, N.Y.	Judge Leonard Leigh Finz.
Carl Turetsky	New York, N.Y.	Judge Leonard Leigh Finz.
Muriel D. Wanderman	New York, N.Y.	Judge Leonard Leigh Finz.
Ronnie D. Wax	New York, N.Y.	Judge Leonard Leigh Finz.
Edmund J. Wilowski	Douglaston, N.Y.	Judge Leonard Leigh Finz.
Joseps Thomas Barberi	Mt. Pleasant, Mich.	Robert P. Griffin.
Ralph W. Barbier, Jr.	Grosse Pointe Woods, Mich.	Robert P. Griffin.
James A. Callahan	Detroit, Mich.	Robert P. Griffin.
John Roy Castillo	Lansing, Mich.	Robert P. Griffin.
John Patrick Charters	Bloomfield Hills, Mich.	Robert P. Griffin.
Joseph Lucian Chylinski	Detroit, Mich.	Robert P. Griffin.
James Charles Cotant	Gaylord, Mich.	Robert P. Griffin.
David L. Dalenberg	Warren, Mich.	Robert P. Griffin.
Lee Mary Danielson	Farmington Hills, Mich.	Robert P. Griffin.
Judith Dennehy Doran	Birmingham, Mich.	Robert P. Griffin.
William Francis Doran	Franklin Village, Mich.	Robert P. Griffin.
John Cesare Franco	Southfield, Mich.	Robert P. Griffin.
Mark W. Garrison	Albion, Mich.	Robert P. Griffin.
Thomas L. Giannico	Warren, Mich.	Robert P. Griffin.
Beverly C. Grobbel	Grosse Pointe Park, Mich.	Robert P. Griffin.
Herbert C. Huson	St. Clair Shores, Mich.	Robert P. Griffin.
John Patrick Jacobs	St. Clair Shores, Mich.	Robert P. Griffin.
Arnold John Jarboe	St. Clair Shores, Mich.	Robert P. Griffin.
Michael Richard Knoblock	Detroit, Mich.	Robert P. Griffin.
Joseph Frederic McCarthy	Detroit, Mich.	Robert P. Griffin.
John Edward McSorley	Bad Axe, Mich.	Robert P. Griffin.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David A. Mikelonis	Gladwin, Mich. Detroit, Mich.	Robert P. Griffin.
Martin Howard Miller	Jackson, Mich. Troy, Mich.	Robert P. Griffin.
John Joseph Murray	Warren, Mich. Iron River, Mich.	Robert P. Griffin.
Torger G. Omdahl	Beaverton, Mich.	Robert P. Griffin.
Paul Joseph Pemberton	Royal Oak, Mich. Detroit, Mich.	Robert P. Griffin.
Matthew C. Quinn	Southfield, Mich. Bloomfield Hills, Mich.	Robert P. Griffin.
Elmer L. Roller	Mich.	Robert P. Griffin.
Marita Silverstein	St. Clair Shores, Mich.	Robert P. Griffin.
Gordon A. Snavelly	Mich.	Robert P. Griffin.
Anthony J. Spada	Farmington Hills, Mich.	Robert P. Griffin.
Thomas Roland Sullivan	Hills, Mich.	Robert P. Griffin.

#### OPINIONS

No. 76-1800. United States, petitioner, *v.* Onofre J. Sotelo and Naomi Sotelo. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Marshall. Dissenting opinion by Mr. Justice Rehnquist with whom Mr. Justice Brennan, Mr. Justice Stewart and Mr. Justice Stevens join.

No. 76-1835. Ike Slodov, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brennan. Concurring opinion by Mr. Justice Rehnquist. Dissenting opinion by Mr. Justice White with whom Mr. Chief Justice Burger and Mr. Justice Blackman join.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

## OPINIONS

No. 76-1150. Lester Baldwin et al., appellants, *v.* Fish and Game Commission of Montana et al. Appeal from the United States District Court for the District of Montana. Judgment affirmed. Opinion by Mr. Justice Blackmun. Concurring opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice White and Mr. Justice Marshall join.

No. 76-1143. Ray Marshall, Secretary of Labor, et al., appellants, *v.* Barlow's, Inc. Appeal from the United States District Court for the District of Idaho. Judgment affirmed. Opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Stevens with whom Mr. Justice Blackmun and Mr. Justice Rehnquist join. Mr. Justice Brennan took no part in the consideration or decision of the case.

No. 76-1596. United States, petitioner, *v.* John Mauro and John Fusco; and

No. 77-52. United States, petitioner, *v.* Richard Thompson Ford, On writs of certiorari to the United States Court of Appeals for the Second Circuit. Judgment in No. 76-1596 reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Judgment in No. 77-52 affirmed. Opinion by Mr. Justice White. Opinion by Mr. Justice Rehnquist concurring in judgment in No. 76-1596 and dissenting in No. 77-52 with whom Mr. Chief Justice Burger joins.

No. 77-39. William Pinkus, dba "Rosslyn News Company" and "Kamera", petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Burger. Concurring opinion by Mr. Justice Stevens. Opinion by Mr. Justice Brennan concurring in the judgment with whom Mr. Justice Stewart and Mr. Justice Marshall join. Dissenting opinion by Mr. Justice Powell.

No. 77-888. Joseph Vitek, etc., et al., appellants, *v.* Charles Miller et al. Appeal from the United States District Court for the District of Nebraska. Judgment vacated and case remanded to the United States District Court for the District of Nebraska for consideration of the question of mootness. Opinion *per curiam* announced by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Stevens.

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Adjourned until Tuesday, May 30, 1978, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

## ORDER IN PENDING CASE

No. A-997. Ronald Douthit, applicant, *v.* Georgia. Application for stay of execution of the death sentence in this case, presented to Mr. Justice Powell and by him referred to the Court, denied. Mr. Justice Brennan and Mr. Justice Marshall would grant stay.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

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Mr. Justice Brennan said:

"Today's orders of the Court have been certified by Mr. Justice Brennan, filed with the Clerk, and will not be announced orally."

## OPINION PER CURIAM

No. 77-1237. General Atomic Company, petitioner, *v.* Edwin L. Felter, District Judge, etc., et al. On motion for leave to file petition for writ of mandamus. Motion for leave to file petition for writ of mandamus granted. Assuming as we do that the Santa Fe Court will now conform to our previous judgment by promptly vacating or modifying its order of December 16, 1977, to the extent that it places any restriction whatsoever upon GAC's exercise of its right to litigate arbitration claims in federal forums, we do not at present issue a formal writ of mandamus. Opinion *per curiam*.

## APPEALS—SUMMARY DISPOSITION

No. 77-1150. Concerned Citizens of Southern Ohio, Inc., et al., appellants, *v.* The Pine Creek Conservancy District et al. Appeal from the United States District Court for the Southern District of Ohio. Judgment affirmed. Mr. Justice Brennan, Mr. Justice White and Mr. Justice Marshall would note probable jurisdiction and set case for oral argument.

No. 77-5063. Robert H. Scott and Lulu Mae Scott, appellants, *v.* Federal National Mortgage Association, etc. Appeal from the Supreme Court of Missouri. The appeal is dismissed for want of a substantial federal question. Mr. Justice Brennan took no part in the consideration or decision of this appeal.

No. 77-6217. Edward Ray Stacy, etc., appellant, *v.* Florida. Appeal from the Supreme Court of Florida. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 77-6354. Mary C. Northern, appellant, *v.* Tennessee, Department of Human Services. Appeal from the Supreme Court of Tennessee, Middle Division. The appeal is dismissed as moot.

## CERTIORARI—SUMMARY DISPOSITION

No. 77-371. Reece Shirley et al., petitioners, *v.* Retail Store Employees Union, etc., et al. On petition for writ of certiorari to the Supreme Court of Kansas. Petition for writ of certiorari granted. Judgment vacated and case remanded to the Supreme Court of Kansas for further consideration in light of *Sears, Roebuck & Co. v. San Diego County District Council of Carpenters*, 436 U.S. — (1978).

## ORDER IN PENDING CASE

No. A-967. Der-Rong Chour, applicant, *v.* Benedict J. Ferro, etc., et al. Application for stay of deportation, presented to Mr. Justice Brennan and by him referred to the Court, denied. The Chief Justice, Mr. Justice Marshall and Mr. Justice Powell would reject application since it was not signed by counsel.

## APPEAL—JURISDICTION NOTED

No. 77-1119. William Herbert Orr, appellant, *v.* Lillian M. Orr. Appeal from Supreme Court of Alabama. In this case probable jurisdiction noted.

## CERTIORARI GRANTED

No. 77-1177. Aubrey Scott, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois granted.

No. 77-1337. University of Nevada et al., petitioners, *v.* John Michael Hall, etc., et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, granted.

No. 77-1388. Massachusetts, petitioner, *v.* Charles F. White. Petition for a writ of certiorari to the Supreme Judicial Court of Massachusetts granted.

## CERTIORARI DENIED

No. 77-123. Local No. 757 of the Ice Cream Drivers and Employees Union, etc., et al., petitioners, *v.* Barclay's Ice Cream Co., Ltd. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 77-1171. Ernest Lathrop et ux., petitioners, *v.* Bell Federal Savings and Loan Association. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 77-1193. Michael R. Stearsman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 77-1197. Wilford K. Pulawa, Sr., etc., et al., petitioners, *v.* Hawaii. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 77-1217. Charles Simkovich, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1239. First National Bank of Akron, petitioner, *v.* Judicial Panel on Multidistrict Litigation et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1247. Ronald Gibson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1293. James Augustus Peterson, Sr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-1310. Anthony Ricco, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1321. Nicholas Palumbo et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1331. National Citizens Committee for Broadcasting, petitioner, *v.* Federal Communications Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-1338. Richard Wayne Mummert, petitioner, *v.* United States; and

No. 77-6384. Alfredo Reynoso-Ulloa, petitioner, *v.* United States. Petitions for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1429. C. W. Antill, petitioner, *v.* Max Joe Sigman. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 77-1431. James Boyet Frink, petitioner, *v.* Catherine E. Frink. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 77-1434. St. Louis-San Francisco Railway Company, petitioner, *v.* James T. Griffith. Petition for writ of certiorari to the Court of Appeals of Missouri, St. Louis District, denied.

No. 77-1436. George B. Setchell, petitioner, *v.* Anoka County, Minnesota, Sheriff's Civil Service Commission. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 77-1437. Philip Peltz, petitioner, *v.* Joint Bar Association Grievance Committee for the Second and Eleventh Judicial Districts. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 77-1445. Ray Melendy, petitioner, *v.* United States Postal Service and National Association of Letter Carriers, AFL-CIO. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-1446. Southern Capital Corporation, petitioner, *v.* Southern Pacific Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-1454. Ralph S. Abernathy, etc., petitioner, *v.* Schenley Industries, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-1456. Pamela Peck, petitioner, *v.* William Dunn et al. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 77-1461. Charles Berg, petitioner, *v.* Joan Anderson Growe, Secretary of State of Minnesota, et al. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 77-1516. Archie Peltzman, petitioner, *v.* Central Gulf Lines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1555. Albert A. Bensabat, III, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1602. Hugh R. Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-5737. Morgan Matthews et al., petitioners, *v.* Local Union No. 3, International Union of Operating Engineers, et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 77-6216. Craig H. Fellows, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 77-6218. Jimmy Smith, aka Johnny C. Thomas, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 77-6233. Don Wilmore, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6251. Douglas L. McAllister, petitioner, *v.* Sam P. Garrison, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6285. Richard Clinton Allsup, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6286. Harry Levine, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-6293. Charles Curtis Harris, petitioner, *v.* U.S. District Court for the District of Kansas. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6388. William H. Brown and Dale R. McDonald, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6393. James A. Tierney, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6451. Juan Rangel Martinez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6494. Ralph Dugan Gooden, petitioner, *v.* Harris County Commissioners Court et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6497. John Houston Sellars, petitioner, *v.* J. P. Busch, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6514. Eddie Torres Espinoza, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6517. Pearly Wilson, petitioner, *v.* Bruce Armstrong et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6526. Maria Jiranek, petitioner, *v.* Bank of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6538. Charles Brown, petitioner, *v.* New Mexico. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 77-6545. Wilmer Edward Wilson, petitioner, *v.* Richard A. Crisp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6546. Winifred S. Nance, petitioner, *v.* Union Carbide Corporation, Consumer Products Division. Petition for writ of cer-

tiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6554. E. Christman Dawn, petitioner, *v.* Sterling Drug, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6560. Timothy T. Scott, petitioner, *v.* Roger T. Overburg, Superintendent, London Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6562. Calvin Louis Taylor and Lancia Tipsord, petitioners, *v.* Allen Superior Court, Criminal-Felony Division, Alfred W. Moelering, Judge. Petition for writ of certiorari to the Court of Appeals of Indiana denied.

No. 77-6564. James Scherer, petitioner, *v.* Chas. Wolff, Jr., Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6584. Ernest McNeal, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6587. Early D. Eldridge, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6623. John Noehl Schmitz, petitioner, *v.* United States District Court for the Central District of California et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6629. Marvin Dale Frazee, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6634. Joshua James, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6643. Jose Luis Nunez-Chavez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6647. William L. Davis, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6653. Emma Jean Greathouse, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.



No. 77-6655. Jose Nunez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6659. George W. Supplee, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6674. Sylvester Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6681. Theodore W. Bettker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6687. Floyd August Davis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6688. Daniel E. Snead, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 76-1523. David B. Swoap, etc., petitioner, *v.* Margarita Garcia et al. Motion of respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied. Mr. Justice Stewart would grant certiorari.

No. 76-1799. Transcontinental Gas Pipe Line Corporation, petitioner, *v.* Federal Energy Regulatory Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Stewart and Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 76-1826. Robert R. London, Rufus Jones and Julius Cottman, petitioners, *v.* United States;

No. 76-1852. Richard James Genco, petitioner, *v.* United States; and

No. 76-6978. John Shade, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Brennan would grant certiorari.

No. 76-6637. Chloe V. Daviage, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Brennan would grant certiorari.

No. 76-6828. Thomas Fury, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Brennan would grant certiorari.

No. 77-5291. Albert Lee aka Alphonso Lee, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Brennan would grant certiorari.

No. 77-1077. James D. Graves, et ux., petitioners, *v.* White Mountain Apache Tribe, etc., et al. Petition for writ of certiorari to the Court of Appeals of Arizona, Division One, denied. Mr. Justice Blackmun would grant certiorari.

No. 77-1226. Bruce Long, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice Marshall join.

No. 77-1253. Leslie W. Nimmo et al., petitioners, *v.* Charles S. Grainger et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Powell would grant certiorari.

No. 77-1330. Roy Isakson et al., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Stevens took no part in the consideration or decision of this petition.

No. 77-1339. Michael Robinson, petitioner, *v.* City of Birmingham. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice Marshall join.

No. 77-1418. Consolidated Motor Inns., petitioner, *v.* Alias Enterprises, Ltd. Motion of BVA Credit Corporation for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1490. Learie Leo Alford, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Brennan joins.

No. 77-1510. Surety Title Insurance Agency, Inc., petitioner, *v.* Virginia State Bar. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice White would grant certiorari.

#### LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No 77-6727. Robert Earl Green, Sr., petitioner, *v.* Blair Lee, III, Governor of Maryland, et al. Motion for leave to file petition for writ of habeas corpus denied.



## LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. **77-6555**. Clovis Carl Green, Jr., petitioner, *v.* Elmo B. Hunter. Motion for leave to file petition for writ of mandamus denied.

## REHEARINGS DENIED

No. **77-1050**. Anna deKam et al., appellants, *v.* City of Southfield et al.;

No. **77-1140**. Daniel R. W. Doyle, petitioner, *v.* Board of Fire and Police Commissioners of the Village of Schaumburg;

No. **77-1188**. Minnie Bryan Breza, appellant, *v.* City of Trimont;

No. **77-1358**. David Gaetano et al., petitioners, *v.* Louis F. Oberdorfer, Judge, etc.;

No. **77-6149**. John M. Harper, appellant, *v.* Charles T. Duffey;

No. **77-6244**. Edward O. Marschall et ux., appellants, *v.* Joel K. Kristensen et al.; and

No. **77-6299**. James William Plemons, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petitions for rehearing denied.

