

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



LN

cc: The Conference

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION

AN ILLUSTRATION OF CONCRETE

37
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

62
R

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.D.

Mr. Justice Marshall

File
JM

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,

JM
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

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION

U.S. DEPARTMENT OF JUSTICE

BS
✓ R

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,

PS
✓

Mr. Justice Marshal

Copies to the Conference

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION

U.S. SUPREME COURT MANUSCRIPTS



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 Wintforded 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.¹ 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.

¹ 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 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.¹ 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.

¹ 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."

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


CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

March 18, 1971

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

Dear Thurgood:

Please join me.

Sincerely,

H.A.B.

Mr. Justice Marshall

cc: The Conference