

The Burger Court Opinion Writing Database

United States v. Ryan

402 U.S. 530 (1971)

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

May 18, 1971

NO. 758 - United States v. Ryan

Dear Bill:

Please join me.

Regards,

WBG

Mr. Justice Brennan

cc: The Conference

TM

May 12, 1971

Dear Bill,

Re: No. 758- United States v. Ryan.

I agree.

Sincerely,

Hugo

Mr. Justice Brennan

cc: Members of the Conference

May 11, 1971

Dear Bill:

In No. 758 - United States v.
Ryan, please join me in your opinion.

William O. Douglas

Mr. Justice Brennan

WM
Adm

No note

John B.
1/1/71
John B.
P.M.P.

May 13, 1971

Re: No. 768 - United States v. Ryan

Dear Bill:

John,

I agree with your opinion, and am glad to

Sincerely,

J. M. E.

Mr. Justice Stevens

cc: The Conference

HB has also joined

Please see
To: The Chief Justice
Mr. Justice Black
Mr. Justice Douglas
Mr. Justice Harlan
Mr. Justice Stewart
Mr. Justice White
Mr. Justice Marshall
Mr. Justice Blackmun

1st DRAFT

From: Brennan, J.

SUPREME COURT OF THE UNITED STATES

Recirculated: 5-11-71

No. 758.—OCTOBER TERM, 1970

Recirculated:

United States, Petitioner, | On Writ of Certiorari to the
v. | United States Court of Ap-
Raymond J. Ryan. | peals for the Ninth Circuit.

[May —, 1971]

MR. JUSTICE BRENNAN delivered the opinion of the Court.

In March of 1968, respondent was served with a subpoena *duces tecum* commanding him to produce before a federal grand jury all books, records, and documents of five named companies doing business in Kenya. He moved, on several grounds, to quash the subpoena. The District Court denied the motion to quash and, in light of respondent's claim that Kenya law forbids the removal of books of account, minute books, and lists of members from the country without consent of its Registrar of Companies, ordered him to attempt to secure such consent and, if unsuccessful, to make the records available for inspection in Kenya.¹ The Court of Appeals, 430 F.

¹ The District Court ordered that

"I. The motion of [respondent] to quash the subpoena *duces tecum* is denied.

"II. [Respondent] will produce, with the exception of the books of account, minute books and the list of members, before the Federal grand jury at Los Angeles, California, on September 11, 1968, the books, records, papers and documents of Ryan Investment, Ltd., of Nairobi, Kenya, and Mawingo, Ltd., of Nanyuki and Nairobi, Kenya, doing business as The Mount Kenya Safari Club, referred to in the . . . subpoena *duces tecum* served on [respondent].

"III. [Respondent] shall forthwith make application to the Registrar of Companies in Kenya to release the books of account, minute

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

CHAMBERS OF
JUSTICE POTTER STEWART

May 11, 1971

No. 758 - United States v. Ryan

Dear Bill,

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

Sincerely yours,

P. B.

Mr. Justice Brennan

Copies to the Conference

May 12, 1971

Re: No. 758 - U.S. v. Ryba

Dear Bill:

I am with you in this case.

Sincerely,

B.R.W.

Mr. Justice BREWSTER

cc: Conference

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

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

May 17, 1971

Re: No. 758 - United States v. Ryan

Dear Bill:

Please join me.

Sincerely,


T.M.

Mr. Justice Brennan

cc: The Conference

May 13, 1971

Re: No. 758 - United States v. Ryan

Dear Bill:

Please join me.

Sincerely,

H. A. B.

Mr. Justice Brewster

cc: The Conference