## RECESS ORDER

The Court will take a recess from Wednesday, May 31, 1978, until Monday, June 5, 1978.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Harold Ira Abramson	Albany, N.Y.	John C. Esposito.
Martin David Altmaier	Newark, Ohio	E. Clark Morrow.
Steven R. Anderson	Columbia, S.C.	J. Strom Thurmond.
Stuart de Kok Apgar	Sacramento, Calif.	George Sanford Gass.
Alexander Appelbaum	Florida, N.Y.	Howard S. Finkelstein.
Mark S. Arisohn	New York, N.Y.	Stanley S. Arkin.
David Max Barasch	Harrisburg, Pa.	Norman J. Watkins.
Robert A. Bartlett	Atlanta, Ga.	Robert Edward Hicks.
John Sheridan Beeler	Houston, Mo.	Robert Michael Becker.
Robert Alan Berlow	Southfield, Mich.	Nathan I. Goldin.
Roger Edward Berres	Findlay, Ohio	Quentin Howard Wood.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Stuart Michael Bluestone	Washington, D.C.	Victor H. Kramer.
Randall Paul Borcharding	San Francisco, Calif.	Bruce S. Flushman.
James B. Breese	Denver, Colo.	Jeanne Busacca.
Paul David Brink	Midland, Mich.	William Andrew Groening, Jr.
Stuart Lawrence Brody	Los Angeles, Calif.	Sidney R. Rose.
Edgar Canter Brown, Jr.	Atlanta, Ga.	Charles E. Tidwell.
Michael J. Bruce	El Cajon, Calif.	Thomas Dale Parker.
Charles E. Campbell	Atlanta, Ga.	Robert Edward Hicks.
James M. Caraher	Tacoma, Wash.	George W. Dixon.
Austin E. Catts	Atlanta, Ga.	Albert Cecil Palmour.
Bruce M. Chadwick	McLean, Va.	Jack Louis Lipson.
Thomas B. Clifton, Jr.	Lyons, Ga.	George E. Argo.
Stanley D. Cohen	Lincoln, Nebr.	Norman Krivosha.
Linda Stewart Dalianis	Nashua, N.H.	Robert G. Bleakney, Jr.
Noel Fred Danto	Silver Spring, Md.	Steven Robert Buckner.
Philip John Davis	Washington, D.C.	James H. Wallace, Jr.
Burns H. Davison II	Des Moines, Iowa	William C. Hoffmann.
C. Patrick Derdenger	Los Angeles, Calif.	Solicitor General Wade H. McCree, Jr.
Martin J. Dubowsky	Chicago, Ill.	Michael L. Sklar.
James R. Duff	Pittsburgh, Pa.	Stephen Israel.
Eugene E. Eimer	St. Louis, Mo.	Edward L. Dowd.
Marshall I. Etra	New York, N.Y.	Fredric Anthony Leslie.
Hugh T. Farley	Schenectady, N.Y.	John Richard Dunne.
Lillian B. Gaskin	Washington, D.C.	J. Justin Blewitt, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jack Edwin Gentry	Dallas, Tex.	Marcellus Wooten, Jr.
Gardner Fordyce Gillespie III	Alexandria, Va.	E. Barrett Pretty- man, Jr.
Horace Weldon Gilmore	Detroit, Mich.	Solicitor General Wade H. Mc- Cree, Jr.
Elihu A. Greenhouse	Philadelphia, Pa.	Robert J. Spiegel.
Eurich Zwingli Griffin	St. Petersburg, Fla.	Solicitor General Wade H. Mc- Cree, Jr.
Steven M. Guttell	Washington, D.C.	Solicitor General Wade H. Mc- Cree, Jr.
Jay Edward Haimer	Brooklyn, N.Y.	Joseph Pistone.
Jerald Clyde Haines	Houston, Tex.	Neal Yarborough Pickett.
James K. Hoenig	Kauai, Hawaii	James Horace Kindel, Jr.
Hallie Lewis Huttash	Austin, Tex.	Robert Alexander Huttash.
John R. Ianelli	New York, N.Y.	Saul D. Kassow.
Ben Gibson Irons II	Raleigh, N.C.	Jacob L. Safron.
C. Loring Jetton, Jr.	Washington, D.C.	John H. Pickering.
Roddy Michael Jordon	Columbia, S.C.	J. Strom Thurmond.
Joseph Solte Kaplan	New York, N.Y.	Donald H. Rivkin.
Peter David Kasdin	Chicago, Ill.	Arthur L. Klein.
H. James Keats, Jr.	Evanston, Ill.	Chester Dexter Roberts, Jr.
Dennis J. Keough	Wexford, Pa.	P. M. Conley.
Rupert N. Koblegard III	Fort Pierce, Fla.	Philip G. Nourse.
Stephen R. Kroll	New York, N.Y.	Milton P. Kroll.
James C. Lieber, Jr.	Kansas City, Mo.	Timothy O. Kristol.
Carroll Michael Loftus	Washington, D.C.	William Lewis Slover.
Edward R. Luter	Dallas, Tex.	Stephen Gary Barnett.
Robert Mays Lyford	Little Rock, Ark.	Bill Clinton.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jeffrey Scott Lynch	Dallas, Tex.	Louis J. Weber, Jr.
Kathryn Lynch	San Francisco, Calif.	Jack F. Bonanno.
Joseph Stewart Lyons	Baltimore, Md.	Robert E. Hedeman.
David MacCoy Martin	Springfield, Ohio	Oscar T. Martin II.
George John Miller	Charlotte, N.C.	Benjamin S. Horack.
Newton N. Minow	Chicago, Ill.	Morris I. Leibman.
George C. Montgomery	Los Angeles, Calif.	Donald James Bell.
Edward John Nowak	Rochester, N.Y.	Alfred P. Kremer.
Seymour S. Owens	Tifton, Ga.	H. H. Perry, Jr.
Stephen Alan Oxman	New York, N.Y.	Warren M. Christopher.
Dotson George Palmer	Charlotte, N.C.	Porter B. Byrum.
Edwin Lejuene Parms	Akron, Ohio	Norman Purnell.
Blair Frederick Paul	Seattle, Wash.	L. Frederick Paul.
Steven Thomas Pelican	Colorado Springs, Colo.	Rollie R. Rogers.
Norvell N. Plowman	Springdale, Ark.	Henry Watt Gregory III.
Marcus Bernard Polson	Birmingham, Ala.	William H. Mills.
Roderick Kelvin Porter	Washington, D.C.	Frank Utley Fletcher.
James Brian Preston	Visalia, Calif.	James T. Wilson.
Laurel Allan Price	Princeton, N.J.	Elias Abelson.
James Jeffry Roberson	Portland, Oreg.	Jerome Philip Bloom.
Sheldon Rosenblatt	Far Rockaway, N.Y.	Harold M. Hershman.
Donald Erwin Rothwell	Columbia, S.C.	Thomas Hay- wood Curlee, Jr.
Richard Joseph Ryan, Jr.	Memphis, Tenn.	Richard Joseph Ryan, Sr.
Joseph N. Salomon	New York, N.Y.	Irving Parker.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David A. Schaefer	Cleveland, Ohio	Wilton Sherman Sogg.
Richard Schoolman	New York, N.Y.	Edward Andrew Brill.
John Joseph Schramm, Jr.	Winston-Salem, N.C.	Gary Bunting Tash.
Allen H. Schultz	Chicago, Ill.	S. G. Lippman.
Jay Louis Schultz	Chicago, Ill.	S. G. Lippman.
Robert J. Shafer	Wilmington, Del.	Hoge Tyler Sutherland.
Richard S. Sheward	Columbus, Ohio	Samuel B. Weiner.
David K. Shuffman	New York, N.Y.	Cecile Claire Weich.
Perry R. Silverman	New York, N.Y.	Halstead L. Stettler.
Kenneth Edward Sowell	Greenville, S.C.	Thomas Hay- wood Curlee, Jr.
E. Martin Stapleton	Apple Valley, Minn.	Gerald L. Seck.
Robert M. Sterling, Jr.	Fayetteville, Ark.	Robert E. Knowlton.
Susan Carol Steward	Washington, D.C.	Steven Neff Schatken.
Katherine Watson Stone	Los Angeles, Calif.	Norman Gregory Taylor.
Alfred Benjamin Strand, Jr.	Dandridge, Tenn.	Emory H. Sneeden.
Donald James Sullivan	Cheyenne, Wyo.	Alan Kooi Simpson.
Michael John Tavlin	Lincoln, Nebr.	Stanley M. Rosenblum.
Robert Lee Van Sciver	Salt Lake City, Utah	Bruce C. Lubeck.
Kosta N. Vlahos	Biloxi, Miss.	Cyril Thomas Faneco, Jr.
Jamie A. Wade	Des Moines, Iowa	John Rezin Perkins.
James Edward Walker	Charlotte, N.C.	Benjamin S. Horack.
M. Gerald Warren	Detroit, Mich.	John G. Garlinghouse.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles R. Waters II	Norfolk, Va.	Conrad M. Shumadine.
Hugh Steven Wilson	Los Angeles, Calif.	Richard W. Lund.
Lawrence Vesalius Young	York, Pa.	Samuel S. Laucks, Jr.
Abram Charles Zukor	Beverly Hills, Calif.	Herbert A. Lyman.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Russell Welsh	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Leonard P. Edwards	San Jose, Calif.	Don Edwards.
Stanley Thomas Krawczewicz	New Carrollton, Md.	George John Rabil.
David John Blackburn	San Francisco, Calif.	Solicitor General Wade H. McCree, Jr.
Jeffrey Dan Chebegia	Long Beach, Calif.	Solicitor General Wade H. McCree, Jr.
Michael Leonard Dworkin	San Francisco, Calif.	Solicitor General Wade H. McCree, Jr.
Timothy John Morgan	Santa Cruz, Calif.	Solicitor General Wade H. McCree, Jr.
William Kent Olivier	Denver, Colo.	Solicitor General Wade H. McCree, Jr.
Robert Douglas Bannerman	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Mitchell Fredrick Brecher	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Robert Allen Cahn	Washington, D.C.	Solicitor General Wade H. McCree, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
F. Patricia Callahan	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Marc Gary Denkinger	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
J. Paul Douglas	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Richard Edward Dunlop	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Albert Leroy Elder III	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
James Harris Ewalt	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
David L. Feder	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Neil David Friedman	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Leslie A. Glick	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Steven Charles Goldberg	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Richard Karl Hoefling	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Paul E. Hoelschen, Jr.	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Roger David Holberg	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
David R. Hughes	Washington, D.C.	Solicitor General Wade H. McCree, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Stephen Jacobs	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Jay Clark Keithley	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Malcolm Frazier King, Jr.	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Edward M. Lebow	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Frederick S. Lipton	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Edward Joseph Obloy	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Todd Alan Okun	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Jayson Loomis Pahlmeyer	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Charles Frederick Parthum III	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Alexander John Pires, Jr.	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Peter Eric Rosden	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Richard P. Schepard	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Charles Frederick Schill	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Stephen M. Sohinki	Washington, D.C.	Solicitor General Wade H. McCree, Jr.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Harvey S. Speck	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Frank Joseph Spiegelberg, Jr.	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Richard Clark Spitzer	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Lowell Alan Stanley	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Joseph Griffin Stiles	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Steven Albert Taube	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Sally Warner Watts	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
William Alan Woodford	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Robert Ernest Hanson	La Grange Park, Ill.	Solicitor General Wade H. McCree, Jr.
Mary Frances Slattery	Mayetta, Kans.	Solicitor General Wade H. McCree, Jr.
George Koutezky Anding, Jr.	Baton Rouge, La.	Solicitor General Wade H. McCree, Jr.
Richard Herbert Fine	Rockville, Md.	Solicitor General Wade H. McCree, Jr.
Michael Evan Goldman	Silver Spring, Md.	Solicitor General Wade H. McCree, Jr.
John P. Greenspan	Baltimore, Md.	Solicitor General Wade H. McCree, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James Robert Kleiler	Kensington, Md.	Solicitor General Wade H. McCree, Jr.
Stephen H. Lewis	Silver Spring, Md.	Solicitor General Wade H. McCree, Jr.
Robert Harold Ratcliffe	Adelphi, Md.	Solicitor General Wade H. McCree, Jr.
James Renjilian	Oxon Hill, Md.	Solicitor General Wade H. McCree, Jr.
Stephen Edward Stone	Laurel, Md.	Solicitor General Wade H. McCree, Jr.
Daniel T. Swanson	Bethesda, Md.	Solicitor General Wade H. McCree, Jr.
Pamela Jane Lakes Wood	Chevy Chase, Md.	Solicitor General Wade H. McCree, Jr.
Howard H. Baxter	Edgewater Park, N.J.	Solicitor General Wade H. McCree, Jr.
Gene Piero Belardi	Point Pleasant, N.J.	Solicitor General Wade H. McCree, Jr.
Michael Dershowitz	New York, N.Y.	Solicitor General Wade H. McCree, Jr.
Lee A. Dunn	Albany, N.Y.	Solicitor General Wade H. McCree, Jr.
Alan Norman Heibein	Buffalo, N.Y.	Solicitor General Wade H. McCree, Jr.
Karen Joy Lewis	Millerton, N.Y.	Solicitor General Wade H. McCree, Jr.
Stephen Paul Henderson	Eugene, Oreg.	Solicitor General Wade H. McCree, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Joseph Fedele Cimini	Dunmore, Pa.	Solicitor General Wade H. McCree, Jr.
John Bauer Metelski	Ridgway, Pa.	Solicitor General Wade H. McCree, Jr.
Gilbert Theodore Schwartz	Philadelphia, Pa.	Solicitor General Wade H. McCree, Jr.
Pedro J. Durand-Hernandez	San Juan, PR.	Solicitor General Wade H. McCree, Jr.
David Laurence Baskin	Arlington, Va.	Solicitor General Wade H. McCree, Jr.
Walter J. Donovan, Jr.	Alexandria, Va.	Solicitor General Wade H. McCree, Jr.
J. Larry Fleck	McLean, Va.	Solicitor General Wade H. McCree, Jr.
Gerald Mark Goldstein	Burke, Va.	Solicitor General Wade H. McCree, Jr.
Raymond Alan Kowalski	Vienna, Va.	Solicitor General Wade H. McCree, Jr.
Katherine Savers McGovern	Alexandria, Va.	Solicitor General Wade H. McCree, Jr.
Herbert Stanley Newman III	Herndon, Va.	Solicitor General Wade H. McCree, Jr.
Robert Lee Polk	Oakton, Va.	Solicitor General Wade H. McCree, Jr.
Julian R. Rush, Jr.	Springfield, Va.	Solicitor General Wade H. McCree, Jr.
John Roger Serumgard	Great Falls, Va.	Solicitor General Wade H. McCree, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jay C. Shaffer	Springfield, Va.	Solicitor General Wade H. McCree, Jr.
E. Kathleen Shahan	Alexandria, Va.	Solicitor General Wade H. McCree, Jr.
Robert James Arnot II	Madison, Wis.	Solicitor General Wade H. McCree, Jr.
John F. Bronson	Williamson, W. Va.	Solicitor General Wade H. McCree, Jr.

## OPINIONS

No. 77-56. In the matter of Edna Smith Primus, appellant. Appeal from the Supreme Court of South Carolina. Judgment reversed and case remanded to the Supreme Court of South Carolina for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Powell. Concurring opinion by Mr. Justice Blackmun. Opinion by Mr. Justice Marshall concurring in part and concurring in the judgment in this case and in No. 76-1650, *post*. Dissenting opinion by Mr. Justice Rehnquist. Mr. Justice Brennan took no part in the consideration or decision of this case.

No. 76-1650. Albert Ohralik, appellant, *v.* Ohio State Bar Association. Appeal from the Supreme Court of Ohio. Judgment affirmed. Opinion by Mr. Justice Powell. Opinion by Mr. Justice Marshall concurring in part and concurring in the judgment in this case and in No. 77-56, *ante*. Statement by Mr. Justice Rehnquist concurring in the judgment. Mr. Justice Brennan took no part in the consideration or decision of this case.

No. 77-5549. Michael Taylor, petitioner, *v.* Kentucky. On writ of certiorari to the Court of Appeals of Kentucky. Judgment reversed and case remanded to the Court of Appeals of Kentucky for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Powell. Concurring statement by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Stevens with whom Mr. Justice Rehnquist joins.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

## OPINIONS

No. **77-178**. Willard E. Robertson, petitioner, *v.* Edward F. Wegmann, Executor of the Estate of Clay L. Shaw, et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Marshall. Dissenting opinion by Mr. Justice Blackmun with whom Mr. Justice Brennan and Mr. Justice White join.

No. **77-380**. Cecil D. Andrus, Secretary of the Interior, petitioner, *v.* Charlestone Stone Products Co., Inc. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Marshall.

No. **76-1114**. California et al., petitioners, *v.* Southland Royalty Company et al.;

No. **76-1133**. El Paso Natural Gas Company, petitioner, *v.* Southland Royalty Company et al.; and

No. **76-1587**. Federal Energy Regulatory Commission, petitioner, *v.* Southland Royalty Company et al. On writs of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and cases remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Stevens with whom Mr. Chief Justice Burger and Mr. Justice Rehnquist join. Mr. Justice Stewart and Mr. Justice Powell took no part in the consideration or decision of these cases.

No. **76-1484**. James Zurcher, etc., et al., petitioners, *v.* The Stanford Daily et al.; and

No. 76-1600. Louis P. Bergna, District Attorney, and Craig Brown, petitioners, *v.* The Stanford Daily et al. On writs of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Concurring opinion by Mr. Justice Powell. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Marshall joins. Dissenting opinion by Mr. Justice Stevens. Mr. Justice Brennan took no part in the consideration or decision of these cases.

No. 76-1608. Michigan, petitioner, *v.* Loren Tyler and Robert Tompkins. On writ of certiorari to the Supreme Court of Michigan. Judgment affirmed. Opinion by Mr. Justice Stewart. Mr. Justice Blackmun joins judgment and Parts I, III, and IV-A of the opinion. Opinion by Mr. Justice Stevens concurring in part and concurring in judgment. Opinion by Mr. Justice White concurring in part and dissenting in part with whom Mr. Justice Marshall joins. Dissenting opinion by Mr. Justice Rehnquist.

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Adjourned until Monday, June 5, 1978, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

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The Chief Justice said:

“Today’s orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally.”

### APPEALS—SUMMARY DISPOSITION

No. **77-1376**. United States, appellant, *v.* Georgia et al. Appeal from the United States District Court for the Northern District of Georgia. Judgment affirmed. Mr. Justice Brennan and Mr. Justice Marshall would vacate and remand case to the United States District Court for the Northern District of Georgia for further consideration in light of *United States v. Board of Commissioners of Sheffield, Alabama*, 435 U.S. — (1978).

No. **77-1450**. Otto T. Bang, Jr., et al., appellants, *v.* Roger F. Noreen et al. Appeal from the United States District Court for the District of Minnesota. Judgment affirmed.

No. **77-1472**. Ignacio Pena, appellant, *v.* Southern Pacific Transportation Company. Appeal from the Court of Civil Appeals of Texas, Eighth Supreme Judicial District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. **77-1606**. Wendell H. Russell et al., appellants, *v.* Cortlandt Parker et al. Appeal from the Court of Appeal of California, First Appellate District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. **77-1485**. Thomas J. Hilligoss et al., appellants, *v.* Arthur J. LaDow, etc., et al. Appeal from the Court of Appeals of Indiana. The appeal is dismissed for want of a substantial federal question.

### CERTIORARI—SUMMARY DISPOSITION

No. **77-497**. New Orleans Public Service, Inc., petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Petition for writ of certiorari

granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Marshall v. Barlow's, Inc.*, 436 U.S. — (1978).

No. 77-605. Mississippi Power & Light Company, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Marshall v. Barlow's, Inc.*, 436 U.S. — (1978).

No. 77-557. Consolidation Coal Company, petitioner, *v.* United States;

No. 77-606. Francis Leo Marks, petitioner, *v.* United States; and

No. 77-622. Raymond J. Zitko, petitioner, *v.* United States. On petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit. Petitions for writs of certiorari granted, judgment vacated and cases remanded to the Court of Appeals for further consideration in light of *Marshall v. Barlow's, Inc.*, 436 U.S. — (1978), and *Michigan v. Tyler*, 436 U.S. — (1978).

No. 77-1270. United States, petitioner, *v.* Paul Labriola and Thomas Contino. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Motions of respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *United States v. Mauro*, 436 U.S. — (1978).

#### ORDERS IN PENDING CASES

No. A-1005. Joan Little, applicant, *v.* William Ciuros, Jr., Commissioner of Correction of the City of New York, et al. Application for stay, presented to Mr. Justice Marshall and by him referred to the Court, denied.

No. D-135. In the Matter of Disbarment of William Henry Kutza. It is ordered that William Henry Kutza, of Fort Myers, Florida, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 77-747. Walter J. Fleck et al., appellants, *v.* Warren Spannaus et al. Motion of Allied Structural Steel Co. for leave to file a supplemental brief, after argument, granted. Mr. Justice Blackmun took no part in the consideration or decision of this motion.



## CERTIORARI GRANTED

No. **76-1309**. United States, petitioner, *v.* Alfredo L. Caceres. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. **77-1327**. Lake Country Estates, Inc., et al., petitioners, *v.* Tahoe Regional Planning Agency, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. **77-1413**. Jane Aronson, petitioner, *v.* Quick Point Pencil Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

## CERTIORARI DENIED

No. **76-6559**. Claude John Scallion, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **77-206**. Elias Kenaan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **77-1162**. Jones Transfer Company et al., petitioners, *v.* United States et al.;

No. **77-1189**. National Industrial Traffic League, petitioner, *v.* United States et al.; and

No. **77-1370**. Ford Motor Company, petitioner, *v.* United States et al. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **77-1184**. Anthony J. Perlongo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. **77-1195**. Walter Wolak, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **77-1260**. Leslie Atkinson et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **77-1303**. Sun Oil Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **77-1318**. Western Union International, Inc., petitioner, *v.* Federal Communications Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1324. Anderson, Clayton & Co., petitioner, v. United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1336. Harold Hamilton, petitioner, v. United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1347. International Brotherhood of Electrical Workers, Local 1547, AFL-CIO, petitioner, v. National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-1352. Obie Joe Littleton, petitioner, v. United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1356. Reinaldo Hernandez Flecha et al., petitioners, v. Ray Marshall, Secretary of Labor, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-1372. Interstate Motor Freight System, petitioner, v. Interstate Commerce Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-1398. Herbert Fineman, petitioner, v. United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1443. Edgar H. Melia, petitioner, v. Joseph A. Califano, Jr., Secretary of Health, Education and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1451. Agnes S. Young, petitioner, v. Board of Trustees of the University of Toledo et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Lucas County, denied.

No. 77-1453. Jack Birge, petitioner, v. Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 77-1459. Sun Publishing Company, petitioner, v. James P. Stevens. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 77-1462. Sunshine Realty, Inc., et al., petitioners, v. Cuyahoga County Board of Revision et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 77-1475. Electronics Corporation of America, petitioner, v. Scully Signal Corporation; and

No. 77-1484. Scully Signal Company, petitioner, *v.* Electronics Corporation of America. Petitions for writs of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-1479. Donald R. Plunkett, petitioner, *v.* City of Lakewood. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 77-1482. Autohaus Brugger, Inc., petitioner, *v.* Saab Motors, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1494. Hinckley Plastic, Inc., petitioner, *v.* Reed-Prentice Division Package Machinery Co. et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 77-1496. William Charles Houser, dba Houser Automotive, petitioner, *v.* District No. 9, International Association of Machinists and Aerospace Workers, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-1522. Ramsey Alexander et al., petitioners, *v.* Aero Lodge No. 735, International Association of Machinists and Aero Space Workers, AFL-CIO, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1564. Southpark Square, Limited, petitioner, *v.* City of Jackson, Mississippi et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1596. Denise Garmon and Courtney Washington, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1605. Sydney M. Eisenberg, petitioner, *v.* Board of Wisconsin State Bar Commissioners. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 77-5252. Robert Lee Ridgeway, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-5582. Eric J. Randall, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-5590. Victor Cumberbatch, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-5706. Luis Chico and Gail Colello, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6215. Robert Lee Green and Donald Horace Holt, petitioners, *v.* Norman B. Hess, Acting Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6221. Victor Swinnen, petitioner, *v.* Hayden J. Dees, Warden. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 77-6252. Melvin Leroy Tyler, petitioner, *v.* Richard Callahan, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6261. Gaylord W. Anguish, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6307. Woodrow Wilson McCravy, petitioner, *v.* Stoney Lane, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6309. Charles A. Fahrig et al., petitioners, *v.* John E. Cumming et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6366. David James Erickson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6387. Ira G. Jaffess, petitioner, *v.* L. J. Schaffner et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6389. Terry Joseph Partain, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6410. Theodore Sluk, petitioner, *v.* United States and John Lyons of the Internal Revenue Service. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6416. Willie James, Jr., petitioner, *v.* Marvin R. Hogan, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6425. Oscar Homero Ochoa, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6432. Ernest Morris Slocum, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6439. Robert A. Gubelman, Sr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6444. John M. Cody, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6459. Leoluca Guarino, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6566. Albert H. Carter, petitioner, *v.* Property Services of America, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6567. Ronald Finkelstein, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 77-6572. Arrol Townsend et al., petitioners, *v.* Clover Bottom Hospital and School et al. Petition for writ of certiorari to the Supreme Court of Tennessee, Middle Division, denied.

No. 77-6582. Albert H. Carter, petitioner, *v.* Parvin Romines et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6585. Clifton Cloudy, petitioner, *v.* Indiana. Petition for writ of certiorari to the Court of Appeals of Indiana denied.

No. 77-6588. Robert A. Johnson, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 77-6592. Ysidro T. Montoya, petitioner, *v.* George C. Killinger, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6596. Willie Lee Mason, petitioner, *v.* John R. Gagnon, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-6601. Eleanore Lehman, petitioner, *v.* Zsa Zsa Gabor. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 77-6611. Barry Drayer, petitioner, *v.* Sidney Krasner et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6618. Audrey M. Lee, petitioner, *v.* Ewing, Cole, Erdman and Eubank, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6642. Melvin McGuff, petitioner, *v.* Alabama et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6678. Jaime Haro Sanchez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6697. Martin Hernandez and Victor Hernandez, petitioners, *v.* Walter Fogg, Superintendent, Green Haven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6700. Robert P. Williamson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6706. Henry Hernandez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6707. Fidel Gonzalo Ramos, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6708. Danny Mendez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6716. William G. Hahn, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6719. William Lewis Wall, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6720. Armeka Bails, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6732. Henry J. Wright, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-326. United States, petitioner, *v.* James W. Ferro. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-593. United States, petitioner, *v.* Leroy Sorrell; United States, petitioner, *v.* Louis Thompson. Motion of respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.



No. 77-970. Alton Sonstegard, petitioner, *v.* City of Kettering. Petition for writ of certiorari to the Court of Appeals of Ohio, Montgomery County, denied. Mr. Justice Brennan and Mr. Justice Marshall would grant certiorari.

No. 77-1058. Raymond A. Helgemoe, Warden, et al., petitioners, *v.* Thomas E. Meloon. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. The Chief Justice and Mr. Justice Blackmun would grant and reverse summarily, notwithstanding the new statute.

No. 77-1407. David Kitsis, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Los Angeles, denied. Mr. Justice Marshall would grant certiorari.

No. 77-6400. Michael Douglas Wiggins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Brennan and Mr. Justice White would grant certiorari.

No. 77-6466. Michael H. Cassidy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Brennan, Mr. Justice Stewart and Mr. Justice White would grant certiorari.

