

The Burger Court Opinion Writing Database

Groppi v. Leslie

404 U.S. 496 (1972)

Paul J. Wahlbeck, George Washington University

James F. Spriggs, II, Washington University

Forrest Maltzman, George Washington University



108 111
Please for me
To: Mr. Justice Black
Mr. Justice Douglas
Mr. Justice Harlan
Mr. Justice Brennan
Mr. Justice Stewart
Mr. Justice Souter
Mr. Justice Marshall ✓
Mr. Justice White

From: Mr. Justice Black
Circulated: DEC 22 1971
Recirculated: _____

No. 70-112 -- Groppi v. Leslie

MR. CHIEF JUSTICE BURGER delivered the opinion of the Court.

We granted the writ to review the holding of the Court of Appeals, 7th Circuit, denying petitioner relief in habeas corpus proceedings after the District Court had granted relief.

On October 1, 1969, the Assembly of the Wisconsin legislature passed a resolution citing petitioner for contempt and directing his confinement in the Dane County Jail for a period of six months or for the duration of the 1969 Regular Session of the legislature, whichever was shorter. The resolution recited that petitioner had, two days previously, led a gathering of people which, by its presence on the floor of the Assembly during a regular meeting in violation of an Assembly Rule, "prevented the Assembly from conducting public business and performing its constitutional duty." The resolution contained a finding that petitioner's actions constituted "disorderly conduct in the immediate view of the House and directly

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Stylistic Changes
pp. 11, 12

To: Mr. Justice Black
Mr. Justice Douglas
Mr. Justice Harlan
Mr. Justice Brennan
Mr. Justice White
Mr. Justice Souter

Printed

1st DRAFT

From: The Hon. Justice Black

SUPREME COURT OF THE UNITED STATES

No. 70-112

Recirculated: 1972

James E. Groppi, Petitioner, } On Writ of Certiorari to
v. } the United States Court
Jack Leslie, Sheriff of } of Appeals for the Sev-
Dane County. } enth Circuit.

[January —, 1972]

MR. CHIEF JUSTICE BURGER delivered the opinion of the Court.

We granted the writ to review the holding of the Court of Appeals, Seventh Circuit, denying petitioner relief in habeas corpus proceedings after the District Court had granted relief.

On October 1, 1969, the Assembly of the Wisconsin legislature passed a resolution citing petitioner for contempt and directing his confinement in the Dane County Jail for a period of six months or for the duration of the 1969 Regular Session of the legislature, whichever was shorter. The resolution recited that petitioner had, two days previously, led a gathering of people which, by its presence on the floor of the Assembly during a regular meeting in violation of an Assembly Rule, "prevented the Assembly from conducting public business and performing its constitutional duty." The resolution contained a finding that petitioner's actions constituted "disorderly conduct in the immediate view of the House and directly tending to interrupt its proceedings" which the Assembly was authorized to punish under the State Constitution and statutes.¹

¹ The text of the October 1 resolution was as follows:
1969 Spec. Sess. ASSEMBLY RESOLUTION
Citing James E. Groppi for contempt of the Assembly and directing his commitment to the Dane county jail.
In that James E. Groppi led a gathering of people on September

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(Justice Powell and Delquist
not participating)

To: Mr. [unclear]
Mr. [unclear]
Mr. [unclear]
Mr. [unclear]
Mr. [unclear]
Mr. [unclear]
Mr. [unclear]
Mr. [unclear]
Mr. [unclear]
Mr. [unclear]

2nd DRAFT

SUPREME COURT OF THE UNITED STATES

No. 70-112

Circulated:

James E. Groppi, Petitioner, } On Writ of Certiorari to
v. } the United States Court
Jack Leslie, Sheriff of } of Appeals for the Sev-
Dane County. } enth Circuit.

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10 11
Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE WILLIAM O. DOUGLAS

December 23, 1971

Dear Chief:

In No. 70-112 - Groppi v.
Leslie, please join me in your opinion.

W. O. D.

The Chief Justice

cc: The Conference

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

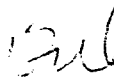
CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR. December 27, 1971

RE: No. 70-112 - Groppi v. Leslie

Dear Chief:

I agree.

Sincerely,



The Chief Justice

cc: The Conference

60
1/11
Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE POTTER STEWART

December 28, 1971

70-112 -- Groppi v. Leslie

Dear Chief,

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

Sincerely yours,

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/

The Chief Justice

Copies to the Conference

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

CHAMBERS OF
JUSTICE BYRON R. WHITE

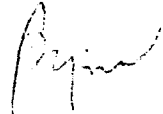
January 5, 1972

Re: No. 70-112 - Groppi v. Leslie

Dear Chief:

Please join me.

Sincerely,



The Chief Justice

Copies to Conference

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

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

December 28, 1971

Re: No. 70-112 - Groppi v. Leslie

Dear Chief:

Please join me.

Sincerely,


T.M.

The Chief Justice

cc: The Conference

January 6, 1972

Re: No. 70-112 - Groppi v. Leslie

Dear Chief:

In view of the marginal corrections in your circulation of today, I assume that the opinion will be rerun through the Print Shop. On this assumption I venture to note the following inquiries:

1. On page 2, line 2, should the word "of" appear after "recitations"?

2. On page 8, in the 15th line of paragraph III, is the word "courtroom" correctly employed? Should it be "chamber" or something similar?

Sincerely,

HAB

The Chief Justice

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

January 6, 1972

Re: No. 70-112 - Groppi v. Leslie

Dear Chief:

Please join me.

Sincerely,

HAB

The Chief Justice

cc: The Conference