

The Burger Court Opinion Writing Database

Holder v. Banks

417 U.S. 187 (1974)

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



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

CHAMBERS OF
THE CHIEF JUSTICE

January 21, 1974

Re: 73-841 - Holder v. Banks

MEMORANDUM TO THE CONFERENCE:

When we granted cert on Friday I was not clear, nor was Bill Rehnquist, on the status of the stay he had entered pending action on cert.

With a rough weekend of cleaning up "loose ends" for a nine-ten day absence I failed to follow up. It appears that the stay is not explicitly "until further order of the Court"; hence, to give any meaning to the granting of cert, it seems to me we should continue the stay until the case is heard. This would, as I see it, allow the case to proceed with another lawyer or defer trial until we decide the case which, I hope, will be this Term. I will advise the Clerk to press the case with all speed for an April argument.

Please let me have your vote on continuing Bill Rehnquist's stay order which we can give out on a special list.

Regards,

Wm B

Jan 21

I agree to continue the stay order until the Court
has had a chance to rule on cert.

cc to [unclear]

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

S
CHAMBERS OF
THE CHIEF JUSTICE

May 23, 1974

Re: 73-841 - Holder v. Banks

Dear Bill:

Please join me in your per curiam.

Regards,

WRB

Mr. Justice Douglas

Copies to the Conference

W.E.D.:
I agree with you
in current in this
case. Shl

19 : The Chief Justice
Hon. Justice Preman
is to be the Chairman
of the Committee
on Welfare
of the Commonwealth
of the Philippines
and the Vice-Chairman
of the Committee
on Education.

1st DRAFT

SUPREME COURT OF THE UNITED STATES

4-29

CALE J. HOLDER, UNITED STATES DISTRICT
JUDGE FOR THE SOUTHERN DISTRICT^{Plaintiff}
OF INDIANA *v.* ARTHUR BANKS

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE SEVENTH CIRCUIT

No. 73-841. Decided May 1, 1974

PER CURIAM.

The petition for certiorari is dismissed as improvidently granted.

MR. JUSTICE POWELL took no part in the consideration or decision of the case.

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

CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR.

January 21, 1974

RE: No. 73-841 Holder v. Banks

Dear Chief:

I would continue Bill Rehnquist's
stay order.

Sincerely,

Bill

The Chief Justice

cc: The Conference

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

CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR. April 29, 1974

RE: No. 73-841 Holder v. Banks

Dear Bill:

I agree.

Sincerely,

B. J. D.

Mr. Justice Douglas

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

CHAMBERS OF
JUSTICE POTTER STEWART

January 21, 1974

73-841 - Holder v. Banks

Dear Chief,

Now that certiorari has been granted,
I think it follows that the stay order should
be continued until final disposition of the
case.

Sincerely yours,

P.S.

The Chief Justice

Copies to the Conference

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

CHAMBERS OF
JUSTICE POTTER STEWART

May 1, 1974

Re: No. 73-841, Holder v. Banks

Dear Bill,

I agree with your per curiam in this case.

Sincerely yours,

D. S.

Mr. Justice Douglas

Copies to the Conference

✓

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

CHAMBERS OF
JUSTICE BYRON R. WHITE

January 21, 1974

Re: No. 73-841 - Holder v. Banks

Dear Chief:

I would continue the stay.

Sincerely,



The Chief Justice

Copies to Conference

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

CHAMBERS OF
JUSTICE BYRON R WHITE

23
May 17, 1974

Re: No. 73-841 - Holder v. Banks

Dear Bill:

I join the per curiam in this case.

Sincerely,

Byron

Mr. Justice Douglas

Copies to Conference

✓

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

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

January 21, 1974

Re: 73-841 -- Holder v. Banks

Dear Chief:

I agree to continuing the stay order in this
case.

Sincerely,



T. M.

The Chief Justice

cc: The Conference

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Supreme Court of the United States

Washington, D. C. 20543

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

April 30, 1974

Re: No. 73-841 -- Holder v. Banks

Dear Bill:

I agree with your Per Curiam in this case.

Sincerely,

T. M.
T. M.

Mr. Justice Douglas

cc: The Conference

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

January 21, 1974

Dear Chief:

Re: No. 73-841 - Holder v. Banks

I vote to continue the stay order until the case has been
disposed of.

Sincerely,

H. A. B.

The Chief Justice

Copies to the Conference

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

May 23, 1974

Dear Bill:

Re: No. 73-841 - Holder v. Banks

Please join me in the per curiam you
have proposed.

Sincerely,



Mr. Justice Douglas

Copies to the Conference

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

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

January 21, 1974

Re: No. 73-841 - Holder v. Banks

Dear Chief:

I agree that the stay in this case should be continued.

Sincerely,

WR

The Chief Justice

Copies to the Conference

✓

Supreme Court of the United States
Washington, D. C. 20530

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

April 29, 1974

Re: No. 73-841 - Holder v. Banks

Dear Bill:

Please join me in the per curiam opinion you have prepared in this case.

Sincerely,

[Signature]

Mr. Justice Douglas

Copies to the Conference