No. 77-6470. John Eldon Smith, petitioner, *v.* Joe S. Hopper, Warden. Petition for writ of certiorari to the Supreme Court of Georgia denied. Mr. Justice Brennan and Mr. Justice Marshall, dissenting: Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentence in this case.

No. 77-6589. Francis C. Smith, petitioner, *v.* Connecticut Parole Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit and for other relief denied.

No. 77-6703. Eugene Emerson, petitioner, *v.* Louis L. Wainwright, Secretary, Department of Offender Rehabilitation, Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied for failure to file the petition within the time provided by 28 U.S.C. § 2101(c).

#### REHEARINGS DENIED

No. 77-1013. Vincent Puglisi et al., petitioners, *v.* United States;

No. 77-1063. Sydney M. Eisenberg, petitioner, *v.* United States;

No. 77-1065. Anna Erna Lawriw, petitioner, *v.* United States;

No. 77-1241. Marlene Wagner et al., petitioners, *v.* Burlington Northern Inc., et al.;

No. 77-5953. Thomas Riley, petitioner, *v.* Illinois;

No. 77-6288. Richard Henry Gibson, petitioner, *v.* Florida;

No. 77-6345. Daniel Willis Apel, Sr., petitioner, *v.* Louie L. Wainwright, Secretary, Department of Offender Rehabilitation of Florida;

No. 77-6352. Robert W. Townsley, petitioner, *v.* Alan A. Lindsay, Alameda County Superior Court, et al.;

No. 77-6417. Raymond L. Watkins, etc., petitioner, *v.* Lou Bachrodt Chevrolet, Inc.;

No. 77-6430. Frederick C. Fermin, petitioner, *v.* Joseph A. Califano, Jr., Secretary of Health, Education and Welfare; and

No. 77-6479. Robert Allen Ricks, petitioner, *v.* George Collins, Warden. Petitions for rehearing denied.

No. 76-1750. Harold D. Stump et al., petitioners, *v.* Linda Kay Sparkman and Leo Sparkman. Petition for rehearing denied. Mr. Justice Brennan took no part in the consideration or decision of this petition.

#### RECESS ORDER

The Court will take a recess from Tuesday, June 6, 1978, until Monday, June 12, 1978.

#### ADMISSION TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Verna Alana Adams	San Rafael, Calif.	Lawrence H. Slotter.
F. Saunders Aldridge III	Savannah, Ga.	Malcolm Roderick Maclean.
Peter John Benitez	New York, N.Y.	Peter L. Zimroth.
Lawrence D. Blume	Kansas City, Mo.	Roy P. Swanson.
Harry Boxer	Los Angeles, Calif.	E. Drew McConnell.
Michael Brumer	Miami, Fla.	Richard S. Fuller.
Frank L. Butler	Chicago, Ill.	Calvin P. Sawyier.
David Earl Cherry	Waco, Tex.	Curtis Cullen Smith, Jr.
Patrick Clifford	St. Louis, Mo.	Edward R. Joyce.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
I. Mark Cohen	Toms River, N.J.	William J. Gearty.
George Sargent Coit, Jr.	St. Petersburg, Fla.	William F. Davenport, Jr.
Walter N. Colbath, Jr.	West Palm Beach, Fla.	Norman Joseph Kapner.
Clyde D. Compton	Merrillville, Ind.	Adam Benjamin, Jr.
Durwood W. Conque	Abbeville, La.	Charles Mixer Thompson, Jr.
Timothy Hatfield Cooper	Newport Beach, Calif.	Philip M. Battaglia.
George Patrick Coughlin	Kansas City, Mo.	William H. Becker.
Stephen Everette Dawson	Bloomfield Hills, Mich.	Charles F. Clippert.
Mary Dale Dorman	New York, N.Y.	Andrea Hyde.
J. Walter Dragelevich	Warren, Ohio	Charles L. Richards.
Israel Drazin	Columbia, Md.	Mary Jane Sanford Sarratt.
Jonathan Mark Dreger	Pueblo, Colo.	Lester Lowe Ward.
John M. Edman	St. Petersburg, Fla.	William F. Davenport, Jr.
Randall T. Eng	New York, N.Y.	Kenneth N. Browne.
John Howard Engle	Cincinnati, Ohio	Marvin Nathan Kolstein.
Leo J. Eskey	Fremont, Nebr.	Mark J. Fuhrman.
Gary W. Fleming	Sedalia, Mo.	Robert S. Gardner.
John Joseph Franzoia	Oakland, Calif.	S. Richard Shostak.
Charles B. Grethen	Purcell, Okla.	Thomas Glen Smith.
Kenneth R. Hart	Tallahassee, Fla.	Gene D. Brown.
Richard H. Heagy	Los Angeles, Calif.	Daniel Alef.
Steven L. Hess	New York, N.Y.	Harry H. Lipsig.
Francis J. Hone	New York, N.Y.	Granville Martin Brumbaugh.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert R. Hussey	Cleveland, Ohio	J. Herman Yount, Jr.
Gregorio Igartua	Aguadilla, P.R.	Marguerite A. Lovell.
Terry E. Johnston	Valparaiso, Ind.	James Vlasios Tsoutsouris.
Raymond Edward Jones, Jr.	Baltimore, Md.	Robert Samuel Jett, Jr.
Charles Ronald King	Detroit, Mich.	Thomas H. Gallagher.
Paul R. Koepff	New York, N.Y.	Samuel Hazard Gillespie, Jr.
Alan B. Leibowitz	New York, N.Y.	Harry H. Lipsig.
Harold George Levison	New York, N.Y.	Leonard Garment.
David M. Lick	Lansing, Maine	James E. Burns.
George Nicholas Meros	St. Petersburg, Fla.	William F. Davenport, Jr.
Peter N. Meros	St. Petersburg, Fla.	William F. Davenport, Jr.
Joseph Harris Miller, Jr.	Denver, Colo.	Marq J. Warner.
John Robert Moffitt	Tucson, Ariz.	James Middleton Howard.
Edward A. Moss	Miami, Fla.	Sam Daniels.
James Richard Mudgett	Baltimore, Md.	Donald Harry Sheffy.
John R. Phillips	Des Moines, Iowa	James L. Rogers.
William Patrick Prendergast	Chicago, Ill.	Bernard Carey.
Alton D. Priddy	Louisville, Ky.	Ralph H. Logan.
Joe Perry Rice III	Chaffee, Mo.	George W. Gilmore, Jr.
Charles Louis Roberts	El Paso, Tex.	Joseph Abraham, Jr.
Mary Christine Compton Rodriguez	Houston, Tex.	Gordon E. Hartwig.
Salvador Edmundo Rodriguez	Houston, Tex.	Gordon E. Hartwig.
Thomas F. Ryan	Chicago, Ill.	Stuart S. Ball.
Michael J. Scott	Pittsburgh, Pa.	Marion Edward Popiel.
Nancy Sevitch	San Francisco, Calif.	Lawrence H. Stotter.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Daniel Wayne Shuman	Dallas, Tex.	Winton DeRuyter Woods, Jr.
Philip Cornelius Stahl	Chicago, Ill.	Charles E. Lister.
William Earl Stallings	Houston, Tex.	John Wright Moore III.
Frederick William Steinberg	Pittsburgh, Pa.	Harold R. Schmidt.
Gene Reid Stephenson	Casselberry, Fla.	Gerald S. Rutberg.
Thomas Winthrop Streeter III	Sherman, Tex.	William Ralph Elliott.
James Clyde Tosh	Beaver, Pa.	J. Quint Salmon.
Stephen L. Volpicelli	Philadelphia, Pa.	Marvin Garfinkel.
Herbert Joseph Wallenstein	New York, N.Y.	Samuel A. Hirshowitz.
Dennis Watkins	Warren, Ohio	Charles L. Richards.
T. Bayard Williams, Jr.	Baltimore, Md.	Eugene Victor Chircus.

## ADMISSION TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James William Morrison	Washington, D.C.	Solicitor General Wade M. Mc- Cree, Jr.
Stewart B. Oneglia	Washington, D.C.	Solicitor General Wade H. Mc- Cree, Jr.
Charles Cooper	Ironton, Ohio	Solicitor General Wade H. Mc- Cree, Jr.
Thomas A. Young	Columbus, Ohio	Solicitor General Wade H. Mc- Cree, Jr.
Charlotte Boyd Hallam	Washington, D.C.	Margaret A. Beller.
James Parkhill Schenkel	San Francisco, Calif.	Elizabeth I. Johnson.
H. Dudley Payne, Jr.	Marshall, Va.	H. Dudley Payne.
Larry Wayne Thomas	Washington, D.C.	H. Dudley Payne.
Sol Schildhause	Washington, D.C.	A. Harry Becker.
Thomas S. Renk	Oakland, Calif.	A. Harry Becker.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Alan Amitin	Studio City, Calif.	Paul Abbott McCartney.
Lynne Perkins-Brown	Washington, D.C.	Albert Simon Povich.
Martin Neil Segal	Los Angeles, Calif.	Eugene A. Edgett, Jr.
Robert L. Johnson	Phoenix, Ariz.	Gene Karp.
John Plyler Mann	Greenville, S.C.	Robert T. Thompson.
Melvin Robert Hutson	Atlanta, Ga.	Robert T. Thompson.
Alfred F. Belcuore	Washington, D.C.	Isaac Nathan Groner.
Jos. Dinsmore Murphy	Washington, D.C.	Geo. Stephen Leonard.
Benjamin Goldstein	Chicago, Ill.	Eivind H. Barth, Jr.
Thomas C. Burke	Haddon Heights, N.J.	Eivind H. Barth, Jr.
Vincent D'Elia	Cherry Hill, N.J.	Eivind H. Barth, Jr.
Edwin T. Ferren III	Haddonfield, N.J.	Eivind H. Barth, Jr.
David L. Finnegan	Camden, N.J.	Eivind H. Barth, Jr.
Robert E. Gladden	Camden, N.J.	Eivind H. Barth, Jr.
Harold Paul Gleaner	Audubon, N.J.	Eivind H. Barth, Jr.
Bruce Myron Gunn	Haddonfield, N.J.	Eivind H. Barth, Jr.
James Duane Hamilton, Jr.	Camden, N.J.	Eivind H. Barth, Jr.
William Henry Hanifen IV	Camden, N.J.	Eivind H. Barth, Jr.
C. Kennon Hendrix	Pennsauken, N.J.	Eivind H. Barth, Jr.
Michael Joseph Izzo, Jr.	Camden, N.J.	Eivind H. Barth, Jr.
Leslie James Jandoli	Cherry Hill, N.J.	Eivind H. Barth, Jr.
David A. Kasen	Haddonfield, N.J.	Eivind H. Barth, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Thomas Kelley	Camden, N.J.	Eivind H. Barth, Jr.
Jeffrey I. Kessler	Haddonfield, N.J.	Eivind H. Barth, Jr.
Joel Benjamin Korin	Camden, N.J.	Eivind H. Barth, Jr.
Ron Martin Kubiak	Camden, N.J.	Eivind H. Barth, Jr.
D. Vincent Lazzaro	Blackwood, N.J.	Eivind H. Barth, Jr.
John J. Markwardt	Blackwood, N.J.	Eivind H. Barth, Jr.
Franc J. H. Marmero	Berlin, N.J.	Eivind H. Barth, Jr.
John McFeeley III	Camden, N.J.	Eivind H. Barth, Jr.
Thomas A. Mitchell	Merchantville, N.J.	Eivind H. Barth, Jr.
Michael Patrick Mullen	Cherry Hill, N.J.	Eivind H. Barth, Jr.
Samuel David Natal	Haddonfield, N.J.	Eivind H. Barth, Jr.
Joseph John Ridgway	Cherry Hill, N.J.	Eivind H. Barth, Jr.
John F. Rodgers, Jr.	Cherry Hill, N.J.	Eivind H. Barth, Jr.
Laurence Edward Rosoff	Camden, N.J.	Eivind H. Barth, Jr.
Donald S. Ryan	Haddonfield, N.J.	Eivind H. Barth, Jr.
Dante J. Sarubbi	Camden, N.J.	Eivind H. Barth, Jr.
Vincent D. Segal	Cherry Hill, N.J.	Eivind H. Barth, Jr.
Edward D. Sheehan	Camden, N.J.	Eivind H. Barth, Jr.
Paul Simon Slotkin	Cherry Hill, N.J.	Eivind H. Barth, Jr.
William Joseph Sragow	Cherry Hill, N.J.	Eivind H. Barth, Jr.
Herbert J. Stayton, Jr.	Cherry Hill, N.J.	Eivind H. Barth, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Daniel F. Steinmetz, Jr.	Pennsauken, N.J.	Eivind H. Barth, Jr.
John F. Strazzullo	Haddonfield, N.J.	Eivind H. Barth, Jr.
Alan M. Tepper	Cherry Hill, N.J.	Eivind H. Barth, Jr.
Henry Joseph Tyler	Moorestown, N.J.	Eivind H. Barth, Jr.
Raymond W. Uliase	Cherry Hill, N.J.	Eivind H. Barth, Jr.
Andrew Engel Weiner	Haddonfield, N.J.	Eivind H. Barth, Jr.
Norman Elliott Lehrer	Philadelphia, Pa.	Eivind H. Barth, Jr.
William D. Anthony	Pittsburgh, Pa.	Solicitor General Wade H. McCree, Jr.
Conrad Christian M. Arensberg	Pittsburgh, Pa.	Solicitor General Wade H. McCree, Jr.
Robert William Beilstein	Pittsburgh, Pa.	Solicitor General Wade H. McCree, Jr.
Joseph John Bosick	Pittsburgh, Pa.	Solicitor General Wade H. McCree, Jr.
Samuel W. Braver	Pittsburgh, Pa.	Solicitor General Wade H. McCree, Jr.
Herbert Bennett Conner	Pittsburgh, Pa.	Solicitor General Wade H. McCree, Jr.
Robert DeMajistre	Pittsburgh, Pa.	Solicitor General Wade H. McCree, Jr.
Charles Anthony DeMonaco	Pittsburgh, Pa.	Solicitor General Wade H. McCree, Jr.
James Clair Duff	Pittsburgh, Pa.	Solicitor General Wade H. McCree, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Michael V. Gilberti	Pittsburgh, Pa.	Solicitor General Wade H. Mc- Cree, Jr.
P. Brennan Hart	Pittsburgh, Pa.	Solicitor General Wade H. Mc- Cree, Jr.
Michael I. Hyman	Pittsburgh, Pa.	Solicitor General Wade H. Mc- Cree, Jr.
Roman Iwanyshyn	Pittsburgh, Pa.	Solicitor General Wade H. Mc- Cree, Jr.
Matthew Edward Jackson, Jr.	Pittsburgh, Pa.	Solicitor General Wade H. Mc- Cree, Jr.
James A. Kudasik	Somerset, Pa.	Solicitor General Wade H. Mc- Cree, Jr.
James J. Lotz	Pittsburgh, Pa.	Solicitor General Wade H. Mc- Cree, Jr.
Richard S. Luse	Pittsburgh, Pa.	Solicitor General Wade H. Mc- Cree, Jr.
Louis R. Martin	Pittsburgh, Pa.	Solicitor General Wade H. Mc- Cree, Jr.
James A. McGregor, Jr.	Pittsburgh, Pa.	Solicitor General Wade H. Mc- Cree, Jr.
Stephanie Patricia McKinney	Pittsburgh, Pa.	Solicitor General Wade H. Mc- Cree, Jr.
Thomas G. Michalek	Pittsburgh, Pa.	Solicitor General Wade H. Mc- Cree, Jr.
T. Lawrence Palmer	Pittsburgh, Pa.	Solicitor General Wade H. Mc- Cree, Jr.
John W. Ryba	Pittsburgh, Pa.	Solicitor General Wade H. Mc- Cree, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Anthony A. Seethaler, Jr.	Pittsburgh, Pa.	Solicitor General Wade H. Mc- Cree, Jr.
Barry Michael Simpson	Pittsburgh, Pa.	Solicitor General Wade H. Mc- Cree, Jr.
Billy M. Tennant	Pittsburgh, Pa.	Solicitor General Wade H. Mc- Cree, Jr.
Frances O. Tennant	Pittsburgh, Pa.	Solicitor General Wade H. McCree, Jr.
Donald J. Crawford	Washington, D.C.	Alice Louise O'Donnell.
Harold H. Griffin	Clearwater, Fla.	Alice Louise O'Donnell.
Douglas Kenneth Sands	Stuart, Fla.	Alice Louise O'Donnell.
Augustus Bennett Jones III	Quitman, Ga.	Alice Louise O'Donnell.
John M. Ohman	Idaho Falls, Idaho	Alice Louise O'Donnell.
Rufus C. Ahern	Chicago, Ill.	Alice Louise O'Donnell.
Steven Collins Bonaguidi	Des Plaines, Ill.	Alice Louise O'Donnell.
Alan Benjamin Appleton	Frankfort, Ind.	Alice Louise O'Donnell.
Alan Kent Akers	Bardstown, Ky.	Alice Louise O'Donnell.
Paul Michael Davis	Lexington, Ky.	Alice Louise O'Donnell.
Daphne H. Miller	Silver Spring, Md.	Alice Louise O'Donnell.
Lawrence Charles Stoker	Asheville, N.C.	Alice Louise O'Donnell.
John George Wolfe III	Kernersville, N.C.	Alice Louise O'Donnell.
John William Thatcher	Flemington, N.J.	Alice Louise O'Donnell.
George Edward Riedel	Buffalo, N.Y.	Alice Louise O'Donnell.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Alan William Anderson	Amherst, Ohio	Alice Louise O'Donnell.
Elmer Andrew Bessick	Elyria, Ohio	Alice Louise O'Donnell.
L. Patrick Kelley	Warren, Ohio	Alice Louise O'Donnell.
John Joseph Earley	Coaldale, Pa.	Alice Louise O'Donnell.
James J. Lurker	Newtown Square, Pa.	Alice Louise O'Donnell.
Russlyn Landers Guritz	Alexandria, Va.	Alice Louise O'Donnell.
Stephen E. Guss	Fairfax, Va.	Alice Louise O'Donnell.
David J. Baldwin	Milwaukee, Wis.	Alice Louise O'Donnell.
Michael Oscar Bohren	Milwaukee, Wis.	Alice Louise O'Donnell.
William J. Meuer	Madison, Wis.	Alice Louise O'Donnell.
John M. Thompson, Jr.	Oak Hill, W. Va.	Alice Louise O'Donnell.

## OPINION

No. 76-1726. Mobil Oil Corporation, petitioner, *v.* Frances Nell Higginbotham, Administratrix of the Estate of Marshall K. Higginbotham, et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stevens. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Blackmun joins. Mr. Justice Brennan took no part in the consideration or decision of this case.

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Adjourned until tomorrow at 10 o'clock.

IX'



## SUPREME COURT OF THE UNITED STATES

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Present : Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

## OPINIONS

No. 76-1410. Joseph V. Agosto, petitioner, *v.* Immigration and Naturalization Service. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Marshall. Dissenting opinion by Mr. Justice Powell with whom Mr. Justice Rehnquist joins.

No. 76-1159. Arthur F. Quern, etc., et al., petitioners, *v.* Venus Mandley et al., and

No. 76-1416. Joseph A. Califano, Jr., Secretary of Health, Education and Welfare, petitioner, *v.* Venus Mandley et al. On writs of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 77-452. Mobil Alaska Pipeline Company, petitioner, *v.* United States et al.;

No. 77-457. Exxon Pipeline Company, petitioner, *v.* United States et al.;

No. 77-551. BP Pipelines Inc., petitioner *v.* United States et al.; and

No. 77-602. ARCO Pipe Line Company, petitioner, *v.* United States et al. On writs of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed. Opinion by Mr. Justice Brennan. Mr. Justice Powell took no part in the consideration of these cases.

No. 75-1914. Jane Monell et al., petitioners, *v.* Department of Social Services of the City of New York et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by

Mr. Justice Brennan. Concurring opinion by Mr. Justice Powell. Statement by Mr. Justice Stevens concurring in part. Dissenting opinion by Mr. Justice Rehnquist with whom Mr. Chief Justice Burger joins.

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Adjourned until Monday, June 12, 1978, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## OPINION PER CURIAM

No. 77-1042. David B. Terk, appellant, *v.* Ladd S. Gordon, etc., et al. Appeal from the United States District Court for the District of New Mexico. Judgment affirmed. Opinion *per curiam*.

## APPEALS—SUMMARY DISPOSITION

No. 77-1185. Memorial Consultants, Inc., appellant, *v.* Illinois, ex rel., George W. Lindberg, etc. Appeal from the Appellate Court of Illinois, Third District. The appeal is dismissed for want of a substantial federal question.

No. 77-1306. Leonard C. Jaques, appellant, *v.* State Bar Grievance Administrator. Appeal from the Supreme Court of Michigan. Judgment vacated and case remanded to the Supreme Court of Michigan for further consideration in light of *Ohralik v. Ohio State Bar Association*, 436 U.S.—(1978).

No. 77-1535. David L. Heilman, appellant, *v.* A & M Records, Inc. Appeal from the Court of Appeal of California, Second Appellate District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

## ORDERS IN PENDING CASES

No. A-992. Billy George Hughes, Jr., applicant, *v.* Texas. Application for appointment of counsel to prepare and file petition for writ of certiorari, presented to Mr. Justice Powell and by him referred to the Court, denied.

No. D-95. In the Matter of Disbarment of Albert Ohralik. Disbarment entered.

No. 76-1694. Mobil Oil Corporation, petitioner, *v.* Harry Lightcap et al. Respondents requested to file a response to petition for rehearing within thirty days. Mr. Justice Stewart and Mr. Justice Powell took no part in the consideration or decision of this order.

