

The Burger Court Opinion Writing Database

Wheeler v. Barrera

417 U.S. 402 (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

June 10, 1975

Re: 73-62 - Wheeler v. Barrera

Dear Harry:

I agree with your memo of June 9.

Regards,

WRB

Mr. Justice Blackmun

Copies to the Conference

Supreme Court of the United States
Washington, D. C. 20542

CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR.

June 9, 1975

RE: No. 73-62 Wheeler v. Barrera

Dear Harry:

I will go along with you in granting
the motion for modification of the mandate
in the above.

Sincerely,

Brennan

Mr. Justice Blackmun

cc; The Conference

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

CHAMBERS OF
JUSTICE POTTER STEWART

June 9, 1975

Re: No. 73-62, Wheeler v. Barrera

Dear Harry,

I am quite content to go along with you in granting the motion for modification of the mandate in this case.

Sincerely yours,

P.S.

Mr. Justice Blackmun

Copies to the Conference

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

CHAMBERS OF
JUSTICE BYRON R. WHITE

June 10, 1975

Re: No. 73-62 - Wheeler v. Barrera

Dear Harry:

I agree with your suggestion in this case.

Sincerely,



Mr. Justice Blackmun

Copies to Conference

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

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

June 10, 1975

Re: No. 73-62 -- Wheeler v. Barrera

Dear Harry:

I agree to granting motion for modification
of the mandate.

Sincerely,

J. M.
T. M.

Mr. Justice Blackmun

cc: The Conference

Supreme Court of the United States

Washington, D. C. 20543

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

June 9, 1975

MEMORANDUM TO THE CONFERENCE:

Re: No. 73-62 - Wheeler v. Barrera

Petitioner (the Missouri Commissioner of Education) has filed a motion for modification of our mandate. You will recall that we discussed this at the Conference of June 5 and that the matter is to be relisted for June 12. In the meantime, I was to speak with Judge Collinson.

I now enclose for each of you a copy of Judge Collinson's letter written in response to our telephone conversation. It is, I believe, self-explanatory. I also enclose a copy of the mandate that went out from here on June 10, 1974. It is, as you see, a flat affirmation. Perhaps I should not have approved it in this form, but I did so in the naive thought that the parties would read the opinion and act accordingly. The opinion ended with the phrase "On this basis, the judgment of the Court of Appeals is affirmed" (emphasis supplied).

On balance, I am now inclined to grant the motion for modification of the mandate.

H. A. B.

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

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

June 11, 1975

No. 73-62 Wheeler v. Barrera

Dear Harry:

I agree with your memo of June 9.

Sincerely,

Lewis

Mr. Justice Blackmun

1fp/ss

cc: The Conference

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

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

June 10, 1975

Re: No. 73-62 - Wheeler v. Barrera

Dear Harry:

I am quite willing to follow your lead in granting the motion for modification of the mandate in this case.

Sincerely,

Wm

Mr. Justice Blackmun

Copies to the Conference