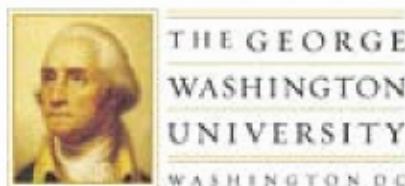


# The Burger Court Opinion Writing Database

*Rewis v. United States*  
401 U.S. 808 (1971)

Paul J. Wahlbeck, George Washington University  
James F. Spriggs, II, Washington University  
Forrest Maltzman, George Washington University



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

CHAMBERS OF  
THE CHIEF JUSTICE

March 25, 1971

Re: No. 5342 - Rewis v. U. S.

Dear Thurgood:

Please join me.

Regards,

*WB*

Mr. Justice Marshall

cc: The Conference

*BR*  
*JP*  
CHAMBERS OF  
JUSTICE HUGO L. BLACK

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

March 16, 1971

Dear Thurgood,

Re: No. 5342 - Rewis and Williams  
v. United States

I agree.

Sincerely,

*H. L. B.*  
H. L. B.

Mr. Justice Marshall

cc: Members of the Conference

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

CHAMBERS OF  
JUSTICE WILLIAM O. DOUGLAS

March 13, 1971

Dear Thurgood:

In No. 5342 - Rewis v. U.S.,  
please join me.

*W. O. Douglas*

Mr. Justice Marshall

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

CHAMBERS OF  
JUSTICE JOHN M. HARLAN

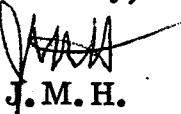
March 17, 1971

Re: No. 5342 - Rewis v. United States

Dear Thurgood:

I agree with your opinion.

Sincerely,

  
J. M. H.

Mr. Justice Marshall

CC: The Conference



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

CHAMBERS OF  
JUSTICE WM. J. BRENNAN, JR. March 16, 1971

RE: No. 5342 - Rewis & Williams v. United States

Dear Thurgood:

I agree with the opinion you have prepared in the above case.

Sincerely,

W. J. B. Jr.

Mr. Justice Marshall

cc: The Conference

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

CHAMBERS OF  
JUSTICE POTTER STEWART

March 15, 1971

5342 - Rewis v. United States

Dear Thurgood,

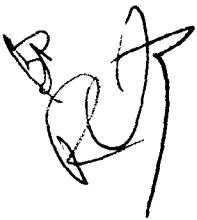
I am glad to join your opinion for the  
Court in this case.

Sincerely yours,

*P.S.*

Mr. Justice Marshal

Copies to the Conference



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

CHAMBERS OF  
JUSTICE BYRON R. WHITE

March 16, 1971

Re: No. 5342 - Rewis v. U. S.

Dear Thurgood:

Please note at the foot of  
your opinion that Mr. Justice White  
took no part in the decision in  
this case.

Sincerely,



B.R.W.

Mr. Justice Marshall

cc: Conference

2nd DRAFT

**SUPREME COURT OF THE UNITED STATES**

No. 5342.—OCTOBER TERM, 1970

James Wintfored Rewis and  
Mary Lee Williams,  
Petitioners,  
*v.*  
United States. } On Writ of Certiorari to  
the United States Court  
of Appeals for the Fifth  
Circuit.

[March —, 1971]

MR. JUSTICE MARSHALL delivered the opinion of the Court.

In this case, petitioners challenge their convictions under the Travel Act, 18 U. S. C. § 1952, which prohibits interstate travel in furtherance of certain criminal activity.<sup>1</sup> Although the United States Court of Appeals for the Fifth Circuit narrowed an expansive interpretation of the Act, the Court of Appeals affirmed petitioners' convictions. For the reasons stated below, we reverse.

<sup>1</sup> 18 U. S. C. § 1952 provides in pertinent part:

"(a) Whoever travels in interstate or foreign commerce or uses any facility in interstate or foreign commerce, including the mail, with intent to—

"(1) distribute the proceeds of any unlawful activity; or

"(2) commit any crime of violence to further any unlawful activity; or

"(3) otherwise promote, manage, establish, carry on, or facilitate the promotion, management, establishment, or carrying on, of any unlawful activity, and thereafter performs or attempts to perform any of the acts specified in subparagraphs (1), (2), and (3), shall be fined not more than \$10,000 or imprisoned for not more than five years, or both.

"(b) As used in this section 'unlawful activity' means (1) any business enterprise involving gambling, liquor on which the Federal excise tax has not been paid, narcotics, or prostitution offenses in violation of the laws of the State in which they are committed or of the United States, or (2) extortion, bribery, or arson in violation of the laws of the State in which committed or of the United States."

3rd DRAFT

## SUPREME COURT OF THE UNITED STATES

No. 5342.—OCTOBER TERM, 1970

James Wintford Rewis and  
Mary Lee Williams,  
Petitioners,  
*v.*  
United States. } On Writ of Certiorari to  
the United States Court  
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[March —, 1971]

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"(b) As used in this section 'unlawful activity' means (1) any business enterprise involving gambling, liquor on which the Federal excise tax has not been paid, narcotics, or prostitution offenses in violation of the laws of the State in which they are committed or of the United States, or (2) extortion, bribery, or arson in violation of the laws of the State in which committed or of the United States."



CHAMBERS OF  
JUSTICE HARRY A. BLACKMUN

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

March 18, 1971

Re: No. 5342 - Rewis and Williams v. U. S.

Dear Thurgood:

Please join me.

Sincerely,



Mr. Justice Marshall

cc: The Conference