No. 77-753. International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, petitioner, *v.* John Daniel; and

No. 77-754. Local 705, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, petitioners, *v.* John Daniel. Motion of American Academy of Actuaries for leave to file a brief, as *amicus curiae*, granted. Motion of The Chamber of Commerce of the United States for leave to file a brief, as *amicus curiae*, granted. Motion of American Bankers Association for leave to file a brief, as *amicus curiae*, granted. Motion of The National Coordinating Committee for Multiemployer Plans for leave to file a brief, as *amicus curiae*, granted. Motion of ERISA Industry Committee for leave to file a brief, as *amicus curiae*, granted.

No. 77-803. William G. Barry, etc., et al., appellants, *v.* John Barchi. Motion of New York Racing Association, Inc. for leave to file a brief, as *amicus curiae*, granted.

No. 77-837. New Motor Vehicle Board of the State of California, et al., appellants, *v.* Orrin W. Fox Co., et al.; and

No. 77-849. Northern California Motor Car Dealers Association, et al., appellants, *v.* Orrin W. Fox Co., et al. Motion of National Automobile Dealers Association for leave to file a brief out of time, as *amicus curiae*, denied. Motion of appellants in No. 77-849 for additional time for oral argument denied. Alternative request for divided argument granted.

No. 77-1115. Robert M. Lalli, appellant, *v.* Rosamond Lalli, Administratrix of the Estate of Mario Lalli. Motion of Legal Aid Society of New York City et al. for leave to file a brief, as *amici curiae*, granted.

No. 77-1161. Albert C. Drebin et al., petitioners, *v.* United States. Application for extension of time to file petition for rehearing, presented to Mr. Justice Brennan and by him referred to the Court, denied.

No. 77-1202. Michigan, petitioner, *v.* Harold William Doran. Motion of respondent for leave to proceed herein *in forma pauperis* granted.

No. 77-1254. Cyrus R. Vance, Secretary of State, et al., appellants, *v.* Holbrook Bradley et al. Motion of appellees to dispense with printing appendix granted.

No. 77-5781. Frank L. Rakas and Lonnie L. King, petitioners, *v.* Illinois. Motion of Americans for Effective Law Enforcement, Inc. for leave to file a brief, as *amicus curiae*, granted.

No. 77-6683. Chester Wheeler Campbell, petitioner, *v.* United States. Application for bail, presented to Mr. Justice Marshall and by him referred to the Court, denied.

## APPEALS—JURISDICTION POSTPONED

No. 77-1378. Japan Line, Ltd., et al., appellants, *v.* County of Los Angeles, et al. Appeal from the Supreme Court of California. Motion of Sea Land Service, Inc. for leave to file a brief, as *amicus curiae*, granted. Further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

## CERTIORARI GRANTED

No. 77-1410. William E. Butner, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted.

No. 77-1489. New Jersey, petitioner, *v.* Joseph S. Portash. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, granted.

No. 77-1493. Gladstone Realtors et al., petitioners, *v.* Village of Bellwood et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 77-648. Federal Energy Regulatory Commission, petitioner, *v.* Pennzoil Producing Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted. Mr. Justice Stewart and Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 77-1465. Director, Office of Workers' Compensation Programs, United States Department of Labor, petitioner, *v.* Genevieve O. Rasmussen et al.; and

No. 77-1491. Geo Control, Incorporated and New Hampshire Insurance Company, petitioners, *v.* Genevieve O. Rasmussen et al. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Cases consolidated and a total of one hour allotted for oral argument.

## CERTIORARI DENIED

No. 77-1098. Harvey L. Bell, Securities Commissioner for the State of Arkansas, petitioner, *v.* International Trading, Ltd., et al. Petition for writ of certiorari to the Supreme Court of Arkansas denied.

No. 77-1268. Herbert Leo Palm, petitioner, *v.* Veterans Administration of the United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1283. Krekel Karch, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 77-1322. Pro-Football, Inc., et al., petitioners, *v.* Norman F. Hecht et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-1325. M & M Leasing Corporation et al., petitioners, *v.* Seattle First National Bank et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1326. Bronzie L. Carter, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1351. Oil, Chemical and Atomic Workers International Union, AFL-CIO, petitioner, *v.* Johns-Manville Products Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1355. Russell McNiff, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1363. Henry C. Bradshaw, petitioner, *v.* Government of the Virgin Islands. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1364. Central Arkansas Auction Sale, Inc., et al., petitioners, *v.* Department of Agriculture et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-1366. Giles Lowery Stockyards, Inc., dba Lufkin Livestock Exchange, petitioner, *v.* Department of Agriculture et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1374. C. K. Smith & Co., Inc., et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-1405. Ignacio Aguila Ramos, petitioner, *v.* Immigration & Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1411. John J. Caulfield, etc., et al., petitioners, *v.* Peter W. Hirsch, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1424. Harvey Barry Jacobs, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-1442. Akers Motor Lines, Inc., of Delaware, et al., petitioners, *v.* Interstate Commerce Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.



No. 77-1469. Wilford D. Carter, petitioner, *v.* L. E. Hawsey, Jr., Judge, 14th Judicial District Court of Louisiana. Petition for writ of certiorari to the 14th Judicial District Court of Louisiana, Parish of Calcasieu, denied.

No. 77-1495. Paul W. Miller, Jr., petitioner, *v.* The United Association of Journeymen and Apprentices of the Plumbing and Pipe Fitting Industry, Local Union No. 198. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1509. Reliance Insurance Company, petitioner, *v.* F & D Electrical Contractors, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1524. Phillip Douglas Miller, petitioner, *v.* American Telephone & Telegraph Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1529. Donald C. Ingram and John C. Ingram, petitioners, *v.* Champlin Petroleum Company, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-1558. Virginia Cramer, petitioner, *v.* Metropolitan Federal Savings and Loan Association. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 77-1591. Michigan, petitioner, *v.* Susan D. Borman, Judge, Recorder's Court for the City of Detroit, (Janice Lee Alexander, real party in interest). Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 77-1619. Robert R. LaPuma, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1626. Robert Higgins and William J. Miller, petitioners, *v.* United States; and

No. 77-6747. Thomas Swan, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1627. Helena Guterman McCoy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6177. Mauro Pena Morales, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6204. Marlene Partee, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 77-6347. Peter Cephus, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 77-6348. Chauncey M. Black, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6372. Louis Alberto Valenzuela D. (Delgado), petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6386. John Andrew Dane, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6390. Phillip Allen LeBrun, petitioner, *v.* Hoyt C. Cupp, Superintendent, Oregon State Penitentiary. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 77-6406. Lawrence J. Denomie, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6413. Jack W. McRae and Lester F. Milhouse, petitioners, *v.* United States Bureau of Prisons et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-6438. John Wayne Wilson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6465. James Patrick Flynn, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-6468. Ronald Miller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6476. James A. Missouri, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 77-6477. Marvin Lee Robey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6483. John L. Cotton, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 77-6485. Frank Pitts, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **77-6488**. James Elden Burkhart, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **77-6502**. Wilfredo Antonmarchi, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **77-6516**. Thomas Lentini, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **77-6521**. Bruce Allan Scott, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **77-6549**. John V. Collins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **77-6558**. Vincent Anthony Magda, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **77-6569**. Victor Gonzalez, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **77-6575**. Maureen Morris, petitioner, *v.* Morton-Norwich Products, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **77-6617**. Robert Harland Wampler, petitioner, *v.* Oregon. Petition for writ of certiorari to the Court of Appeals of Oregon denied.

No. **77-6619**. Lionel Anderson, petitioner, *v.* Mary K. Wynne, Clerk of Superior Court, Martin County, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **77-6622**. Michael Moore, petitioner, *v.* Paul A. Wageley, Superintendent, Maryland Correctional Training Center. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **77-6626**. Jan Doctor, petitioner, *v.* Dixy Lee Ray, Governor of Washington, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **77-6628**. Elmo C. Tatum, petitioner, *v.* Charles Golden et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **77-6630**. Robert Eugene Smith, petitioner, *v.* Henry E. Cowan, Warden; and

No. 77-6631. Donnie Darrell Randolph, petitioner, *v.* Henry E. Cowan, Warden. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6632. Charlotte Ann Hendricks, petitioner, *v.* Indiana, Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 77-6637. Melvin Lee Smith, petitioner, *v.* Illinois, Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 77-6638. Charlie Moore, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 77-6639. Willis W. Chapman, petitioner, *v.* Federal National Mortgage Association. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. 77-6649. Tip Harris, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 77-6650. Jody Stanley, Jr., petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 77-6686. Nephus Willis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6705. Nicolas Zuniga-Lara, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6722. Alvin A. Kennedy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6737. Lawrence Lee Burnette, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6741. Reinaldo Antonio Tanda, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6752. Richard Clinton Allsup, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1207. Barbara B. Blum, Acting Commissioner, New York State Department of Social Services, et al., petitioners, *v.* Martin Toomey et al. Motion of respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1251. Louie L. Wainwright, Secretary, Florida Department of Offender Rehabilitation, et al., petitioners, *v.* David P. Demar. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 77-1390. Alton Box Board Company et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice White would grant certiorari.

No. 77-1415. Equal Employment Opportunity Commission, petitioner, *v.* D. H. Holmes Company, Ltd. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Brennan and Mr. Justice Marshall would grant certiorari.

No. 77-1419. Griffin B. Bell, Attorney General of the United States, et al., petitioners, *v.* Socialist Workers Party et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. The Chief Justice, Mr. Justice White and Mr. Justice Powell would grant certiorari.

No. 77-1425. Claude D. Ballew, petitioner, *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice Marshall join.

No. 77-6486. Arthur Fred Barela, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Stewart, Mr. Justice Blackmun and Mr. Justice Powell would grant certiorari.

#### LEAVE TO FILE PETITION FOR WRIT OF CERTIORARI DENIED

No. 77-1521. Gerald Marker et al., petitioners, *v.* International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, Inc., et al. Motion for leave to file a petition for a writ of certiorari and/or petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

#### REHEARINGS DENIED

No. 77-1029. Ambrose W. J. Clay, petitioner, *v.* Robert L. Bomar, Jr.;

No. 77-1068. Frederick B. Pfister, petitioner, *v.* Joseph C. Waddy. United States District Judge, et al.; Frederick B. Pfister, petitioner, *v.* Delta Air Lines, Inc., et al.;

No. 77-1200. American Association of Councils of Medical Staffs of Private Hospitals, Inc., petitioner, *v.* Judges of the United States Court of Appeals for the Fifth Circuit;

No. 77-6265. William Thompson, petitioner, *v.* Florida; Rocco Surace, petitioner, *v.* Florida;

No. 77-6278, Henry W. Knight, petitioner, *v.* United States District Court for the District of Massachusetts;

No. 77-6358. William Q. Siddle, petitioner, *v.* United States District Court for the Southern District of Ohio et al; and

