

The Burger Court Opinion Writing Database

Bassett v. Smith

398 U.S. 435 (1970)

Paul J. Wahlbeck, George Washington University

James F. Spriggs, II, Washington University

Forrest Maltzman, George Washington University



GVR

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

CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR.


June 10, 1970

RE: NO. 1658 Misc. - Bassett v. Smith.

Dear Byron:

I agree with the Per Curiam you have
prepared in the above case.

Sincerely,



W. J. B. Jr.

Mr. Justice White

cc: The Conference

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

CHAMBERS OF
JUSTICE POTTER STEWART


June 10, 1970

Re: 1658 - Bassett v. Smith

Dear Byron,

I am glad to join the Per Curiam
you have prepared in this case.

Sincerely yours,

P.S.


Mr. Justice White

Copies to the Conference

June 10, 1970

MEMORANDUM TO THE CONFERENCE

Re: No. 1658 Misc. - Bassett v. Smith

The per curiam in this case was scheduled for announcement this past Monday but I asked that it go over. I thought the attached formulation would be better, citing Lane and Long which seem quite close and Wade v. Wilson, which would make it clear that the State may satisfy the obligation to furnish an indigent a transcript on appeal from a denial of collateral relief by giving him adequate access to a transcript.

B.R.W.

The Chief Justice
Mr. Justice Black
Mr. Justice Douglas
Mr. Justice Harlan ✓
Mr. Justice Brennan
Mr. Justice Stewart
Mr. Justice Marshall
Mr. Justice Blackmun

To: The Chief Justice
Mr. Justice Black
Mr. Justice Douglas
✓ Mr. Justice Harlan
Mr. Justice Brennan
Mr. Justice Stewart
Mr. Justice Marshall
Mr. Justice Blackmun

SUPREME COURT OF THE UNITED STATES

From: White, J.

October Term, 1969

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BASSETT v. SMITH

On petition for writ of certiorari to
the Supreme Court of Georgia

No. 1658, Misc. Decided June 15, 1970

PER CURIAM.

The motion for leave to proceed in forma pauperis and the petition for a writ of certiorari are granted. The judgment of the Supreme Court of Georgia affirming the denial of habeas corpus is vacated and the case is remanded to that court for further consideration after petitioner has been afforded adequate access to a copy of the transcript of the trial court hearing on his petition for habeas corpus. Lane v. Brown, 372 U.S. 477 (1963); Long v. District Court, 385 U.S. 192 (1966); cf. Wade v. Wilson, 396 U.S. 282 (1970).

MR. JUSTICE MARSHALL and MR. JUSTICE BLACKMUN took no part in the consideration or decision of this case.