

# The Burger Court Opinion Writing Database

## *Carlos v. New York*

396 U.S. 119 (1969)

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

CHAMBERS OF  
THE CHIEF JUSTICE

December 2, 1969

Re: No. 524 - Carlos v. New York

Dear John:

Please join me in your dissent in the  
above.

Regards,



W. E. B.

Mr. Justice Harlan

cc: The Conference

November 28, 1969

Re: No. 524 - Carlos v. New York

Dear Potter:

Would you kindly add at the foot of your per curiam in this case the following:

MR. JUSTICE HARLAN is of the opinion that certiorari should be denied. However, the case having been taken for review, he would affirm the judgment of the state court upon the premises stated in his separate opinion in Roth v. United States, 354 U. S. 476, 496 (1957), and in his dissenting opinion in Memoirs v. Massachusetts, 383 U. S. 413, 455 (1966).

Sincerely,

J. M. H.

Mr. Justice Stewart

CC: The Conference

December 2, 1969

Re: No. 524 - Carlos v. New York

Dear Potter:

Would you kindly substitute for the present addendum to your per curiam the following:

THE CHIEF JUSTICE and MR. JUSTICE HARLAN are of the opinion that certiorari should be denied. However, the case having been taken for review, they would affirm the judgment of the state court upon the premises stated in MR. JUSTICE HARLAN'S separate opinion in Roth v. United States, 354 U.S. 476, 496 (1957), and in his dissenting opinion in Memoirs v. Massachusetts, 383 U.S. 413, 455 (1966).

Sincerely,

J. M. H.

Mr. Justice Stewart

CC: The Conference

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

CHAMBERS OF  
JUSTICE WM. J. BRENNAN, JR.


November 28, 1969

RE: No. 524 - Carlos v. New York

Dear Potter:

I agree with your Per Curiam in the  
above case.

Sincerely,

  
W.J.B. Jr.

Mr. Justice Stewart

cc: The Conference

rcvd. 11/28 from  
P.S.

SUPREME COURT OF THE UNITED STATES

October Term, 1969

CARLOS *v.* NEW YORK

ON PETITION FOR WRIT OF CERTIORARI TO THE COURT OF  
APPEALS OF NEW YORK

No. 524. Decided December 8, 1969

PER CURIAM.

The petition for a writ of certiorari is granted and the judgment is reversed, *Redrup v. New York*, 386 U. S. 767.

Mr. Justice Black  
Mr. Justice Douglas  
Mr. Justice Harlan ✓  
Mr. Justice Brennan  
Mr. Justice White  
Mr. Justice Fortas  
Mr. Justice Marshall

From: Stewart, J.

Circulated: NOV 28 1969

Recirculated: \_\_\_\_\_

SUPREME COURT OF THE UNITED STATES

October Term, 1969

CARLOS v. NEW YORK

ON PETITION FOR WRIT OF CERTIORARI TO THE COURT OF  
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No. 524. Decided December 8, 1969

PER CURIAM.

The petition for a writ of certiorari is granted and the judgment is reversed, *Redrup v. New York*, 386 U. S. 767.

Mr. JUSTICE HARLAN is of the opinion that certiorari should be denied. However, the case having been taken for review, he would affirm the judgment of the state court upon the premises stated in his separate opinion in *Roth v. United States*, 354 U. S. 476, 496 (1957), and in his dissenting opinion in *Memoirs v. Massachusetts*, 383 U. S. 413, 455 (1966).

To: The Chief Justice  
Mr. Justice Black  
Mr. Justice Douglas  
Mr. Justice Harlan ✓  
Mr. Justice Brennan  
Mr. Justice White  
Mr. Justice Fortas  
Mr. Justice Marshall

From: Stewart, J.

SUPREME COURT OF THE UNITED STATES

October Term, 1969

CARLOS v. NEW YORK

ON PETITION FOR WRIT OF CERTIORARI TO THE COURT OF  
APPEALS OF NEW YORK

No. 524. Decided December 8, 1969

PER CURIAM.

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THE CHIEF JUSTICE and MR. JUSTICE HARLAN are of the opinion that certiorari should be denied. However, the case having been taken for review, they would affirm the judgment of the state court upon the premises stated in MR. JUSTICE HARLAN's separate opinion in *Roth v. United States*, 354 U. S. 476, 496 (1957), and in his dissenting opinion in *Memoirs v. Massachusetts*, 383 U. S. 413, 455 (1966).

Circulated: \_\_\_\_\_  
Recirculated: DEC 2 1969

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December 3, 1969

Re: No. 524 - Carlos v. New York

Dear Potter:

Join me, please.

Sincerely,

B.R.W.

L  
Mr. Justice Stewart

cc: The Conference

December 1, 1969

Re: No. 524 - Carlos v. New York

Dear Potter:

Please join me in your

per curiam.

Sincerely,

T.M.

Mr. Justice Stewart

cc: The Conference