No. 77-6359. Willie X. Ross, petitioner, *v.* Joe S. Hopper, Warden. Petitions for rehearing denied.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ruth B. Acevedo	Detroit, Mich.	Joseph Earl Jackson.
Irwin M. Alterman	Southfield, Mich.	Laurence Allan Berg.
David B. Ampel	New York, N.Y.	Theodore F. Whitmarsh.
Ward Sanford Arnold	Marengo, Ill.	Norman James Pollock.
Michael Irving Ashe	Norfolk, Va.	Raymond H. Stropole.
Charles Gottlieb Atkins	Cincinnati, Ohio	Douglas G. Cole.
Paul S. Atkins	Charleston, W. Va.	John Hey.
Robert E. Babcock	Portland, Oreg.	Dennis John Lindsay.
Robert A. Backus	Manchester, N.H.	Joseph A. Millimet.
Judy R. Bailey	Riverside, Calif.	Wallace Burrell Farrell.
Herman Hershel Bains	Minneapolis, Minn.	Everett J. Schroeder.
Morris Paul Baran	Philadelphia, Pa.	Harry D. Sporkin.
Craig Stewart Barnard	West Palm Beach, Fla.	Richard L. Jorandby.
John Fetzner Bates	Salt Lake City, Utah	George J. Meiburger.
Gene Marc Bauer	New York, N.Y.	Harold R. Tyler, Jr.
Theodore J. Beall	Santa Ana, Calif.	Virgil Victor Becker.
Leona Beane	New York, N.Y.	Philip I. Beane.
John F. Beatty	New York, N.Y.	David Bret Carlson.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
George Cox Beighley	Columbia, S.C.	Daniel R. McLeod.
Charlotte S. Bennett	Wilkesboro, N.C.	Julius Addison Rosseau, Jr.
Gary C. Berger	Detroit, Mich.	A. Robert Zeff.
John R. Bernard	San Francisco, Calif.	Earl G. Stokes.
Charles E. Bienemann, Jr.	Baltimore, Md.	Marc J. Lipchin.
Glen Landis Bower	Effingham, Ill.	James Robert Thompson, Jr.
Malcolm Howell Branch	Tahlequah, Okla.	Earl Boyd Pierce.
Kathleen Wilson Bratton	New York, N.Y.	Verl R. Topham.
William E. Breyer	Cincinnati, Ohio	Leonard Kirschner.
Jewel Brown	Little Rock, Ariz.	William John Kirby.
Thomas Clayton Brown	Kansas City, Mo.	Michael Phillip O'Keefe.
Harry H. Burstein	New York, N.Y.	Stanley Henry Fischer.
Paul M. Cecere	Hackensack, N.J.	James P. Patuto.
Leo Allen Chambers, Sr.	Houston, Tex.	Roger Charles Simmons.
Cecil M. Cheves	Columbus, Ga.	John Thomas Shinkle.
James O. Christy	Chicago, Ill.	Emery Dean Curlee.
Harold Chu	Honolulu, Hawaii	D. Alden Newland
Walter Cochran-Bond	Los Angeles, Calif.	Robert Michael Payson.
Arnold E. Cohen	Philadelphia, Pa.	Norman Perlberger.
Bennett Steven Cohn	Lake Worth, Fla.	James T. Carlisle.
Gary George Colbath	Sioux Falls, S. Dak.	David V. Vrooman.
H. Lamar Cole	Valdosta, Ga.	James T. Bennett, Jr.
Joseph Patrick Condon	Crystal Lake, Ill.	James Ryan Green.
Carl Richard Cornelius	Washington, D.C.	Matthew F. McGuire.
C. D. Cothran, Jr.	Atlanta, Ga.	Robert G. Young.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William H. Crabtree	Detroit, Mich.	John H. Pickering.
John R. Cromer	Indianapolis, Ind.	John Patrick Endsley.
Bruce Tracy Cunningham, Jr.	Carthage, N.C.	James Richard Van Camp.
Michael D'Alessio, Jr.	West Orange, N.J.	Daniel E. Isles.
George Oscar Darkenwald	Olympia, Wash.	Patrick D. Sutherland.
Samuel Marion Davis	Athens, Ga.	Donald Eugene Wilkes, Jr.
Norman H. Davis, Jr.	Mobile, Ala.	James B. Allen.
John B. Degonia	Covington, Ga.	Edward A. Crudup, Jr.
Joseph Daniel DeSalvo	Mamaroneck, N.Y.	Paul D. Jaffe.
Daniel J. Doonan	Covina, Calif.	Harry P. Seese.
Andrew Ian Douglass	New York, N.Y.	Arthur H. Dean.
Brian S. Duffy	Tallahassee, Fla.	Robert J. Angerer.
John Roger Dugan	Washington, D.C.	Matthew F. McGuire.
William Pritchard Eckels	Kansas City, Mo.	Jack Lee Campbell.
Bruce Elliot Endy	Philadelphia, Pa.	Alexander Endy.
Paul Howard Ethridge	Rockville, Md.	James T. Wharton.
Brian J. Farrell	Wallingford, Conn.	Carl E. Celia.
Frank Morris Feibelman	Danville, Va.	William Allan Garrett.
Gary R. Feitlin	Fair Lawn, N.J.	Morton Hirschklau.
Edward E. Feleppa, Jr.	Hackensack, N.J.	Lawrence Weintraub.
Joseph Claude Jeans Finney	Malibu, Calif.	George Edwin McInnis.
Arnold D. Fleischer	Brooklyn, N.Y.	Dominick J. Tuminaro.
Tom Fleming	Brownsville, Tex.	Charles E. Hamilton.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Timothy B. Flynn	Los Angeles, Calif.	Robert Michael Payson.
Michael R. Fontham	New Orleans, La.	Saul Stone.
Alan Loomis Fox	San Francisco, Calif.	Frank Brian Myers.
Byron Neal Fox	Kansas City, Mo.	Michael Phillip O'Keefe.
Albert Danner Frazer, Jr.	Mobile, Ala.	Wm. H. Armbrecht III.
Diane Michelle Freilich	Detroit, Mich.	A. Robert Zeff.
Roger S. Galer	Mt. Pleasant, Iowa.	Harold F. McLeran.
Henry Duncan Garnett, Jr.	Newport News, Va.	Herbert V. Kelly.
Wayne Freeman Gilbert	Rapid City, S. Dak.	Robert W. Gunderson.
Steven G. Gladstone	Columbia, Mo.	Robert C. Smith.
Donald C. Gless	Fremont, New Brunswick	Mark J. Fuhrman.
Joseph J. Goluban	Detroit, Mich.	Joseph Earl Jackson.
George W. Griffith	Covington, Ga.	Edward A. Crudup, Jr.
Roberto Buono Grillasca	San Juan, P.R.	Jose C. Aponte, Jr.
Ray G. Groussman	Salt Lake City, Utah	B. Z. Kastler.
Clark J. Gurney	New York, N.Y.	Eli David Schoenfield.
John F. Hamm	Staten Island, N.Y.	John Peter Sipp.
Edward Jack Hanessian	Los Angeles, Calif.	David A. Kohnen.
Daniel David Hannula	Milwaukee, Wis.	John Moncure.
Gregory Wilson Happ	Austin, Tex.	Peter Sanchez- Navarro, Jr.
Frederick D. Hatmaker	Louisville, Ky.	Edward F. Rectenwald.
John Clark Keane Hays	Arlington, Va.	Alan John Leidecker.
C. Stephen Heard, Jr.	New York, N.Y.	Burt Neuborne.
Richard E. Henderson	Fort Worth, Tex.	Horace B. Sessions.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Waldemar Hernandez-Acevedo	Aguadilla, P.R.	Marta Ramirez De Vera.
James Albert Hightower, Jr.	Pensacola, Fla.	David L. Middlebrooks, Jr.
Richard A. Hixson	Tallahassee, Fla.	William Calvin Sherrill, Jr.
Robert T. Holley	Minneapolis, Minn.	Richard A. Wexler.
William Preston Holley, Jr.	Marietta, Ga.	John Milton Grubbs, Jr.
Lisa J. Holzsager	Philadelphia, Pa.	John Albert Murphy, Jr.
Alan Robert Humphries	Pine Bluff, Ark.	Thomas A. Glaze.
A. Thomas Hunt	Los Angeles, Calif.	Robert Michael Payson.
Phalen G. Hurewitz	Beverly Hills, Calif.	Richard B. Wolfson.
Thomas Gene Jackson	New York, N.Y.	Louis Nizer.
Rogert F. Jacobs	Detroit, Mich.	Solicitor General Wade H. McCree, Jr.
Jorn Erik Pugdahl Jensen	Philadelphia, Pa.	John Albert Murphy, Jr.
Arnold Ira Kalman	Philadelphia, Pa.	Lester J. Schaffer.
Patrick J. Kelly	Hackensack, N.J.	Aaron W. Nussman.
Joseph Anthony Keyes, Jr.	Washington, D.C.	Peter Leffert Wolff.
Billy Ray Kinder	Dallas, Tex.	Brian A. Eberstein.
Boris Kozolchyk	Tucson, Ariz.	Myles Collier Stewart.
Joseph K. Kuemmel	Madison, Wis.	Jack McManus.
John David Kuhner	San Francisco, Calif.	George John Silvestri.
Dilip Arvind Kulkarni	Princeton, N.J.	Thomas Hugh Magee.
Lon Rodney Kump	Salt Lake City, Utah	Richard L. Bird, Jr.
Robert Carl Langston, Sr.	Johnson City, Tenn.	William M. Stephens.
Wallace L. Larson	Phoenix, Ariz.	John R. Snowberger.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James R. Leahy	Houston, Tex.	Grant Cook.
James Michael Leitner	Belton, Tex.	Arthur Coleman Eads.
Daniel R. Levinson	Washington, D.C.	Robert Edward Williams.
Walter Mallory Little	Bedford, N.Y.	George Hunter Roberts.
Lawrence McKinley Ludka	Corpus Christi, Tenn.	Finley Latham Edmonds.
Thomas C. Mannix	Beaver Falls, Pa.	William Walter Braham, Jr.
Frank E. Marley, Jr.	Oklahoma City, Okla.	Donald W. Davis.
Patrick Francis Martin	Washington, D.C.	John C. Scott.
Claude B. Masters	Houston, Tex.	Roger Charles Simmons.
Joseph C. Matteson	Columbia, Md.	Robert C. Smith.
John Golden McGarrahan	New York, N.Y.	Burt Neuborne.
Alexander B. McGarry	Bloomfield Hills, Mich.	Richard Powers Condit.
Peter Albert McKay	New York, N.Y.	Michael Philip Dizenzo.
Victor Davis Merullo	Columbus, Ohio	Josiah Hillerman Blackmore II.
R. Theodore W. Meyer	Hilton Head Island, S.C.	Richard Stevens Woods.
Gerald Charles Miller	New York, N.Y.	Solicitor General Wade H. McCree, Jr.
David M. Mintzes	Tenafly, N.J.	John W. Noble Jr.
David Allan Monroe	Findlay, Ohio	Jackson E. Betts.
Malcolm Lane Moore	Minneapolis, Minn.	Everett J. Schroeder.
Robert Scott Moran	Waco, Tex.	Joseph Robert Riley.
David Charles Moretti	Cranston, R.I.	William F. Reilly.
W. J. Bill Morris	Dallas, Tex.	Brian A. Eberstein.
C. Arthur Morrow	Newark, Ohio	Donald M. Byrd.
Edward J. Murphy	Indian Orchard, Mass.	Scott Livingston Silliman.
Donald Vinson Myers	Lexington, S.C.	Daniel R. McLeod.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jimmy Wayne Nettles Siegbert Horst Neuhof	Beaumont, Tex. Baltimore, Md.	Jerry L. Hatton. Franklin Goldstein.
Walter Niemasik, Jr.	McLean, Va.	Andrew J. Kilcarr.
Douglas T. Noonan	Atlanta, Ga.	Dock Heard Davis.
Anthony C. J. Nuland	New York, N.Y.	Eugene P. Souther.
David R. Ostapuk	Tucson, Ariz.	Myles Collier Stewart.
Joel Lawrence Paltrowitz	Glens Falls, N.Y.	Thomas Everett Mercure.
Eugene Parrs	Rochester, N.Y.	Harry Patrick Messina, Jr.
Lee Payne	Covington, Ga.	Edward A. Crudup, Jr.
Vader Aldridge Pennington	Mobile, Ala.	Dominick John Matranga.
Daniel Perez, Jr.	Houston, Tex.	Abraham Ramirez, Jr.
Carson Dane Perkins	Nashville, Ga.	Fred L. Belcher.
John Winthrop Philbrick	Portland, Maine	Roger A. Putnam.
Norman W. Phillips	North Vernon, Ind.	Harold H. McConnell.
James A. Philomena	Youngstown, Ohio	Michael S. Harshman.
Victor J. Piekarski	Chicago, Ill.	Paul Alan Rettberg.
Richard M. Plato	Houston, Tex.	Jack D. Nolan
David L. Pollack	Philadelphia, Pa.	Thomas A. Bergstrom
James E. Radcliffe	Shippensburg, Pa.	Rose F. Drucker
Angel D. Ramirez Ramirez	San Juan, P.R.	Juan Manuel Garcia Passalacqua.
T. Lee Ramsey, Jr.	Houston, Tex.	Daniel Kuldell Hedges.
David W. Reager	Harrisburg, Pa.	Theodore Arthur Adler.
Robert P. Reichman	New York, N.Y.	Lawrence Kill.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Rodney M. Reinbold	Okanogan, Wash.	Clairmont E. Hormel.
Jay E. Ricks	Washington, D.C.	E. Barrett Prettyman, Jr.
Brian K. Ridenour	Lincoln, Nebr.	William A. Harding.
James Allan Robinson	Seattle, Wash.	Richard B. Albrecht.
Wayne E. Robinson	Boulder, Colo.	Thomas Bennett Wilkins.
James Herrell Rollins	Atlanta, Ga.	Timothy J. Sweeney.
Lawrence S. Rosenwald	Philadelphia, Pa.	Stephen Franklyn Ritner.
Steven Gary Rothenberg	Kingston, N.Y.	Howard Raab.
Zander B. Rubin	St. Johnsbury, Vt.	John A. Dooley III.
Norman Kabel Rutkin	Miami, Fla.	Joseph Vernon Niemoeller.
Gerald W. Scatena	San Francisco, Calif.	Byron Malcom Rabin.
Dean I. Schneider	Red Bank, N.J.	William Himelman.
Roger Martin Schrimp	Modesto, Calif.	Carlos J. Badger.
Peter W. Schroth	New York, N.Y.	Myres S. McDougal.
Joseph Gerard Schumb, Jr.	San Jose, Calif.	Michael James Matteucci.
William Seth Schurman	Steamboat Springs, Colo.	C. Phillip Miller.
Martin Louis Schwartz	Chicago, Ill.	J. Henry Wolf.
Robert L. Schweitzer	New York, N.Y.	James Wilson Lamberton.
Walter Louis Sentenn, Jr.	New Orleans, La.	Clyde P. Martin, Jr.
Stephen A. Shakman	Minneapolis, Minn.	Richard B. Allyn.
Richard William Shelton	Valdosta, Ga.	James T. Bennett, Jr.
Mitchell J. Sikora, Jr.	Boston, Mass.	Thomas R. Kiley.
Jerry Ellis Skinner	Chicago, Ill.	Bruce Gales Thill.
Davis Hall Smith	Jackson, Miss.	John C. Satterfield.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James Peeler Smith	Raleigh, N.C.	Rufus L. Edmisten.
Roy Wallace Smith	Houston, Tex.	Francis L. Williams.
Gilbert Craig Soria	Sarasota, Fla.	Robert J. Elkins.
Warren Spencer	New York, N.Y.	Gary N. Horlick.
Marc Ronald Staenberg	South Orange, N.J.	Stephen Francis Eilperin.
Bobby B. Stafford	Alexandria, Va.	Solicitor General Wade H. McCree, Jr.
Jacob DeHart Steelman, Jr.	Tulsa, Okla.	Robert Norman Price.
Merlin A. Steger.	Des Moines, Iowa	Joseph B. Joyce.
John Spencer Stewart	Portland, Oreg.	Norman B. Kobin.
Robert W. Stolp	Ithaca, N.Y.	Charles T. Currey.
Thomas Breece Stribling III	Albuquerque, N. Mex.	Philip Rossman Ashby.
Emil Gene Stunz	Nyssa, Oreg.	Thomas Alfred Shannon.
Henry E. Szachowicz, Jr.	Chicago, Ill.	Donald C. McDevitt.
George E. Tillinghast, Jr.	Glastonbury, Conn.	Walter A. Twachtman, Jr.
J. Allan Topping	Wayzata, Minn.	Carl Yaeger, Jr.
Charles Gasper Vaccaro	Hot Springs, Ariz.	David B. Whittington.
John William Wall	New York, N.Y.	George S. Leisure, Jr.
William F. Weir	Jacksonville, N.C.	John Thomas Edwards.
Charles David Weller	Cleveland, Ohio	Michael Roy Szolosi.
Sidney Duncan West, Jr.	Lake Butler, Fla.	Robert M. Ervin.
Michael D. Wieder	Cleveland, Ohio	James Emanuel Spitz.
W. Stephen Wilborn	Shelbyville, Ky.	Robert L. Chenoweth.
Stanley H. Williams	Los Angeles, Calif.	Thomas J. Ready.
Donald Joe Willis	Portland, Oreg.	Wendell Wyatt.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John A. Wilson	Lansing, Mich.	Robert A. Derengoski.
Herman W. Winter	Heppner, Oreg.	Robert B. Abrams.
David K. Wolfe	Tucson, Ariz.	Myles Collier Stewart.
Howard E. Yancey, Jr.	Nashville, Ga.	George M. Saliba.
R. Reid Young III	Martinsville, Va.	R. R. Young, Jr.
Allen Zaks	Newark, N.J.	Joseph Harris David.
Charles Robert Zisa	Wyckoff, N.J.	Robert F. Henn.
Martin S. Zohn	Indianapolis, Ind.	H. Patrick Callahan.
Gerald Martin Zopp, Jr.	Crystal Lake, Ill.	James Ryan Green.
Alan Paul Zukerberg	Baltimore, Md.	Louis Burton Price.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Emmett Canny, Jr.	Los Angeles, Calif.	George E. Danielson.
Allan Robert Rexinger	Washington, D.C.	Robert McClory.
Joseph King	Silver Spring, Md.	J. Ambrose Kiley.
John Herbert Crook	Austin, Tex.	Tom I. McFarling.
William J. Olmstead	Junction City, Kans.	James P. Murray, Jr.
James Lieberman	Potomac, Md.	James P. Murray, Jr.
George Wendal Campbell, Jr.	Arlington, Va.	James H. Simmonds.
Gregory U. Evans	Arlington, Va.	Courtney Allen Evans.
Joseph A. Bosco	Washington, D.C.	George Martin Coburn.
Thomas Flynn Kyhos	Washington, D.C.	Mark L. Lezell.
Robert J. Gillispie	New York, N.Y.	Robert A. Cantor.
Patricia Louise Buxton	Jefferson City, Mo.	Mahlon Mundell Frankhauser.
Jerry B. Buxton	Jefferson City, Mo.	Mahlon Mundell Frankhauser.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Rogert L. McNitt	San Diego, Calif.	Mary Lisa Anderson.
Adam Fisher, Jr.	Greenville, S.C.	Judith C. Chirlin.
Roger B. Pool	Washington, D.C.	Marna S. Tucker.
William Dean Hager	Des Moines, Iowa	James Bradley Snow.
Edward John Krisor, Jr.	Denver, Colo.	Hugh Nugent.
John Alan Adler	New Brunswick, N.J.	Samuel C. Inglese.
Glenn Berman	Perth Amboy, N.J.	Samuel C. Inglese.
Harvey Blaustein	Metuchen, N.J.	Samuel C. Inglese.
Edward S. Bloch	Scotch Plains, N.J.	Samuel C. Inglese.
Casper J. Boehm, Jr.	Sayreville, N.J.	Samuel C. Inglese.
Jack Borrus	North Brunswick, N.J.	Samuel C. Inglese.
Guido J. Brigiani	Jamesburg, N.J.	Samuel C. Inglese.
Thomas J. Cafferty	North Brunswick, N.J.	Samuel C. Inglese.
Sanford E. Chernin	Somerset, N.J.	Samuel C. Inglese.
Benjamin Coe	West Orange, N.J.	Samuel C. Inglese.
Lewis Burton Coe	Perth Amboy, N.J.	Samuel C. Inglese.
Samuel Vincent Convery, Jr.	Metuchen, N.J.	Samuel C. Inglese.
Anthony Feranda	Warren, N.J.	Samuel C. Inglese.
Howard Freeman	Somerset, N.J.	Samuel C. Inglese.
Martin S. Goldin	North Brunswick, N.J.	Samuel C. Inglese.
Robert G. Goodman	Woodbridge, N.J.	Samuel C. Inglese.
Alan Jay Gottlieb	East Brunswick, N.J.	Samuel C. Inglese.
Jay Douglas Greengarten	Sayreville, N.J.	Samuel C. Inglese.
George F. Hendricks	New Brunswick, N.J.	Samuel C. Inglese.
Jeffrey M. Hyman	North Brunswick, N.J.	Samuel C. Inglese.
Sanford F. Juman	Edison, N.J.	Samuel C. Inglese.
Stephen F. Juman	Edison, N.J.	Samuel C. Inglese.
Chester A. Just	Edison, N.J.	Samuel C. Inglese.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ronald Stuart Kolsky	New Brunswick, N.J.	Samuel C. Inglese.
Martin E. Kravarik	Metuchen, N.J.	Samuel C. Inglese.
Alexander F. McGimpsey, Jr.	North Brunswick, N.J.	Samuel C. Inglese.
James D. Nichols	Piscataway, N.J.	Samuel C. Inglese.
Kenneth S. Oleckna	Rahway, N.J.	Samuel C. Inglese.
Michael Bernard Oropollo	New Brunswick, N.J.	Samuel C. Inglese.
Carl J. Palmisano	Woodbridge, N.J.	Samuel C. Inglese.
Rosemary K. Reavey	Sayreville, N.J.	Samuel C. Inglese.
Richard S. Rebeck	New Brunswick, N.J.	Samuel C. Inglese.
Francis J. Reilly	Woodbridge, N.J.	Samuel C. Inglese.
Michael Robert Reitman	Rahway, N.J.	Samuel C. Inglese.
Alfred Fredrick Russo	Woodbridge, N.J.	Samuel C. Inglese.
Frank A. Santoro	South Plainfield, N.J.	Samuel C. Inglese.
Richard Jay Schwartz	Matawan, N.J.	Samuel C. Inglese.
John Charles Shamy	New Brunswick, N.J.	Samuel C. Inglese.
Bernard Herbert Shihar	New Brunswick, N.J.	Samuel C. Inglese.
Mark R. Silber	Metuchen, N.J.	Samuel C. Inglese.
James E. Stahl	North Brunswick, N.J.	Samuel C. Inglese.
Charles Nicholas Steczak	Perth Amboy, N.J.	Samuel C. Inglese.
Anthony B. Vignuolo	New Brunswick, N.J.	Samuel C. Inglese.
Marlene Yoskowitz	Union, N.J.	Samuel C. Inglese.
Rafael Batine	New York, N.Y.	Judge Kenneth N. Browne.
James C. Butcher, Jr.	New York, N.Y.	Judge Kenneth N. Browne.
L. Priscilla Hall	New York, N.Y.	Judge Kenneth N. Browne.
Leroy B. Kellam	New York, N.Y.	Judge Kenneth N. Browne.
Daniel Lewis	New York, N.Y.	Judge Kenneth N. Browne.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles B. Rangel	New York, N.Y.	Judge Kenneth N. Browne.
Victor A. Roque	New York, N.Y.	Judge Kenneth N. Browne.
Shaka Maboya Shedeke	New York, N.Y.	Judge Kenneth N. Browne.
Rudolph B. Taylor	New York, N.Y.	Judge Kenneth N. Browne.

#### OPINIONS

No. 77-117. National Broiler Marketing Association, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Blackmun. Concurring opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice White with whom Mr. Justice Stewart joins.

No. 76-1471. Federal Communications Commission, petitioner, *v.* National Citizens Committee for Broadcasting et al.;

No. 76-1521. Channel Two Television Company et al., petitioners, *v.* National Citizens Committee for Broadcasting et al.;

No. 76-1595. National Association of Broadcasters, petitioner, *v.* Federal Communications Commission et al.;

No. 76-1604. American Newspaper Publishers Association, petitioner, *v.* National Citizens Committee for Broadcasting et al.;

No. 76-1624. Illinois Broadcasting Company, Inc., et al., petitioners, *v.* National Citizens Committee for Broadcasting et al.; and

No. 76-1685. Post Company et al., petitioners, *v.* National Citizens Committee for Broadcasting et al. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed in part and reversed in part and cases remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Marshall. Mr. Justice Brennan took no part in the consideration or decision of these cases.

#### ORDER IN PENDING CASE

No. 77-1736. Albert Smith, President of the Village of Skokie, Illinois, et al., petitioners, *v.* Frank Collin et al. Application for stay of mandate or, in the alternative, for stay of enforcement of judgment pending action on petition for certiorari, presented to Mr. Justice Stevens and by him referred to the Court, denied.

Mr. Justice Blackmun, with whom Mr. Justice Rehnquist joins, dissenting: I feel that the decision of the United States Court of Appeals for the Seventh Circuit is in some tension with this Court's decision, 25 years ago, in *Beauharnais v. Illinois*, 343 U.S. 250 (1952). *Beauharnais* has never been overruled or formally limited in any way. I therefore would grant the stay pending consideration of the applicants' petition for certiorari which has now been filed, and pending further order of the Court.

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Adjourned until Wednesday, June 14, 1978, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

## OPINIONS

No. 77-10. Exxon Corporation et al., appellants, *v.* Governor of Maryland et al.;

No. 77-11. Shell Oil Company, appellant, *v.* Governor of Maryland et al.;

No. 77-12. Continental Oil Company et al., appellants, *v.* Governor of Maryland et al.;

No. 77-47. Gulf Oil Corporation, appellant, *v.* Governor of Maryland et al.;

No. 77-64. Ashland Oil, Inc., et al., appellants, *v.* Governor of the State of Maryland et al. Appeals from the Court of Appeals of Maryland. Judgment affirmed. Opinion by Mr. Justice Stevens. Opinion by Mr. Justice Blackmun concurring in part and dissenting in part. Mr. Justice Powell took no part in the consideration or decision of these cases.

No. 76-1382. United States, petitioner, *v.* John Arthur Scott. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rehnquist. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice White, Mr. Justice Marshall and Mr. Justice Stevens join.

No. 76-1040. Thomas Sanabria, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the First Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Marshall. Concurring opinion by Mr. Justice Stevens. Mr. Justice White joins Parts I, II-A, and III of the opinion. Dissenting opinion by Mr. Justice Blackmun with whom Mr. Justice Rehnquist joins.

No. 76-1200. Roger Crist, as Warden of the Montana State Penitentiary, Deer Lodge, Montana, et al., appellants, *v.* L. R. Bretz et al. Appeal from the United States Court of Appeals for the Ninth Circuit. Judgment as to Bretz affirmed. Appeal as to Cline dismissed as

moot. Opinion by Mr. Justice Stewart. Concurring opinion by Mr. Justice Blackmun. Dissenting opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Powell with whom Mr. Chief Justice Burger and Mr. Justice Rehnquist join.

② No. 76-6528. David Wayne Burks, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Burger. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 76-6617. Richard Austin Greene, petitioner, *v.* Raymond D. Massey, Superintendent, Union Correctional Institution. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Burger. Concurring opinion by Mr. Justice Powell. Opinion by Mr. Justice Rehnquist concurring in judgment. Mr. Justice Blackmun took no part in the consideration or decision of this case.

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Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

## OPINIONS

No. 77-334. First Federal Savings and Loan Association of Boston et al., appellants, *v.* State Tax Commission et al. Appeal from the Supreme Judicial Court of Massachusetts. Judgment affirmed. Opinion by Mr. Justice Stevens. Opinion by Mr. Justice Blackmun concurring in part and dissenting in part.

No. 77-454. Moorman Manufacturing Company, appellant, *v.* G. D. Bair, etc. Appeal from the Supreme Court of Iowa. Judgment affirmed. Opinion by Mr. Justice Stevens. Dissenting opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Blackmun. Dissenting opinion by Mr. Justice Powell with whom Mr. Justice Blackmun joins.

No. 77-911. National Labor Relations Board, petitioner, *v.* Robbins Tire and Rubber Company. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Marshall. Concurring opinion of Mr. Justice Stevens with whom Mr. Chief Justice Burger and Mr. Justice Rehnquist join. Opinion by Mr. Justice Powell concurring in part and dissenting in part with whom Mr. Justice Brennan joins.

No. 76-1701. Tennessee Valley Authority, petitioner, *v.* Hiram G. Hill, Jr., et al. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment affirmed. Opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Powell with whom Mr. Justice Blackmun joins. Dissenting opinion by Mr. Justice Rehnquist.

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Adjourned until Monday, June 19, 1978, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Stevens.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## APPEALS—SUMMARY DISPOSITION

No. 77-1460. Niagara Mohawk Power Corporation, appellant, *v.* Public Service Commission of the State of New York. Appeal from the Appellate Division of the Supreme Court of New York, Third Judicial Department. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

No. 77-6796. Medric C. Godbout, appellant, *v.* John V. Norton. Appeal from the Supreme Court of Minnesota. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari denied.

## ORDERS IN PENDING CASES

No. 77-891. Frank S. Beal, Secretary of Welfare of Pennsylvania, et al., appellants, *v.* John Franklin et al. Motion for appointment of Alan Ernest, Esquire, as guardian *ad litem* for unborn children denied.

No. 77-1388. Massachusetts, petitioner, *v.* Charles F. White. Motion of respondent for leave to proceed further herein *in forma pauperis* granted.

## APPEAL—JURISDICTION NOTED

No. 77-1715. Secretary of Public Welfare of Pennsylvania et al., appellants, *v.* Institutionalized Juveniles et al. Appeal from the United States District Court for the Eastern District of Pennsylvania. Motion of appellees for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted. Case set for oral argument in tandem with No. 75-1690, *Parham v. J. L. and J. R., minors, etc.*

## CERTIORARI GRANTED

No. 77-1547. Douglas Oil Company of California et al., petitioners, *v.* Petrol Stops Northwest et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 77-1553. County of Los Angeles et al., petitioners, *v.* Van Davis et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 77-874. Genanett Alexander et al., petitioners, *v.* United States Department of Housing and Urban Development et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted; and

No. 77-1463. Patricia Roberts Harris, Secretary of Housing and Urban Development, et al., petitioners, *v.* Sadie E. Cole et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia <sup>granted</sup>. Cases consolidated and a total of one hour allotted for oral argument.

## CERTIORARI DENIED

No. 77-1137. Clarence Neville, petitioner, *v.* Simon L. Friedman, Judge of the Circuit Court of Sangamon County, etc., et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 77-1225. Douglas Seidel, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 77-1354. Ralph Furrer and Rosemarie Furrer, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1389. Cadillac Overall Supply Co., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1394. Quick Pak, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1397. Anita Abrams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1399. Mechanic's Building and Loan Company, petitioner, *v.* Federal Home Loan Bank Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-1401. Guy Goodwin, petitioner, *v.* John Briggs et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **77-1420**. Chicago Health Clubs, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **77-1423**. Alfred Pavone, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **77-1428**. Yesterday's Children et al., petitioners, *v.* Margaret Kennedy, etc, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **77-1448**. Roosevelt Thomas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **77-1452**. Adolph Lewin and Joyce Lewin, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **77-1458**. MAPCO, Inc. and Thomas A. Manhart, petitioners, *v.* Jimmy Carter, President of the United States, et al. Petition for writ of certiorari to the United States Temporary Emergency Court of Appeals denied.

No. **77-1488**. Toinette Goldman Perlman, Loretta Demsky and Woodrow Woody Davis, petitioners, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **77-1508**. Marie D. Gust, petitioner, *v.* United States Custom Service. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **77-1525**. Robert R. Kaufman, petitioner, *v.* Association of the Bar of the City of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **77-1526**. Gregory R. Golz, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. **77-1527**. Luis J. Laje, petitioner, *v.* R. E. Thomason General Hospital. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **77-1530**. Alvin E. Harbin, petitioner, *v.* The Interlake Steamship Company; and

No. **77-1536**. The Interlake Steamship Company, petitioner, *v.* Alvin E. Harbin. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **77-1531**. Associated Milk Producers, Inc., petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1537. Volkswagenwerk Artiengesellschaft et al., petitioners, *v.* R. Dixon Herman, Judge. United States District Court for the Middle District of Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1544. Joyce Beverages, Inc., et al., petitioners, *v.* William J. Joyce et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1549. C. H. Johnson and Cliff Williams, petitioners, *v.* General Motors Assembly Division, etc. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 77-1560. Parish of East Baton Rouge, petitioner, *v.* James F. Pierson, Jr., et al. Petition for writ of certiorari to the Court of Appeal of Louisiana, First Circuit, denied.

