

The Burger Court Opinion Writing Database

Bostic v. United States

402 U.S. 547 (1971)

Paul J. Wahlbeck, George Washington University

James F. Spriggs, II, Washington University

Forrest Maltzman, George Washington University



PR ✓
Scribble by Justice Harlan

CHAMBERS OF
JUSTICE JOHN M. HARLAN

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

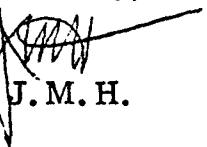
May 5, 1971

Re: No. 5250 - Bostic v. United States

Dear Potter:

I agree with your per curiam.

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.

May 6, 1971

RE: No. 5250 - Bostic v. United States

Dear Potter:

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

Sincerely,

Bill
W. J. B. Jr.

Mr. Justice Stewart

cc: The Conference

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

~~Tag~~ ~~segment~~ ~~to~~
Please give
me

1st DRAFT

SUPREME COURT OF THE UNITED STATES

From: Stewart, J.

Circulated: MAY 5 1971

No. 5250.—OCTOBER TERM, 1970

Recirculated:

James Herman Bostic,
Petitioner,
v.
United States. } On Writ of Certiorari to the
United States Court of Appeals
for the Sixth Circuit.

[May —, 1971]

PER CURIAM.

We granted the writ of certiorari in this case¹ to consider whether the Court of Appeals for the Sixth Circuit had erred in holding that the petitioner had properly been convicted of conspiracy to commit murder in order to avoid apprehension for the robbery of a federally insured bank. The Court of Appeals purported to uphold a conviction for this offense, though there was no evidence that the petitioner knew of the plan to commit murder, and he had been confined in prison for several months prior to the date the murder was committed.² The memorandum for the United States in opposition to the granting of the writ urged that the petitioner was "responsible for the actions of his coconspirators in killing one member of the group," and as to this issue, relied on the opinion of the Court of Appeals.

1400 U. S. 991.

424 F. 2d 951. The opinion recites that the conspiracy count on which the petitioner was convicted "alleged a conspiracy to rob federally insured banks with dangerous weapons and to commit murder to avoid apprehension for same." 424 F. 2d, at 953. The court went on to say, "As to Bostic, although he had been returned to the penitentiary sometime before Ferguson's murder, there is no evidence that he had renounced or withdrawn from the conspiracy." 424 F. 2d, at 964.

BR
✓
JRW

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

CHAMBERS OF
JUSTICE BYRON R. WHITE

May 6, 1971

Re: No. 5250 - Bostic v. U.S.

Dear Potter:

Please join me.

Sincerely,

Byron

Mr. Justice Stewart

Copies to Conference

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

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

May 17, 1971

Re: No. 5250 - Bostic v. United States

Dear Potter:

Please join me in your per curiam.

Sincerely,

T.M.
T.M.

Mr. Justice Stewart

cc: The Conference

卷之三

9-5230 - Rosie - Female - Streaked

卷之二

Take time in your proposal for *Comments*.

卷之三

卷之三

卷之三

卷之三