

The Burger Court Opinion Writing Database

United States v. Florida

420 U.S. 531 (1975)

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

March 13, 1975

Re: No. 52 Original - United States v. Florida

Dear Potter:

I join in the proposed per curiam disposition
you circulated March 5, 1975.

Regards,

WJ B

Mr. Justice Stewart

Copies to the Conference

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

CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR.

March 6, 1975

RE: No. 52 Original United States v. Florida

Dear Potter:

I agree with the Per Curiam you have prepared
in the above.

Sincerely,

Bill

Mr. Justice Stewart

cc: The Conference

To: The Chief Justice
 Mr. Justice Douglas
 Mr. Justice Brennan
 Mr. Justice White
 Mr. Justice Marshall
 Mr. Justice Blackmun
 Mr. Justice Powell
 Mr. Justice Rehnquist

From: Steward, J.

Circulated: MAR 5 1975

Recirculated: _____

2nd DRAFT

SUPREME COURT OF THE UNITED STATES

No. 52, Orig.

United States of America,	}	On Bill of Complaint.
Plaintiff,		
v.		
State of Florida.		

[March —, 1975]

PER CURIAM.

Before the Court for consideration are the exceptions of the State of Florida and of the United States to the Report of the Special Master filed February 19, 1974. Oral argument has been had.

The case consolidates two proceedings. In the first, the United States seeks a decree defining the seaward boundary of the submerged lands of the continental shelf in the Atlantic Ocean in which Florida has rights to the natural resources. 395 U. S. 955. In the second, the State of Florida and the United States seek a decree defining more specifically than does the decree entered in *United States v. Louisiana*, 364 U. S. 502, the seaward boundary of the submerged lands of the continental shelf in the Gulf of Mexico in which Florida has rights to the natural resources. 403 U. S. 949.

In its exceptions to the Report, the State of Florida maintains that in his recommendations the Master should have recognized that the said boundaries extend to the boundaries defined in the State's 1868 constitution, rather than to the limits specified in the Submerged Lands Act of 1953, Tit. I, § 2 (b); that the Master should have recognized that the Florida Keys and the Straits of

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

CHAMBERS OF
JUSTICE BYRON R. WHITE

March 13, 1975

Re: No. 52, Orig. - U.S. v. Florida

Dear Potter:

Please join me in your suggested per curiam.

Sincerely,



Mr. Justice Stewart

Copies to Conference

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

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

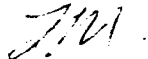
March 6, 1975

Re: No. 52 Orig. -- United States of America v.
State of Florida

Dear Potter:

I agree with your Per Curiam.

Sincerely,



T.M.

Mr. Justice Stewart

cc: The Conference

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

March 6, 1975

Re: No. 52 Orig. - United States v. Florida

Dear Potter:

Please join me in your proposed per curiam.

Sincerely,



Mr. Justice Stewart

cc: The Conference

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

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

March 12, 1975

No. 52 Orig. United States v. Florida

Dear Potter:

Please join me in your Per Curiam for the Court.

Sincerely,

L. F. Powell

Mr. Justice Stewart

lfp/ss

cc: The Conference

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

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

March 6, 1975

Re: No. 52 Orig. - United States v. Florida

Dear Potter:

Please join me in the per curiam you have prepared.

Sincerely,

WHR

Mr. Justice Stewart

Copies to the Conference

SUPREME COURT OF THE UNITED STATES

No. 52, Orig.

United States, Plaintiff,	} On Joint Motion for Entry
v.	
State of Florida.	

[May 24, 1976]

The joint motion for entry of a decree is granted.

For the purpose of giving effect to the decision and opinion of this Court announced in this case on March 17, 1975, 420 U. S. 531, and to the Supplemental Report of the Special Master Filed January 26, 1976, it is ordered, adjudged, and decreed as follows:

1. As against the State of Florida, the United States is entitled to all the lands, minerals and other natural resources underlying the Atlantic Ocean more than 3 geographic miles seaward from the coastline of that State and extending seaward to the edge of the Continental Shelf, and the State of Florida is not entitled to any interest in such lands, minerals, and resources. As used in this decree, the term "coastline" means the line of ordinary low water along that portion of the coast which is in direct contact with the open sea and the line marking the seaward limit of inland waters, as determined under the Convention on the Territorial Sea and the Contiguous Zone, 15 U. S. T. (Pt. 2) 1606.

2. As against the United States, the State of Florida is entitled to all the lands, minerals, and other natural resources underlying the Atlantic Ocean extending seaward from its coastline for a distance of 3 geographic miles, and the United States is not entitled, as against the State of Florida, to any interest in such lands, min-