No. 77-1561. Michael Richard O'Connor et al., petitioners, *v.* City of Louisville Fire Fighters Pension Fund. Petition for writ of certiorari to the Supreme Court of Kentucky denied.

No. 77-1563. PPX Enterprises, Inc., petitioner, *v.* Scepter Records, Inc. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 77-1572. David Rogers, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 77-1579. Dianne Fennell, petitioner, *v.* Rosalie Butler, Councilwoman, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-1623. Susie Griffin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-5985. Henry Thomas Cane, petitioner, *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 77-6339. Charles Edward Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6395. Gilbert Casas Guzman, petitioner, *v.* United States; and

No. 77-6577. Felix A. Bensor, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6428. Milton Wesley Hannah, petitioner, *v.* New Jersey. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6429. Cora E. Griffin, petitioner, *v.* San Bernardino Police Department et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6463. Gordon Buttorff and Charles A. Dodge, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6489. Kenneth Howard Davis, Jr., and Gilbert Miller, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6501. Gerald Lee White, petitioner, *v.* United States; and No. 77-6544. Francisco Diaz, Sr., petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6520. Helen Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6531. Alfred Lewis Cameron, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6548. Dennis Morgan and Clarence Smith-El, petitioners, *v.* Delbert Jackson et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-6551. Gary Hamilton, petitioner, *v.* Delaware. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 77-6559. Clifford Jackson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-6576. Kenneth Paul Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-6581. Francis Rick Ferri, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-6586. Alan Kent Cheshire, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6591. Phyllis Marjorie Ferrara, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6614. Terry Dennis Palmer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-6627. Anthony King, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6636. Jose Francisco Zepeda-Santana, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6640. Frank Williams, petitioner, *v.* Louisiana et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 77-6648. Ghulam Mohammed Nasim, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6656. George Bonnell, petitioner, *v.* Harold E. Black, Superintendent, Kentucky State Reformatory. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6658. Miles Brewster, Jr., petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, First Judicial Department, denied.

No. 77-6660. Edward Taylor, petitioner, *v.* Richard Poehling, Assistant Circuit Attorney, City of St. Louis, Missouri. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-6664. Jack Richard Chambers, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 77-6665. Joseph A. Rachal, petitioner, *v.* Superintendent of M.C.I. at Walpole. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-6668. Arthur Lee Gray et al., petitioners, *v.* California; and

No. 77-6682. Fred Frank Mertz, petitioner, *v.* California; Petitions for writs of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 77-6669. Bessie S. Williams, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 77-6677. Neil F. Sullivan, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 77-6690. Gerald W. Meader, petitioner, *v.* Montana. Petition for writ of certiorari to the Supreme Court of Montana denied.



No. 77-6693. Anthony J. Radisich, petitioner v. Sonja J. Radisich et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 77-6695. Donald Ray Watson, petitioner v. Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 77-6786. Robert Wayne Bradford, petitioner, v. United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-6791. Ernest Arthur Skidmore, petitioner, v. United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 77-6800. Paul Leslie Kirk, petitioner, v. United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-6803. Juan Marquez, petitioner, v. United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-1196. Richard Sherwin and Ronald Coryell, petitioners, v. United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice Marshall join.

No. 77-1342. Everett I. Perrin, Jr., et al., petitioners, v. Richard Dunn and Laurence Black. Motion of respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-1381. Robert George Drummond and Mildred Pauline Drummond, petitioners, v. Fulton County Department of Family & Children's Services et al.; and

No. 77-6454. Timothy Lee Hill, petitioner, v. Fulton County Department of Family & Children's Services et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Brennan and Mr. Justice White would grant certiorari.

No. 77-1505. Essex County Welfare Board, petitioner, v. Department of Institutions and Agencies et al. Motion of respondent Irene Stowers for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 77-1532. Frank A. Hall, etc., et al., petitioners, v. Morris Morgan. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-1534. South Central Bell Telephone Company, petitioner, *v.* Louisiana Public Service Commission. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Mr. Justice White and Mr. Justice Powell would grant certiorari.

No. 77-1548. Sheet Metal Workers' International Association, Local No. 3, petitioner, *v.* Siebler Heating & Air Conditioning, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice White would grant certiorari.

No. 77-6539. Richard Lee Denney, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Mr. Justice Brennan and Mr. Justice Marshall, dissenting: Adhering to our views that the death penalty is in all circumstances cruel and unusual punishment prohibited by the Eighth and Fourteenth Amendments, *Gregg v. Georgia*, 428 U.S. 153, 227, 231 (1976), we would grant certiorari and vacate the death sentence in this case.

No. 77-6616. John Lee Layton, petitioner, *v.* Edwin T. Pogue, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Brennan, Mr. Justice White and Mr. Justice Marshall would grant certiorari.

#### LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 77-6670. Albert H. Carter, petitioner, *v.* Jack Roberts, United States District Judge, Western District of Texas. Motion for leave to file petition for writ of mandamus denied.

#### REHEARINGS DENIED

No. 77-1091. Martin Epstein, appellant, *v.* Civil Service Commission et al.;

No. 77-1190. All Island Delivery Service, Inc., et al., petitioners, *v.* United States et al.;

No. 77-1357. Barbara Coleman, petitioner, *v.* Virginia;

No. 77-6235. L. R. Bretz, petitioner, *v.* Roger W. Crist, Warden;

No. 77-6303. Lizzie Banks et al., petitioners, *v.* United States Department of Housing and Urban Development et al.;

No. 77-6409. William E. Conrad, appellant, *v.* Commerce Bank of Kansas City;

No. 77-6457. Anthony Bamond, Jr., petitioner, *v.* New York et al.; and

No. 77-6657. William E. Conrad, petitioner, *v.* First State Bank & Trust Co. Petitions for rehearing denied.



## RECESS ORDER

The Court will take a recess from today until Wednesday, June 21, 1978.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John J. von der Lieth	New York, N.Y.	Theodore Quentin Childs.
John S. Abolofia	Tacoma, Wash.	John Avrom Strait.
William Morgan Akin	Cartersville, Ga.	Warren Akin III.
Howard Phillip Alterman	Chicago, Ill.	Joel L. Widman.
Terry J. Anderson	Rancho Palos Verdes, Calif.	Wilfred Clark Howerton.
William J. Anderson	Columbus, Ohio	William J. Brown.
William Anthony Barrett	San Francisco, Calif.	Robert A. Kenealey.
Leonard S. Baum	New York, N.Y.	Louis Nizer.
David Glenn Bettencourt	Honolulu, Hawaii	Boyce Reid Brown, Jr.
Robert F. Binetti	Ridgefield Park, N.J.	Robert M. Zweiman.
Winford Kent Bishop	Atlanta, Ga.	F. Glenn Moffert, Jr.
J. V. Boles	Danville, Ind.	Douglas Wayne Meyer.
Charles R. Borchers	Laredo, Tex.	George P. Kazen.
Paul John Cambria, Jr.	Buffalo, N.Y.	Herald Price Fahringer, Jr.
Stephen D. Clapp	North Attleborough, Mass.	Philip H. Macchi.
Andrew D. Demetras	Tonopah, Nev.	William P. Beko.
George DeLew	San Francisco, Calif.	Franklin Andrew Dill.
John J. Doherty	San Francisco, Calif.	Robert A. Kenealey.
Howard L. Egenberg	Bayonne, N.J.	John J. O'Reilly.
Leslie Gordon Fagen	New York, N.Y.	Jack B. Weinstein.
Michael D. Fitzgerald	Kansas City, Mo.	George I. O'Laughlin.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Mark D. Frasure	New Philadel- phia, Ohio	William A. Kyler.
Thomas Henry Freeland III	Oxford, Miss.	Jamie L. Whitten.
Irving Martin Friedman	Chicago, Ill.	Robert L. Stern.
Sam Zalman Gdanski	New City, N.Y.	Irving A. Garson.
William Littlejohn Goode	Shreveport, La.	J. Ransdell Keene.
Andrew J. Gowa	Philadelphia, Pa.	Lester J. Schaffer.
Sheldon M. Greenbaum	New York, N.Y.	Thomas J. Ryan.
James W. Hall	Cedar Rapids, Iowa	Patrick M. Roby.
Jack Glasel Handler	Harrisburg, Pa.	Sidney Gene Handler.
Stephen J. Henderson	Olympia, Wash.	Judge Robert J. Doran.
William Earl Herzog	Kankakee, Ill.	Dennis A. Norden.
Earl McColl Hill	Reno, Nev.	Paul D. Laxalt.
Richard Hosking	Bakersfield, Calif.	William R. Hulsy.
Olivia Imogen Hugill	New York, N.Y.	Edward Webb Keane.
Mark A. Jacoby	New York, N.Y.	Ira M. Millstein.
Stephen Andrew Kastran	Allegan, Mich.	George A. Greig, Jr.
Fred H. Kaul	Coupeville, Wash.	Howard A. Patrick.
John Richard Keaton	Fort Lauderdale, Fla.	Walter B. Keaton.
James Andrew Klenk	Chicago, Ill.	Don H. Reuben.
Peter L. Knight	Tonopah, Nev.	William P. Beko.
Edward J. Kosmal	Beverly Hills, Calif.	John K. Van de Kamp.
Victor Kramer Morris Kulp	Tulsa, Okla.	Graydon Dean Luthey.
William G. Ladewig	Milwaukee, Wis.	Stewart G. Honeck.
Paul H. Lambolely	Reno, Nev.	John Jennings McCune.
Roland V. Lee, Jr.	Pelham, Ala.	Lucien D. Gardner, Jr.
Jonah D. Levin	Philadelphia, Pa.	Frank O. Schilpp.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Scott Lewis	Wauwatosa, Wis.	Joseph Robert Caton, Jr.
John LeRoy Lindquist	Coral Springs, Fla.	Howard Robert Messing.
Mary Louise Mertens Lowry	Glen Ellyn, Ill.	Solicitor General Wade H. McCree, Jr.
Sean Patrick Martinez	Dallas, Tex.	Lee Emmett Holt.
Donald Martin Mawhinney, Jr.	Syracuse, N.Y.	Richard Koch Hughes.
Martin J. Mayer	Los Angeles, Calif.	Stephen Christopher Chapple.
John Arthur McCarthy	Tacoma, Wash.	John Arthur Petrich.
William H. McDonald	Springfield, Mo.	Clarence O. Woolsey.
Gerald Stephen McGowan	Washington, D.C.	Solicitor General Wade H. McCree, Jr.
Roger L. McMillian	Stillwater, Okla.	Clee Fitzgerald.
Blair B. Melvin	Los Angeles, Calif.	George E. Danielson.
Richard James Mercer	Boston, Mass.	William A. Thurman.
Paul Stephen Minor	Biloxi, Miss.	Gerald Blessey.
Harry O. Moline, Jr.	St. Louis, Mo.	W. Stuart Symington, Jr.
Bobbie Ann Moore	Oklahoma City, Okla.	Marion P. Opala.
Mark Charles Morrill	New York, N.Y.	Jack B. Weinstein.
Neal J. Morse	New York, N.Y.	Irene Conrad Warshauer.
Robert M. Murphy	Stillwater, Okla.	Francis Anthony Keating III.
Ronald R. Niehaus	Houston, Tex.	A. Lee McLain.
Maryalice Norman	Seattle, Wash.	Norman B. Ackley.
Ronald Marc Papell	Los Angeles, Calif.	Edward I. Pollock.
Gerri Papushkewych	Springfield, Ill.	William John Scott.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kenneth Powson	Albany, N.Y.	John Michael Eadry.
Alexander Potruch	Queens, N.Y.	Marc Elliot Grossman.
Gretchen E. Raatz	Austin, Tex.	Sam Houston Clinton, Jr.
Richard L. Reeh	Tulsa, Okla.	Ronald Holland Mook.
Richard Frank Renton	Arlington, Va.	M. Garland Rigney.
Craig S. Ritchey	Palo Alto, Calif.	Paul C. Valentine.
William G. Rosch III	Houston, Tex.	Thomas Reaves Conner.
Michael Mark Rueckhaus	Albuquerque, N. Mex.	Thomas D. Schall.
Sandy M. Sandoloski	Dallas, Tex.	Reuben M. Ginsberg.
Pedro Santiago-Torres	San Juan, P.R.	Emma Navajas Rytting.
Thomas Rogers Sharp	Steamboat Springs, Colo.	Judson W. Detrick.
May Jane Simmons	Steamboat Springs, Colo.	Judson W. Detrick.
Stephen Kendrick Smith	Tempe, Ariz.	Roderick Gregory McDougall.
Larry Steven Solomon	Washington, D.C.	Joseph Eugene Keller.
Robert S. Sosnay	Milwaukee, Wis.	Philip L. Atinsky.
Robert M. Struse	Tucson, Ariz.	Evo DeConcini.
Eric Anthony Toppin	New York, N.Y.	Judge Kenneth N. Browne.
Clemons C. Turner	Long Beach, Calif.	Norman Gregory Taylor.
Justin Scott Wilson	Austin, Tex.	William Frank Newton.
Robert A. Wood	Danville, Ind.	Douglas Wayne Meyer.
Lawrence M. Woods	New York, N.Y.	James Blackwood Pearson.
Michael Alan Young	New York, N.Y.	Phylis Skloot Bamberger.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ronnie Lee Svaty	Ellsworth, Kans.	Keith G. Sebelius.
E. Denver Vold	Kansas City, Mo.	James J. Murphy.
Robert Edward Phelps, Jr.	Houston, Tex.	Graham B. Purcell, Jr.
Perry B. Seiffert	Bethesda, Md.	Graham B. Purcell, Jr.
Karlis Karl Spalvins	Knoxville, Tenn.	Graham B. Purcell, Jr.
Wm. Patterson Cashill	Reno, Nev.	Joseph F. Lynch.
Rita Linette Murphy	New York, N.Y.	John W. Johnson.
Elihu H. Dodier	Houston, Tex.	Elinor Hadley Stillman.
Gregory Hamilton Fess	Washington, D.C.	Richard Cullen Browne.
Beth Anne Chapman	Arlington, Va.	Michael Bodson.
Alvin Williams Stokes, Jr.	Westwood, N.J.	Theodore Hinton.
Bernard Joseph Young	Washington, D.C.	N. Alfred Pasternak.
Andrea C. Jacobsen	Harrisburg, Pa.	Edwin Friend Rains.
Robert Edward Rains	Washington, D.C.	Edwin Friend Rains.
Stuart Charles Law	Washington, D.C.	Edwin Friend Rains.
Jon Lee Anderson	Atlanta, Ga.	William B. Spann, Jr.
Henry Angel	Atlanta, Ga.	William B. Spann, Jr.
William Joseph Bruckner	Atlanta, Ga.	William B. Spann, Jr.
Richard Branton Eason, Jr.	Atlanta, Ga.	William B. Spann, Jr.
Clayton Henson Farnham	Atlanta, Ga.	William B. Spann, Jr.
T. Cullen Gilliland	Atlanta, Ga.	William B. Spann, Jr.
J. D. Humphries III	Atlanta, Ga.	William B. Spann, Jr.
W. Seaborn Jones	Atlanta, Ga.	William B. Spann, Jr.
Carolyn James Kennedy	Atlanta, Ga.	William B. Spann, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Peter Joachim Krebs	Decatur, Ga.	William B. Spann, Jr.
Rex M. Lamb III	Atlanta, Ga.	William B. Spann, Jr.
James Arthur Lee, Jr.	Atlanta, Ga.	William B. Spann, Jr.
Thomas Lee Murphy	Atlanta, Ga.	William B. Spann, Jr.
Johnny Wayne Pierce	Atlanta, Ga.	William B. Spann, Jr.
Gary M. Sams	Atlanta, Ga.	William B. Spann, Jr.
Vincent L. Sgrosso	Atlanta, Ga.	William B. Spann, Jr.
Paul M. Talmadge, Jr.	Atlanta, Ga.	William B. Spann, Jr.
Charles L. Weatherly	Atlanta, Ga.	William B. Spann, Jr.
J. Bruce Welch	Atlanta, Ga.	William B. Spann, Jr.
Robert G. Wellon	Atlanta, Ga.	William B. Spann, Jr.
William H. Whaley	Atlanta, Ga.	William B. Spann, Jr.
James Douglas White	Atlanta, Ga.	William B. Spann, Jr.
Clarence Wilbur Warner, Jr.	Atlanta, Ga.	William B. Spann, Jr.
Howard Alan Kave	Cheshire, Mass.	Charles Joseph Hynes.
Frank Louis Amoroso	New York, N.Y.	Charles Joseph Hynes.
James Michael Begley	New York, N.Y.	Charles Joseph Hynes.
Thomas P. Cleary	Buffalo, N.Y.	Charles Joseph Hynes.
Ralph William Cox II	Rochester, N.Y.	Charles Joseph Hynes.
Nathan L. Dembin	New York, N.Y.	Charles Joseph Hynes.
Arthur Sidney Friedman	New York, N.Y.	Charles Joseph Hynes.
Joel Michael Graham	Brooklyn, N.Y.	Charles Joseph Hynes.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Lawrence N. Gray	New York, N.Y.	Charles Joseph Hynes.
John Wesley Hester	New York, N.Y.	Charles Joseph Hynes.
Joshua R. Hochberg	Rochester, N.Y.	Charles Joseph Hynes.
Laurence J. Iacueo	New York, N.Y.	Charles Joseph Hynes.
Harold Klapper	New York, N.Y.	Charles Joseph Hynes.
James E. Kohler	New York, N.Y.	Charles Joseph Hynes.
Edward J. Kuriansky	New York, N.Y.	Charles Joseph Hynes.
Robert R. Meehan	Tallman, N.Y.	Charles Joseph Hynes.
Allen D. Mincho	Hopewell Junction, N.Y.	Charles Joseph Hynes.
Gregory J. Naclerio	Smithtown, N.Y.	Charles Joseph Hynes.
Edward Rothman-	Scarsdale, N.Y.	Charles Joseph Hynes.
David Elliot Ruck	New York, N.Y.	Charles Joseph Hynes.
Robert Hill Schwartz	New York, N.Y.	Charles Joseph Hynes.
Thomas F. Shea	New York, N.Y.	Charles Joseph Hynes.
William Bruce Shields	New York, N.Y.	Charles Joseph Hynes.
Joseph E. Spinnato	Woodbury, N.Y.	Charles Joseph Hynes.
Philip H. Stern	New York, N.Y.	Charles Joseph Hynes.
Jerry L. Tritz	New York, N.Y.	Charles Joseph Hynes.
Steven David Usdin	East Meadow, N.Y.	Charles Joseph Hynes.
George Weinbaum	New York, N.Y.	Charles Joseph Hynes.
Robert E. Wildridge	Syracuse, N.Y.	Charles Joseph Hynes.
David Bert Zoffer	Port Washington, N.Y.	Charles Joseph Hynes.

## OPINIONS

No. 77-335. Oppenheimer Fund, Inc., et al., petitioners, *v.* Irving Sanders et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Powell.

No. 77-598. The Greyhound Corporation et al., petitioners, *v.* Mt. Hood Stages, Inc., etc. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment vacated and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Blackmun. Concurring opinion by Mr. Chief Justice Burger.

No. 77-365. United States et al., petitioners, *v.* LaSalle National Bank et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals with instructions to remand the case to the United States District Court for the Northern District of Illinois for further proceeding in conformity with the opinion of this Court. Opinion by Mr. Justice Blackmun. Dissenting opinion by Mr. Justice Stewart with whom Mr. Chief Justice Burger, Mr. Justice Rehnquist and Mr. Justice Stevens join.

## ORDERS IN PENDING CASES

No. 77-452. Mobil Alaska Pipeline Company, petitioner, *v.* United States et al.;

No. 77-457. Exxon Pipeline Company, petitioner, *v.* United States et al.;

No. 77-551. BP Pipelines Inc., petitioner, *v.* United States et al.; and

No. 77-602. ARCO Pipe Line Company, petitioner, *v.* United States et al. Application for an order directing compliance with conditions of stay was received and presented to Mr. Justice Brennan and by him referred to the Court, it is ordered that the judgment of this Court issue forthwith.

No. 77-1674. Fred R. Field, Jr., petitioner, *v.* United States. Application for bail denied without prejudice to an application in the District Court. See 18 U.S.C. §§ 3148, 3146; Fed. Rule App. Proc. 9(b); *United States v. Bowdach*, 561 F. 2d 1160, 1167 and n. 2 (CA5 1977).

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Adjourned until Wednesday, June 21, 1978, at 10 o'clock.



## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

## OPINIONS

No. 77-560. Jo Ann Evans Gardner, petitioner, *v.* Westinghouse Broadcasting Company. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed. Opinion by Mr. Justice Stevens.

No. 76-1836. Coopers & Lybrand, petitioned *v.* Cecil Livesay and Dorothy Livesay, etc., et al. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment reversed and case remanded to the Court of Appeals with directions to dismiss the appeal. Opinion by Mr. Justice Stevens.

No. 77-539. Zenith Radio Corporation, petitioner, *v.* United States. On writ of certiorari to the United States Court of Customs and Patent Appeals. Judgment affirmed. Opinion by Mr. Justice Marshall.

No. 76-1121. American Broadcasting Companies, Inc., et al., petitioners, *v.* Writers Guild of America, West, Inc., et al.;

No. 76-1153. Association of Motion Picture and Television Producers, Inc., petitioner, *v.* Writers Guild of America, West, Inc., et al. ; and

No. 76-1162. National Labor Relations Board, petitioner, *v.* Writers Guild of America, West, et al. On writs of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed and cases remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Brennan, Mr. Justice Marshall and Mr. Justice Stevens join.

No. 77-677. Owen Equipment and Erection Company, petitioner, *v.* Geraldine Kroger, Administratrix of the Estate of James D. Kroger, deceased. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice White with Mr. Justice Brennan joins.

