

The Burger Court Opinion Writing Database

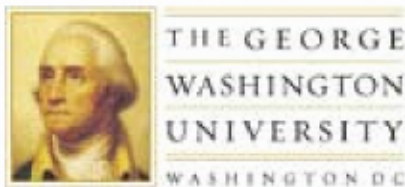
Relford v. Commandant, U.S. Disciplinary Barracks, Fort Leavenworth

401 U.S. 355 (1971)

Paul J. Wahlbeck, George Washington University

James F. Spriggs, II, Washington University

Forrest Maltzman, George Washington University



Supreme Court of the United States
Washington, D. C. 20543

70-98
69-1250

CHAMBERS OF
THE CHIEF JUSTICE

February 27, 1970

MEMORANDUM TO THE CONFERENCE:

Re: No. 665 Misc. - Relford v. Commandant

You may recall that the special Wednesday Conference voted as follows on the above petition for certiorari:

<u>GRANT</u>	<u>DENY</u>
TM	WJB
BRW	JMH
PS	WOD
HLB	CJ

The Wednesday Conference actions went on an Order List Friday for announcement.

Late today Justice Douglas wrote me requesting announcement be deferred and the case be placed on the March 6 Conference List. He was not aware that the Wednesday actions were placed on a Friday Order List. Meanwhile, Justice Douglas was advised that the order had been announced.

Shortly after Justice Douglas' note Justice Black advised he was changing his vote to deny cert, thus leaving 3 to grant and 5 to deny.

After exploring the whole matter, I conclude that the Friday order should not be revoked now but should await the action on March 6 to be sure no other Justice is to change his vote. Were we to revoke the grant of cert and another Justice change his vote to a grant, we would then be required to retrace our steps once again.

Unless someone sees an urgent need for an immediate revocation, an orderly change following a regular Conference will reflect our final action without risk of a double reversal.

W. E. B.

Supreme Court of the United States

Washington, D. C. 20543

February 27, 1970

1250

CHAMBERS OF
JUSTICE HUGO L. BLACK

RE: No. 665 Misc - Relford v. Commandant

Dear Chief:

At the Conference on Wednesday I joined in voting to grant certiorari in this case. Upon further consideration I have decided to vote to deny certiorari and therefore join Mr. Justice Douglas in requesting that today's order granting certiorari be revoked and the case put on the Conference List for March 6.

Sincerely,



H. L. B.

The Chief Justice

cc: Members of the Conference

February 27, 1970

MEMORANDUM TO THE CHIEF JUSTICE:

Would you kindly remove No. 665 - Misc. -
Belford v. Commandant from Monday's Order List
and put it on our Conference List for March 6?

W. O. D.

cc: Mr. Justice Black
Mr. Justice Harlan
Mr. Justice Brennan
Mr. Justice Stewart
Mr. Justice White
Mr. Justice Marshall

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE POTTER STEWART

March 30, 1970

1250 - Relford v. Commandant

Dear Byron,

Based upon what you have learned of Mr. Detrick, I agree that we should appoint him without looking further.

Sincerely yours,

P.S.

Mr. Justice White

cc: The Conference

March 30, 1970

OK

MEMORANDUM FOR THE CONFERENCE

Re: No. 1250 - Relford v. Commandant, U. S.
Disciplinary Barracks

Judson W. Detrick, whose appointment in this case petitioner requests, graduated from Duke University Law School in 1966 and was admitted to practice before the Colorado Supreme Court in October 1966. He is thus eligible for admission to the bar of this Court. He was a member of the Law Review at Duke, is employed by one of the larger, established firms in Denver and is well thought of there and in the courts. For myself, I would appoint Detrick without looking further.

Sincerely,

B.R.W.

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

March 3, 1970

Re: No. 665 Misc. - Relford v. Commandant

Dear Chief:

After further consideration, I have
decided to join HLB and vote to deny in this
case.

Sincerely,



T.M.

The Chief Justice

cc: The Conference