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MONDAY, MAY 2, 2005

CERTIORARI -- SUMMARY DISPOSITIONS

03-1427 EUROPEAN COMMUNITY, ET AL. V. RJR NABISCO, INC., ET AL.

The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Second Circuit for further consideration in light of *Pasquantino v. United States*, 544 U.S. ____ (2005).

04-81 BASF CORP. V. PETERSON, RONALD, ET AL.

The motion of CropLife America for leave to file a brief as amicus curiae is granted. The motion of Chamber of Commerce of the United States of America for leave to file a brief as amicus curiae is granted. The motion of Product Liability Advisory Council, Inc. for leave to file a brief as amicus curiae is granted. The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the Supreme Court of Minnesota for further consideration in light of *Bates v. Dow Agrosciences LLC*, 544 U.S. ____ (2005).

04-579 OKEN, WAYNE C. V. MONSANTO COMPANY, ET AL.

The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of *Bates v. Dow Agrosciences LLC*, 544 U.S. ____ (2005).

04-1021 MI HIGH SCHOOL ATHLETIC ASS'N. V. COMMUNITIES FOR EQUITY, ET AL.

The motion of Michigan Interscholastic Athletic Administrators Association for leave to file a brief as amicus curiae is granted. The motion of Michigan Association of School Boards for leave to file a brief as amicus curiae is granted. The motion of Basketball Coaches Association of Michigan for leave to file a brief as amicus curiae is granted. The motion of National Federation of State High School Associations for leave to file a brief as amicus curiae is granted. The petition for a writ of certiorari is granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Sixth Circuit for further consideration in light of *Rancho Palos Verdes v. Abrams*, 544 U.S. ____ (2005).

04-7904 CRUZ, FRANCISCO J. V. UNITED STATES

The motion of petitioner for leave to proceed in forma pauperis and the petition for a writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Fifth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-8921 QUINONES, ANTHONY V. UNITED STATES

The motion of petitioner for leave to proceed in forma pauperis and the petition for a writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Ninth Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-9121 CASTRO, YOSVANY J. V. UNITED STATES

04-9170 BIFFLE, ROMES B. V. UNITED STATES

04-9210 CLEDANOR, JEAN R. V. UNITED STATES

04-9212 COTNEY, DAVID F. V. UNITED STATES

04-9261 BAXTER, VICTOR G. V. UNITED STATES

The motions of petitioners for leave to proceed in forma pauperis and the petitions for writs of certiorari are granted. The judgments are vacated and the cases are remanded to the United States Court of Appeals for the Eleventh Circuit for further consideration in light of *United States v. Booker*, 543 U.S. ____ (2005).

04-9497 VOLIS, ALEXANDER V. UNITED STATES
04-9499 ATHANASIADES, CHRISTINA V. EDELMAN, HARLAN
04-9500 BRAMWELL, MARLON V. COMPTON, WARDEN
04-9501 BENETIZ, ARMONDO V. UNITED STATES
04-9504 PICKENS, DONNELL V. UNITED STATES
04-9514 RIVAS-MARTINEZ, JOSE V. UNITED STATES
04-9520 LASSITER, GRADY V. UNITED STATES
04-9521 MILLIGAN, HAMILI V. UNITED STATES
04-9522 PINKSTON, KENYATTA V. UNITED STATES
04-9525 JACKSON-BEY, ROBERT S. V. UNITED STATES
04-9526 BALLARD, SCOTTIE V. UNITED STATES
04-9527 SANDERS, JOE F. V. UNITED STATES
04-9529 McKENITH, ERIC H. V. UNITED STATES
04-9536 ROBINSON, CHRISTOPHER V. UNITED STATES
04-9551 SANCHEZ, JOSE V. UNITED STATES
04-9558 BECERRA, FERNANDO V. UNITED STATES

The petitions for writs of certiorari are denied.

03-1510 UNITED STATES V. INGRAM, ROHAN

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

04-1000 UNUM LIFE INS. CO. OF AM. V. FOUGHT, SHIRLEY O.

The motion of America's Health Insurance Plans, et al. for leave to file a brief as amici curiae is granted. The petition for a writ of certiorari is denied.

04-1056 EMC MORTGAGE CORPORATION V. STARK, STANLEY W., ET UX.

The motion of Chamber of Commerce of the United States, et al. for leave to file a brief as amici curiae is granted. The petition for a writ of certiorari is denied.

04-1233 BUTLER, DALLAS E., ET AL. V. FAA

The motion of AGE60Tule.com (Samuel D. Woolsey) for leave to file a brief as amicus curiae is denied. The petition for a writ of certiorari is denied.

04-8854 BUTTS, WAYNE D. V. CHERRY, SUPT., HAMPTON ROADS

The petition for a writ of certiorari before judgment is denied.

04-9020 YOWEL, HABAKKUK E. BEN V. JOHNSON, DIR., VA DOC, ET AL.

04-9203 REED, KENNETH W. V. ARIZONA, ET AL.

The motions of petitioners for leave to proceed in forma pauperis are denied, and the petitions for writs of certiorari are dismissed. See Rule 39.8. HABEAS CORPUS DENIED

04-9534 IN RE CHARLES YOUNG-COOPER

04-9595 IN RE JOHN H. BURRELL

04-9619 IN RE SALAHUDDIN ALI

The petitions for writs of habeas corpus are denied. MANDAMUS DENIED

04-8934 IN RE KEVIN M. CARDWELL

The petition for a writ of mandamus is denied. REHEARINGS DENIED

04-766 LAMERS DAIRY, INC. V. DEPT. OF AGRICULTURE

04-7400 STEVENSON, ALBERT L. V. BOYETTE, SUPT., NASH

04-7555 COVEY, OPAL V. NATURAL FOODS, INC.

04-7640 WOOTEN, ROSEMARY V. ST. FRANCIS MEDICAL CENTER

04-7687 TOMOSON, DENNIS C. V. MORGAN, SUPT., WA