No. 77-5353. Rufus Junior Mincey, petitioner, *v.* Arizona. On writ of certiorari to the Supreme Court of Arizona. Judgment reversed and case remanded to the Supreme Court of Arizona for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Stewart. Concurring opinion by Mr. Justice Marshall with whom Mr. Justice Brennan joins. Opinion by Mr. Justice Rehnquist concurring in part and dissenting in part.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

## OPINIONS

No. 77-642. Lutrelle F. Parker, Acting Commissioner of Patents and Trademarks, petitioner *v.* Dale R. Flook. On writ of certiorari to the United States Court of Customs and Patent Appeals. Judgment reversed and case remanded to the United States Court of Customs and Patent Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stevens. Dissenting opinion by Mr. Justice Stewart with whom Mr. Chief Justice Burger and Mr. Justice Rehnquist join.

No. 77-453. Eastex, Incorporated, petitioner, *v.* National Labor Relations Board. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed. Opinion by Mr. Justice Powell. Concurring opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Rehnquist with whom Mr. Chief Justice Burger joins.

No. 77-529. Wes Wise, Mayor of the City of Dallas, et al., petitioners, *v.* Albert L. Lipscomb et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the judgment of this Court. Mr. Justice White announced the judgment of the Court and delivered an opinion in which Mr. Justice Stewart joined. Opinion by Mr. Justice Powell concurring in part and concurring in the judgment with whom Mr. Chief Justice Burger, Mr. Justice Blackmun and Mr. Justice Rehnquist join. Separate opinion by Mr. Justice Rehnquist with whom Mr. Chief Justice Burger, Mr. Justice Stewart and Mr. Justice Powell join. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Brennan and Mr. Justice Stevens join.

No. 77-152. Beth Israel Hospital, petitioner, *v.* National Labor Relations Board. On writ of certiorari to the United States Court of Appeals for the First Circuit. Judgment affirmed. Opinion by Mr. Justice Brennan. Opinion by Mr. Justice Blackmun concurring in the judgment with whom Mr. Chief Justice Burger and Mr. Justice Rehnquist join. Opinion by Mr. Justice Powell concurring in the judgment with whom Mr. Chief Justice Burger and Mr. Justice Rehnquist join.

No. 77-324. Sidney S. Hicklin et al., appellants, *v.* Edmund Orbeck, Commissioner of the Department of Labor of Alaska, et al. Appeal from the Supreme Court of Alaska. Judgment reversed and case remanded to the Supreme Court of Alaska for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Brennan.

No. 76, **Original.** State of California, plaintiff, *v.* State of Texas. On motion for leave to file bill of complaint. Motion for leave to file bill of complaint denied. Opinion *per curiam* announced by Mr. Chief Justice Burger. Concurring opinion by Mr. Justice Brennan. Concurring opinion by Mr. Justice Stewart with whom Mr. Justice Powell and Mr. Justice Stevens join. Concurring opinion by Mr. Justice Powell.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

## OPINIONS

**No. 76-1660.** Terrell Don Hutto et al., petitioners, *v.* Robert Finney et al. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment affirmed. Opinion by Mr. Justice Stevens. Concurring opinion by Mr. Justice Brennan. Opinion by Mr. Justice Powell concurring in part and dissenting in part and joined by Mr. Justice White and Mr. Justice Rehnquist to the extent it dissents from the opinion and judgment of the Court. Dissenting opinion by Mr. Justice Rehnquist and joined by Mr. Justice White in Part II of this opinion.

**No. 77-693.** Hubert L. Will, Judge, United States District Court, Northern District of Illinois, petitioner, *v.* Calvert Fire Insurance Company et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the judgment of this Court. Mr. Justice Rehnquist announced the judgment of this Court and delivered an opinion in which Mr. Justice Stewart, Mr. Justice White and Mr. Justice Stevens joined. Opinion by Mr. Justice Blackmun concurring in the judgment. Dissenting opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Brennan with whom Mr. Chief Justice Burger, Mr. Justice Marshall and Mr. Justice Powell join.

**No. 77-836.** United States, petitioner, *v.* Smith John and Harry Smith John. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit; and

**No. 77-575.** Smith John and Harry Smith John, appellants, *v.* Mississippi. Appeal from the Supreme Court of Mississippi. Judgment in No. 77-836 reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Judgment in No. 77-575 reversed and case remanded to the Supreme Court of Mississippi for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Blackmun.

No. 77-404. City of Philadelphia et al., appellants, *v.* New Jersey et al. Appeal from the Supreme Court of New Jersey. Judgment reversed and case remanded to the Supreme Court of New Jersey for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Rehnquist with whom Mr. Chief Justice Burger joins.

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Adjourned until Monday, June 26, 1978, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

The Chief Justice said:

“Today’s orders of the Court have been certified by the Chief Justice, filed with the Clerk and will not be announced orally.”

## OPINION PER CURIAM

**No. 76-1690.** H. W. Berry et al., appellants, *v.* J. D. Doles, etc., et al. Appeal from the United States District Court for the Middle District of Georgia. Judgment affirmed in part and reversed in part and case remanded to the United States District Court for the Middle District of Georgia with instructions to issue an order allowing appellees 30 days within which to apply for approval of the 1968 voting change under § 5 and for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Concurring opinion by Mr. Justice Brennan with whom Mr. Justice Marshall joins. Opinion by Mr. Justice Powell concurring in the judgment. Dissenting opinion by Mr. Justice Rehnquist with whom Mr. Justice Stevens joins.

## APPEAL—SUMMARY DISPOSITION

**No. 76-1606.** Consumers Union of United States, Inc. and Edward J. Gorin, appellants, *v.* John G. Heimann, etc. Appeal from the United States District Court for the Southern District of New York. Judgment vacated and case remanded to the United States District Court for the Southern District of New York for further consideration in light of *Hicklin v. Orbeck*, 437 U.S. — (1978).

## CERTIORARI—SUMMARY DISPOSITION

**No. 75-1723.** Raymond Muzquiz et al., petitioners, *v.* City of San Antonio et al. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Monell v. Dept. of Social Services of the City of New York*, 436 U.S. — (1978).

**No. 76-1543.** United States, petitioner, *v.* Sylvio J. Grasso. On petition for writ of certiorari to the United States Court of Appeals

for the Second Circuit. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *United States v. Scott*, 437 U.S. — (1978) and *Arizona v. Washington*, 434 U.S. — (1978).

No. **76-5224**. George R. Thurston, individually, etc., petitioner, *v.* Joseph C. Dekle, as Chairman, Civil Service Board, Jacksonville, Florida, et al. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of appeals for further consideration in light of *Monell v. Dept. of Social Services of the City of New York*, 436 U.S. — (1978).

No. **77-532**. Harvey S. Kornit, petitioner, *v.* Board of Education of Plainview-Old Bethpage School District, Plainview, New York. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Monell v. Dept. of Social Services of the City of New York*, 436 U.S. — (1978).

No. **77-914**. City of Independence, Missouri, et al., petitioners, *v.* George D. Owen. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Monell v. Dept. of Social Services of the City of New York*, 436 U.S. — (1978).

No. **77-1289**. Lutheran Hospital of Milwaukee, Inc., petitioner, *v.* National Labor Relations Board. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Beth Israel Hospital v. National Labor Relations Board*, 437 U.S. — (1978).

No. **77-1473**. Nadean O. McArthur, petitioner, *v.* Phillip G. Nourse, Circuit Judge, etc. On petition for writ of certiorari to the Supreme Court of Florida. Petition for writ of certiorari granted, judgment vacated and case remanded to the Supreme Court of Florida for further consideration in light of *Greene v. Massey*, 437 U.S. — (1978) and *Burks v. United States*, 437 U.S. — (1978).

No. **77-1503**. Lutrelle F. Parker, Acting Commissioner of Patents and Trademarks, petitioner, *v.* Malcolm E. Bergy et al. On petition for writ of certiorari to the United States Court of Customs and Patent Appeals. Petition for writ of certiorari granted, judgment vacated and case remanded to the United States Court of Customs and Patent



Appeals for further consideration in light of *Parker v. Flook*, 437 U.S. — (1978).

No. 77-5996. Daniel L. Williams, petitioner, *v.* James G. Ricketts, Warden. On petition for writ of certiorari to the Supreme Court of Georgia. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Supreme Court of Georgia for further consideration in light of *Greene v. Massey*, 437 U.S. — (1978) and *Burks v. United States*, 437 U.S. — (1978).

No. 77-6355. Garnet Vinson, petitioner, *v.* Richmond Police Department et al. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Motion of petitioner for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Monell v. Dept. of Social Services of the City of New York*, 436 U.S. — (1978).

#### ORDERS IN PENDING CASES

No. A-1066. Board of Education, Bratenahl Local School District, applicant, *v.* State Board of Education of Ohio et al. Application for stay of the judgment of the Supreme Court of Ohio, presented to Mr. Justice Stevens and by him referred to the Court, denied.

No. 77-388. Washington, et al., appellants, *v.* Confederated Bands and Tribes of the Yakima Indian Nation. Motion of Solicitor General for leave to participate in oral argument, as *amicus curiae*, granted and fifteen additional minutes allotted for that purpose. Appellants allotted an additional fifteen minutes for oral argument.

No. 77-533. Jess H. Hisquierdo, petitioner, *v.* Angela Hisquierdo. Motion of Solicitor General for leave to participate in oral argument, as *amicus curiae*, granted and fifteen additional minutes allotted for that purpose. Respondent allotted fifteen additional minutes for oral argument.

No. 77-891. Frank S. Beal, Secretary of Welfare of Pennsylvania, et al., appellants, *v.* John Franklin et al. Motion of Americans United for Life, Inc. for leave to file a brief, as *amicus curiae*, granted.

No. 77-961. New York Telephone Company et al., petitioners, *v.* New York State Department of Labor et al. Motion of Center on National Labor Policy for leave to file a brief, as *amicus curiae*, granted. Motion of Stephen R. Havas et al. for leave to file a brief, as *amici curiae*, granted.

No. 77-1305. Parklane Hosiery Company, Inc., et al., petitioners, *v.* Leo M. Shore. Motion of Washington Legal Foundation for leave to file a brief, as *amicus curiae*, granted.

## CERTIORARI GRANTED

No. 77-1427. New York City Transit Authority et al., petitioners, *v.* Carl A. Beazer et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to questions 3 and 4 presented by the petition.

## CERTIORARI DENIED

No. 75-1710. Rankin County Board of Education et al., petitioners, *v.* Kenneth W. Adams et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 75-1797. Commissioners of Election of Union County et al., petitioners, *v.* Robert Lytle. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-555. Ruth E. Buck, petitioner, *v.* Board of Education of the City of New York et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-657. Robert Flint and City of Philadelphia, petitioners, *v.* Helen Gagliardi. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-688. Lowell School District No. 71, petitioner, *v.* Dorothy Kerr. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-731. City of Pittsburgh, petitioner, *v.* Glenn R. Mahone and Harvey L. Mahone. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-919. British American Commodity Options Corp., petitioner, *v.* Commodity Futures Trading Commission. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 77-1261. June Myslajek et al., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-1312. Donohoe Construction Company, Inc., petitioner, *v.* Montgomery County Council et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-5061. Christine Ruthie Thomas, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, Orange County, denied.

No. 77-5935. James Tony Hugh Shaw, Sr., petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 77-6571. Albert R. Bartoli, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 77-890. New York, petitioner, *v.* James Garland. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 77-1146. Charles David Carver, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice Marshall join.

No. 77-1426. Bobby L. Cargal, petitioner, *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice Marshall join.

No. 77-1203. Roy Martin Mitchell, petitioner, *v.* Eloise Beard, as Administratrix, etc. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Powell would grant certiorari.

No. 77-1221. Edward Flynn et al., petitioners, *v.* Harriet Bauman. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Powell would grant certiorari.

No. 77-1294. Willie Reeves, petitioner, *v.* Mikel J. Wand. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Powell would grant certiorari.

No. 77-1519. Lansing Board of Education et al., petitioners, *v.* NAACP et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

#### REHEARINGS DENIED

No. 76-1172. First National Bank of Boston et al., appellants, *v.* Francis X. Bellotti, etc.;

No. 76-1800. United States, petitioner, *v.* Onofre J. Sotelo and Naomi Sotelo;

No. 76-6767. Frank R. Scott, etc. and Bernis L. Thurmon, etc., petitioners, *v.* United States;

No. 77-293. Ezra Kulko, appellant, *v.* Superior Court of California in and for the City and County of San Francisco (Sharon Kulko Horn, real party in interest);

- No. 77-950. Collection Consultants, Inc., and Stella Thornton, appellants, *v.* Texas;
- No. 77-1161. Albert C. Drebin et al., petitioners, *v.* United States;
- No. 77-1228. Cecil K. Nickell, petitioner, *v.* United States;
- No. 77-1275. Martin B. Glauser Dodge Co., petitioner, *v.* Chrysler Corporation et al.;
- No. 77-1287. Jack Lee Fisher, appellant, *v.* Ohio;
- No. 77-1297. Aaron Lax, petitioner, *v.* United States;
- No. 77-5291. Albert Lee aka Alphonso Lee, petitioner, *v.* United States;
- No. 77-6293. Charles Curtis Harris, petitioner, *v.* U.S. District Court for the District of Kansas;
- No. 77-6378. Joseph Thomas, petitioner, *v.* Georgia;
- No. 77-6399. Frederick Lee Batten, petitioner, *v.* Virginia;
- No. 77-6408. Charles E. Clayton, petitioner, *v.* Otis J. Loggins, etc., et al.;
- No. 77-6412. Eunice Justice, petitioner, *v.* Hesselden Plumbing Company;
- No. 77-6420. David W. Wion, petitioner, *v.* United States;
- No. 77-6421. John R. Sek, petitioner, *v.* Bethlehem Steel Corporation;
- No. 77-6424. Charles Thomas Corn, petitioner, *v.* Georgia;
- No. 77-6426. Michael J. Downing, petitioner, *v.* Nancy Fraggassi et al.;
- No. 77-6445. Louis Butler O'Neal, petitioner, *v.* Cleo G. Griffin, et al.;
- No. 77-6497. John Houston Sellers, petitioner, *v.* J. P. Busch, Jr., et al.;
- No. 77-6503. Louis Anthony DeSantis, petitioner, *v.* United States;
- No. 77-6633. William J. Pierce, petitioner, *v.* Indiana et al.;
- No. 77-6647. William L. Davis, Jr., petitioner, *v.* United States; and
- No. 77-6659. George W. Supplee, petitioner, *v.* United States. Petitions for rehearing denied.
- No. 77-1286. City of East Detroit, petitioner, *v.* James D. Llewellyn and Las Vegas Cinema, Inc.; City of East Detroit, petitioner, *v.* Robert L. Vickery et al.; City of East Detroit et al., petitioners *v.* Capri Theatre Company, Inc.; and
- No. 77-6130. James E. Little, petitioner, *v.* United States. Motions for leave to file petitions for rehearing denied.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert John Allen, Jr.	Oakland, Calif.	Noyes Thompson Powers.
Richard David Alten	Atlantic, N.J.	Steven P. Perskie.
Stanley Lawrence Arabis	Radnor, Pa.	Guy Farmer.
Daniel Donald Baer	Rancho Palos Verdes, Calif.	Edward Vincent Cassidy, Jr.
Neil Carlton Baker	Los Angeles, Calif.	Bert Glennon, Jr.
Robert Barnett	Los Angeles, Calif.	Wilson Ettason Cline.
Lennie Bass	Chicago, Ill.	Solicitor General Wade H. McCree, Jr.
Donald Lee Beckner	Baton Rouge, La.	James H. Gill, Jr.
Philip A. Becnel III	San Francisco, Calif.	Caspar Willard Weinberger.
Steven Lee Berman	Torrance, Calif.	Cecil J. Mills.
Aaron D. Blumberg	Philadelphia, Pa.	S. Gerald Litvin.
James O. Brecher	Jacksonville, Fla.	Louis O'Melville Frost, Jr.
Leonard Clarence Brenner	Malvern, Pa.	Charles Stanley Hall.
Don David Buchwald	New York, N.Y.	Charles H. Miller.
Naomi Reice Buchwald	New York, N.Y.	Charles H. Miller.
Henry A. Carey	Portland, Oreg.	J. Pierre Kolisch.
Samuel H. Cassidy III	Tulsa, Okla.	Curtis L. Culver.
Edmund Moy Chung	Havertown, Pa.	Charles Stanley Hall.
Robert Marshall Cohan	Dallas, Tex.	Irving L. Goldberg.
Cristobal Colon	San Juan, P.R.	Jose R. Lebron-Velazquez.
Roderick Sheridan Cooney	Bakersfield, Calif.	William R. Hulsv.
Allan B. Cooper	Beverly Hills, Calif.	Allan Browne.
Eugene M. Corbin	Cincinnati, Ohio	Clarence E. Barnes, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Michael Andrew Corn	Portland, Oreg.	John W. Stuart.
Clinton H. Coulter, Jr.	Tallahassee, Fla.	LeRoy Collins.
James Barnette Cuneo	San Francisco, Calif.	William Douglas Stein.
Waldemar J. Dittmar	New York, N.Y.	Victor Konow.
Kathleen Mary Dollar	Washington, D.C.	Henri F. Rush, Jr.
Richard D. Donovan	Miami, Fla.	Richard R. Snyder.
Joseph Neff Ewing, Jr.	Philadelphia, Pa.	Robert W. Sayre.
Roland Wilmer Ford	Bowie, Md.	Harvey D. Gold.
Maria Isabel Valle Galarza	San Juan, P.R.	Jose R. Lebron- Velazquez.
William Edward Gallas	Los Angeles, Calif.	James Edward Terrell.
Jean Conrad Gaskill	San Francisco, Calif.	Donald D. Connors, Jr.
James E. Gillenwater	Glasgow, Ky.	James Woodford Vance, Jr.
Wilbur Anderson Glahn III	Concord, N.H.	David Hackett Souter.
Harold Gutenberg	Los Angeles, Calif.	Joseph N. Tilem.
George W. Hager, Jr.	Richardson, Tex.	D. Carl Richards.
James Ray Hermann	Danville, Calif.	Thomas Alfred Flippen II.
John K. Hill, Jr.	Lafayette, La.	James E. Diaz.
Robert J. Hilpert	Cold Spring, N.Y.	James K. Levin.
Quinnan Hughes Hodges	Houston, Tex.	Cecil N. Cook.
Hubert Holder Howard, Sr.	Jesup, Ga.	Frank Cater Jones.
David H. Huget	Baltimore, Md.	Herbert J. Miller, Jr.
Craig Wallace Hulvey	Washington, D.C.	Carroll Lewis Gilliam.
Robert George Jacobson	Port Charlotte, Fla.	Earl Drayton Farr, Jr.
James Kirkham Johns	Portland, Oreg.	John W. Stuart.
Stephen Lane Johnston	Salt Lake City, Utah	Steven Lee Payton.
George Anthony Judge	Herndon, Va.	James R. Tate.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Ervin Kass New York, N.Y.	Oak Park, Mich. Charles Kirschner	Carl P. Ranno. Morey Jay Herzog.
Paul Martin Klein	Maplewood, N.J.	Lois Ann DeJulio.
Gary Stephen Kneip	Tucson, Ariz.	Dennis DeConcini.
Bruce S. Koppel	Hackensack, N.J.	Aaron W. Nussman.
Ira A. Korff	Boston, Mass.	Joseph M. McDonough.
Spiro Theodore Kypreos	Tallahassee, Fla.	William Leslie Colbert.
John Francis Lampe	Woodstock, Ill.	James E. Berner.
Jack T. Lassiter	Little Rock, Ark.	Philip E. Kaplan.
Jeffrey E. Lehrman	Coconut Grove, Fla.	Leonard Rivkind.
Joseph A. Lott	St. Louis, Mo.	Ronald L. Rothman.
Robert P. Lynn, Jr.	Garden City, N.Y.	Peter Kevin Ledwith.
Christopher J. Margolin	Los Angeles, Calif.	James Edward Terrell.
Jon A. Matthew	North Kansas City, Mo.	Stephen Vern Crain.
Donald Ferguson McNeil II	Stephenville, Tex.	Malcolm R. Wilkey.
Robert Lee Mellen III	Orlando, Fla.	Donald Taylor Senterfitt.
A. Dennis Miller	Cincinnati, Ohio	Charles Bruce Lester.
James Moskos Jr.	Baltimore, Md.	H. Edward Vincent.
Charles Van Sicklen Mottola	Newnan, Ga.	Walter D. Sanders.
Morgan F. Murphy	Chicago, Ill.	Martin Joseph Gleason.
Frederick Franklin Murray	Houston, Tex.	John F. Nichols.
Guy L. Nevill	Houston, Tex.	Charles Realph Steffler.
Robert B. O'Keefe	Nacogdoches, Tex.	Gary R. Thomas.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Howard Paperner	St. Louis, Mo.	Ronald L. Rothman.
James Theodore Paul III	Honolulu, Hawaii	Paul Alston.
Peter J. Peters	Council Bluffs, Iowa	John Milton Peters.
Denny Paul Petty	Searcy, Ark.	Cecil A. Tedder, Jr.
Michael J. Pichel	Ithaca, N.Y.	Charles T. Currey.
Windell E. Cooper Porter	Houston, Tex.	Robert Lee Byrd.
Lloyd Emory Powell	Ann Arbor, Mich.	Lynwood Edward Noah.
George A. Ramonas	Washington, D.C.	Pete V. Domenici.
Myron J. Rayvis	Miami, Fla.	Richard J. Snyder.
John F. Rick	Richmond, Va.	Karen Courtney Kincannon.
Thomas R. Rippon	Mifflinburg, Pa.	LeRoy Smigel.
Richard Goodrich Rogers	Dallas, Tex.	Stanley E. Neely.
Lawrence Alan Rudnick	Irvington, N.J.	Arthur Meisel.
Robert Alan Russell	Bath, N.Y.	Rene H. Reixach; Jr.
Arda S. Rutherford	Phoenix, Ariz.	Frank Haze Burch.
Michael H. Satinsky	San Francisco, Calif.	Noble Kilby Gregory.
Joan Saltzman	Philadelphia, Pa.	Louis M. Natali, Jr.
George L. Seltzer	Pleasantville, N.J.	Steven P. Perskie.
David S. Shannon	Portland, Oreg.	Stanley E. Sharp.
William W. Shultz	Atlantic City, N.J.	Steven P. Perskie.
David Spagat	Oak Park, Ill.	Clark C. Shire.
John C. Speer	Memphis, Tenn.	A. Longstreet Heiskell.
Michael Henry Stauder	West Palm Beach, Fla.	Jack E. Ackerman.
Gary S. Stein	Paramus, N.J.	Jerome A. Hochberg.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
E. Thomas Sullivan	Washington, D.C.	Andrew J. Kilcarr.
John F. Thomas, Jr.	Lawton, Okla.	Mark Alfred Ashton.
John Daniel Tinder	Indianapolis, Ind.	John Ray Politan.
Hugh Martin Turk	Brooklyn, N.Y.	William J. Leininger.
Robert L. Walker	Meadville, Pa.	Paul David Shafer, Jr.
Allen F. Wallace	Dalton, Ga.	Lamar Wheeler Sizemore, Jr.
Gordon M. White	Baton Rouge, La.	Joseph A. Gladney.
Douglas Lee Williams	Jackson, Mich.	Paul Joseph Richard Adams.
James J. Wilson	Los Angeles, Calif.	Joseph N. Tilem.
Habib S. Younes	Chicago, Ill.	Solicitor General Wade H. McCree, Jr.
Herbert Irwin Zinn	New York, N.Y.	Charles G. Eichinger.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Stephen Louis Hatos	Silver Spring, Md.	Eric Leonard Hirschhorn.
Morrell I. Berkowitz	New York, N.Y.	Eric Leonard Hirschhorn.

#### OPINIONS

No. 77-5176. Jerome Franks, petitioner, *v.* Delaware. On writ of certiorari to the Supreme Court of Delaware. Judgment reversed and case remanded to the Supreme Court of Delaware for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Blackmun. Dissenting opinion by Mr. Justice Rehnquist with whom Mr. Chief Justice Burger joins.

No. 77-444. Penn Central Transportation Company et al., appellants *v.* City of New York et al. Appeal from the Court of Appeals of New York. Judgment affirmed. Opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Rehnquist with whom Mr. Chief Justice Burger and Mr. Justice Stevens join.

No. 76-1621. Herbert H. McAdams, III, as Executor of the Estate of John L. McClellan, et al., petitioners *v.* Allan McSurely et ux. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Writ of certiorari dismissed as improvidently granted. Opinion *per curiam* announced by Mr. Chief Justice Burger.

No. 76-1572. United States, petitioner, *v.* Ted R. Grayson. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment reversed and case remanded to the Court of Appeals for reinstatement of the sentence of the United States District Court of John L. McClellan, et al., petitioners *v.* Alan McSurely et ux. On for the Middle District of Pennsylvania. Opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Brennan and Mr. Justice Marshall join.

No. 77-262. Duke Power Company, appellant, *v.* Carolina Environmental Study Group, Inc., et al.; and

No. 77-375. United States Nuclear Regulatory Commission et al., appellants, *v.* Carolina Environmental Study Group, Inc., et al. Appeal from the United States District Court for the Western District of North Carolina. Judgment reversed and case remanded to the United States District Court for the Western District of North Carolina for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Burger. Opinion by Mr. Justice Stewart concurring in the result. Opinion by Mr. Justice Rehnquist concurring in the judgment, with whom Mr. Justice Stevens joins. Opinion by Mr. Justice Stevens concurring in the judgment.

No. 76-1310. Thomas L. Houchins, Sheriff of the County of Alameda, California, petitioner, *v.* KQED, Inc., et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the judgment of this Court. Mr. Chief Justice Burger announced the judgment of the Court and delivered an opinion in which Mr. Justice White and Mr. Justice Rehnquist joined. Opinion by Mr. Justice Stewart concurring in the judgment. Dissenting opinion by Mr. Justice Stevens with whom Mr. Justice Brennan and Mr. Justice Powell join. Mr. Justice Marshall and Mr. Justice Blackmun took no part in the consideration and decision of this case.

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Adjourned until Wednesday, June 28, 1978, at 10 o'clock.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

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## OPINIONS

**No. 77-747.** Allied Structural Steel Company, appellant, *v.* Warren Spannaus et al. Appeal from the United States District Court for the District of Minnesota. Judgment reversed and case remanded to the United States District Court of the District of Minnesota for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice White and Mr. Justice Marshall join. Mr. Justice Blackmun took no part in the consideration or decision of this case.

**No. 77-653.** William Swisher et al., appellants, *v.* Donald Brady et al. Appeal from the United States District Court for the District of Maryland. Judgment reversed and case remanded to the United States District Court for the District of Maryland for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Brennan and Mr. Justice Powell join.

**No. 76-811.** Regents of the University of California, petitioner, *v.* Allan Bakke. On writ of certiorari to the Supreme Court of California. Judgment affirmed in part and reversed in part and case remanded to the Supreme Court of California for further proceedings not inconsistent with the judgment of this Court. Mr. Justice Powell announced the judgment of the Court and delivered an opinion joined by Mr. Justice Brennan, Mr. Justice White, Mr. Justice Marshall and Mr. Justice Blackmun in Parts I and V-C and joined by Mr. Justice White in Part III-A. Opinion by Mr. Justice Brennan, Mr. Justice White, Mr. Justice Marshall and Mr. Justice Blackmun concurring in the judgment in part and dissenting. Separate opinion by Mr. Justice White. Separate opinion by Mr. Justice Marshall. Separate opinion by Mr. Justice Blackmun. Opinion by Mr. Justice Stevens concurring in the judgment in part and dissenting in part with whom Mr. Chief Justice Burger, Mr. Justice Stewart and Mr. Justice join.

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Adjourned until tomorrow at 10 o'clock.



## SUPREME COURT OF THE UNITED STATES.

Present: Mr. Chief Justice Burger, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

## OPINIONS

No. 77-369. Furnco Construction Corporation, petitioner, *v.* William Waters et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rehnquist. Opinion by Mr. Justice Marshall concurring in part and dissenting in part with whom Mr. Justice Brennan joins.

No. 77-240. St. Paul Fire & Marine Insurance Company et al., petitioners, *v.* David M. Barry et al. On writ of certiorari to the United States Court of Appeals for the First Circuit. Judgment affirmed. Opinion by Mr. Justice Powell. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Rehnquist joins.

No. 76-709. Earl L. Butz et al., petitioners, *v.* Arthur N. Economou et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment vacated and case remanded to the Court of Appeals with instructions to remand cause to the United States District Court for the Southern District of New York for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Opinion by Mr. Justice Rehnquist concurring in part and dissenting in part with whom Mr. Chief Justice Burger, Mr. Justice Stewart and Mr. Justice Stevens join.

No. 76-1560. United States, petitioner, *v.* United States Gypsum Company et al. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed. Opinion by Mr. Chief Justice Burger. Mr. Justice Stewart joins the opinion except in Part IV. Opinion by Mr. Justice Powell concurring in part. Opinion by Mr. Justice Rehnquist concurring in part and dissenting in part. Opinion by Mr. Justice Stevens concurring in part and dissenting in part. Mr. Justice Blackmun took no part in the consideration or decision of this case.

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Adjourned until Monday, July 3, 1978, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## OPINION PER CURIAM

No. 77-1107. Alabama et al., petitioners, *v.* Jerry Lee Pugh et al. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Petition for writ of certiorari granted limited to Question 2 presented by the petition, and case remanded to the Court of Appeals with instructions to order the dismissal of the State of Alabama and the Alabama Board of Corrections from this action. Opinion *per curiam*. Mr. Justice Brennan and Mr. Justice Marshall dissent. Dissenting opinion by Mr. Justice Stevens.

## APPEALS—SUMMARY DISPOSITION

No. 77-929. Hollis O. Black, appellant, *v.* William E. Payne, Executive Officer, Public Employees' Retirement System, et al. Appeal from the Court of Appeal of California, Third Appellate District. The appeal is dismissed for want of a substantial federal question.

No. 77-1067. Los Angeles County et al., appellants, *v.* Associated General Contractors of California et al.;

No. 77-1078. Associated General Contractors of California et al., appellants, *v.* Juanita M. Kreps, Secretary of Commerce, et al.; and

No. 77-1271. Juanita M. Kreps, appellant, *v.* Associated General Contractors of California et al. Appeals from the United States District Court for the Central District of California. Judgment vacated and cases remanded to the United States District Court for the Central District of California to consider the question of mootness.

No. 77-5541. Charles Edward Downs, appellant, *v.* Ohio. Appeal from the Supreme Court of Ohio. Motion for leave to proceed *in forma pauperis* granted. Judgment vacated insofar as it leaves undisturbed the death penalty imposed and case remanded to the Supreme Court of Ohio for further proceedings. See *Lockett v. Ohio*, 438 U.S. — (1978).

No. 77-5708. Ellis Shelton, appellant, *v.* Ohio. Appeal from the Supreme Court of Ohio. Motion for leave to proceed *in forma pauperis* granted. Judgment vacated insofar as it leaves undisturbed the death

penalty imposed and case remanded to the Supreme Court of Ohio for further proceedings. See *Lockett v. Ohio*, 438 U.S. — (1978).

#### CERTIORARI—SUMMARY DISPOSITION

No. 76-1308. Ricardo Woods and Roland A. Reaves, petitioners, *v. Ohio*. On petition for writ of certiorari to the Supreme Court of Ohio. Motion of The American Civil Liberties Union of Ohio Foundation, Inc. for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari granted, judgments vacated insofar as leave undisturbed the death penalties imposed, and case remanded to the Supreme Court of Ohio for further proceedings. See *Lockett v. Ohio*, 438 U.S. — (1978).

No. 76-1871. United States, petitioner, *v. Robert T. Moriani*. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the United States Court of Appeals for the Third Circuit for further consideration in light of *United States v. Grayson*, 438 U.S. — (1978).

No. 76-6523. William Roland Roberts, petitioner, *v. Ohio*;

No. 76-6525. Samuel Hall, petitioner, *v. Ohio*;

No. 76-6547. Jesse Black, petitioner, *v. Ohio*;

No. 76-6575. Robert Paul Lytle, petitioner, *v. Ohio*;

No. 76-6769. Leroy Bates, petitioner, *v. Ohio*;

No. 76-6783. Roger Strodes, petitioner, *v. Ohio*;

No. 76-6784. Carl Lamont Bayless, petitioner, *v. Ohio*;

No. 76-6786. Alberta L. Osborne, petitioner, *v. Ohio*;

No. 76-6829. Taylor Hancock, Jr., petitioner, *v. Ohio*;

No. 76-6837. Floyd Edwards, petitioner, *v. Ohio*;

No. 76-6838. Stacey Lane, petitioner, *v. Ohio*;

No. 76-6951. John William Harris, petitioner, *v. Ohio*;

No. 76-6952. James Jerome Royster, petitioner, *v. Ohio*;

No. 76-6985. William Perryman, petitioner, *v. Ohio*.

No. 77-5221. George Washington Miller, petitioner, *v. Ohio*;

No. 77-5547. Jerry Jackson, petitioner, *v. Ohio*;

No. 77-5604. Robert Williams, petitioner, *v. Ohio*;

No. 77-5787. James Kenneth Weind, petitioner, *v. Ohio*;

No. 77-5826. Carl E. Osborne, Jr., petitioner, *v. Ohio*;

No. 77-6333. James W. Cooper, Jr., petitioner, *v. Ohio*; and

No. 77-6645. Pompie Junior Wade, petitioner, *v. Ohio*. On petitions for writs of certiorari to the Supreme Court of Ohio. Motions for leave to proceed *in forma pauperis* and petitions for writs of certiorari granted. Judgments vacated insofar as they leave undisturbed the death penalties imposed, and cases remanded to the Su-



preme Court of Ohio for further proceedings. See *Lockett v. Ohio*, 438 U.S. — (1978).

No. **77-6965**. Paul William Jordan, petitioner, *v. Arizona*. On petition for writ of certiorari to the Supreme Court of Arizona. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated insofar as it leaves undisturbed the death penalty imposed, and case remanded to the Supreme Court of Arizona for further proceedings. See *Lockett v. Ohio*, 438 U.S. — (1978).

No. **77-306**. William R. Hall, petitioner, *v. Illinois*. On petition for writ of certiorari to the Appellate Court of Illinois, Fourth District. Petition for writ of certiorari granted, judgment vacated and case remanded to the Appellate Court of Illinois, Fourth District, for further consideration in light of *Franks v. Delaware*, 438 U.S. — (1978). Mr. Justice Stewart and Mr. Justice White would grant certiorari and set case for oral argument.

No. **77-635**. William C. Friday, individually and as President of the University of North Carolina, et al., petitioners, *v. Lawrence A. Uzzell et al.* Petition for writ of certiorari the United States Court of Appeals for the Fourth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Regents of University of California v. Bakke*, 438 U.S. — (1978). Mr. Justice White dissents.

#### ORDERS IN PENDING CASES

No. **A-815**. Raul Jimenez et al. applicants, *v. John Pleasant Sims et al.* Application for stay, presented to Mr. Justice Rehnquist and by him referred to the Court, denied without prejudice to appellants' filing with the court below a motion for clarification of the opinion and amended judgment of that court.

No. **8, Original**. State of Arizona, plaintiff, *v. State of California*. Joint motion of the States and the United States for entry of a supplemental decree; motion of Fort Mojave Indian Tribe et al. for leave to intervene as indispensable parties; and motion of Colorado River Indian Tribes et al. for leave to intervene set for oral argument on Monday, October 2, 1978. Total of one and one half hours allotted for oral argument.

No. **73, Original**. State of California, plaintiff, *v. State of Nevada*. Preliminary Report of Special Master received, ordered filed and adopted by the Court. Accordingly, motion of California State Assemblyman Mike Cullen for leave to file a brief, as *amicus curiae*; motion of Nevada for leave to file an amended answer setting forth a counterclaim, and motion of California for leave to file an amended complaint granted.

No. 76-811. Regents of the University of California, petitioner, *v.* Allan Bakke. Order heretofore entered on November 15, 1976, granting stay pending final disposition of the case in this Court hereby vacated.

No. 77-533. Jess H. Hisquierdo, petitioner, *v.* Angela Hisquierdo. Motion of Ray C. Bennett, Esquire, to permit Howard M. Fields, Esquire to present oral argument, *pro hac vice*, on behalf of respondent granted.

No. 77-753. International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, petitioner, *v.* John Daniel; and

No. 77-754. Local 705, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America et al., petitioners. *v.* John Daniel. Motion of American Bar Association for leave to file a brief, as *amicus curiae*, denied.

No. 77-803. William G. Barry, etc., et al., appellants, *v.* John Barchi. Motion of Jockeys' Guild, Inc. for leave to file a brief, as *amicus curiae*, granted.

No. 77-891. Frank S. Beal, Secretary of Welfare of Pennsylvania, et al., appellants, *v.* John Franklin et al. Motion of U.S. Catholic Conference for leave to participate in oral argument, as *amicus curiae*, denied. Motion of Legal Defense Fund, etc. for leave to participate in oral argument, as *amicus curiae*, denied.

No. 77-1163. E. Richard Friedman et al., appellants, *v.* N. Jay Rogers et al.;

No. 77-1164. N. Jay Rogers et al., appellants, *v.* E. Richard Friedman et al.; and

No. 77-1186. Texas Optometric Association, Inc., appellant, *v.* N. Jay Rogers et al. Motion of American Optometric Association for leave to file a brief, as *amicus curiae*, granted.

#### CERTIORARI GRANTED

No. 77-926. Geraldine G. Cannon, petitioner, *v.* University of Chicago et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

#### CERTIORARI DENIED

No. 76-688. Chicago Typographical Union No. 16, petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 77-174. Robert B. Machen, petitioner, *v.* James H. Patterson. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 77-384. Tony Garrett, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-972. Jerry Scott Morgan, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 77-1154. New York, petitioner, *v.* Joseph James. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 77-1173. Trinity Trucking & Materials Corp., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 77-1205. Pennsylvania, petitioner, *v.* Theodore Moody. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 77-1264. Reading Hospital and Medical Center, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 77-1298. Lawrence S. Krain, petitioner, *v.* Regents of the University of California et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1396. Idaho, ex rel. Marjorie Ruth Moon, etc., petitioner, *v.* State Board of Examiners et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1422. N. H. Newman et al., petitioners, *v.* Alabama, et al.. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 77-1492. Rapides Parish Police Jury, et al., petitioners, *v.* Thomas R. Parnell et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 76-418. Expeditions Unlimited Aquatic Enterprises, Inc. and Norman Scott, petitioners, *v.* Smithsonian Institution et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. The Chief Justice took no part in the consideration or decision of this petition.

No. 76-1556. Colon Brown and J. P. Nicely, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 77-241. Communications Workers of America, petitioner, *v.* Equal Employment Opportunity Commission et al.;

No. 77-242. Telephone Coordinating Council TCC-1, International Brotherhood of Electrical Workers, petitioner, *v.* Equal Employment Opportunity Commission et al.; and

No. 77-243. Alliance of Independent Telephone Unions, petitioner, *v.* Equal Employment Opportunity Commission et al. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Powell took no part in the consideration or decision of these petitions.

No. 77-270. Wayne A. Stanton, etc., et al., petitioners, *v.* Louise Bond, etc., et al. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Stevens took no part in the consideration or decision of this motion and petition.

No. 77-634. Milton Greenblatt et al., petitioners, *v.* Mitchell G. King, Jr. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 77-881. Frank F. Fasi, Mayor, City and County of Honolulu, et al., petitioners, *v.* James Kaalaukoa Pokini, etc. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 77-1219. Pennsylvania, petitioner, *v.* Ralph William White. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 77-955. James M. Powell, petitioner, *v.* Ronald V. Dellums et al.

No. 77-1129. Jerry V. Wilson, Former Chief, Metropolitan Police Department and District of Columbia, petitioners, *v.* Ronald V. Dellums et al. Motion of International Association of Chiefs of Police for leave to file a brief, as *amicus curiae*, granted. Motions of respondents to recuse Mr. Justice Blackmun and Mr. Justice Rehnquist denied. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Rehnquist took in part in the consideration or decision of these motions and petitions.

## OPINIONS

No. 77-528. Federal Communications Commission, petitioner, *v.* Pacifica Foundation. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the judgment of this Court. Mr. Justice Stevens announced the judgment of the Court and delivered an opinion with respect to Parts I-III and IV-C joined by Mr. Chief Justice Burger and Mr. Justice Rehnquist and in all but Parts IV-A and IV-B joined by Mr. Justice Blackmun and Mr. Justice Powell and as to Parts IV-A and IV-B joined by Mr. Chief Justice Burger and Mr. Justice Rehnquist. Concurring opinion by Mr. Justice Powell with whom Mr. Justice Blackmun joins. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Marshall joins. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Brennan, Mr. Justice White and Mr. Justice Marshall join.

No. 77-285. California et al., petitioners, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rehnquist. Dissenting opinion by Mr. Justice White with whom Mr. Justice Brennan and Mr. Justice Marshall join.

No. 77-510. United States, petitioner, *v.* New Mexico. On writ of certiorari to the Supreme Court of New Mexico. Judgment affirmed. Opinion by Mr. Justice Rehnquist. Opinion by Mr. Justice Powell dissenting in part with whom Mr. Justice Brennan, Mr. Justice White, and Mr. Justice Marshall join.

No. 76-6997. Sandra Lockett, petitioner, *v.* Ohio. On writ of certiorari to the Supreme Court of Ohio. Judgment reversed to the extent that it sustains the imposition of the death penalty and remanded to the Supreme Court of Ohio for further proceedings not inconsistent with the judgment of this Court. Mr. Chief Justice Burger announced the judgment of this Court and delivered an opinion with respect to Parts I and II in which Mr. Justice Stewart, Mr. Justice White, Mr. Justice Blackmun, Mr. Justice Powell, Mr. Justice Rehnquist, and Mr. Justice Stevens joined, and with respect to Part III in which Mr. Justice Stewart, Mr. Justice Powell and Mr. Justice Stevens joined. Opinion by Mr. Justice Blackmun concurring in part and concurring in the judgment. Opinion by Mr.

Justice Marshall concurring in the judgment. Opinion by Mr. Justice White dissenting in part and concurring in the judgment in this case and in No. 76-6513, *post*. Opinion by Mr. Justice Rehnquist concurring in part and dissenting. Mr. Justice Brennan took no part in the consideration or decision of this case.

No. 76-6513. Willie Lee Bell, petitioner, *v.* Ohio. On writ of certiorari to the Supreme Court of Ohio. Judgment reversed to the extent that it upholds the imposition of the death penalty and case remanded to the Supreme Court of Ohio for further proceedings not inconsistent with the judgment of this Court. Mr. Chief Justice Burger announced the judgment of this Court and delivered an opinion in Part I in which Mr. Justice Stewart, Mr. Justice White, Mr. Justice Blackmun, Mr. Justice Powell and Mr. Justice Stevens joined, and in Part II in which Mr. Justice Stewart, Mr. Justice Powell and Mr. Justice Stevens joined. Opinion by Mr. Justice Blackmun concurring in part and concurring in the judgment. Opinion by Mr. Justice Marshall concurring in the judgment. Opinion by Mr. Justice White dissenting in part and concurring in the judgment in this case and in No. 76-6997, *ante*. Dissenting statement by Mr. Justice Rehnquist. Mr. Justice Brennan took no part in the consideration or decision of this case.

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The Chief Justice announced the following order of the Court: "All cases submitted and all business before the Court at this term in readiness for disposition having been disposed of,

It is ordered by this Court that all cases on the docket be, and they are hereby, continued to the next term and will commence hearing oral arguments on the first Monday of October."

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Adjourned to the time and place appointed by law.

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