

The Burger Court Opinion Writing Database

Gonzalez v. Automatic Employees Credit Union

419 U.S. 102 (1975)

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



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

CHAMBERS OF
THE CHIEF JUSTICE

December 2, 1974

Re: No. 73-858 - Alfredo Gonzalez v. Automatic Employees
Credit Union

Dear Potter:

Please join me.

You might get a "plug" in for our views on three-judge courts by a footnote on page 11, line 4, first full paragraph, along these lines: "Our mandatory docket on these three-judge court cases in the 1973 Term was 46 (?) argued cases, apart from other direct cases allowing appeal as of right. Thus, the 'control of our docket' envisioned by Chief Justice Taft in the 1925 Act has been markedly diluted."

Regards,


Mr. Justice Stewart

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

CHAMBERS OF
JUSTICE WILLIAM O. DOUGLAS

November 27, 1974

Dear Potter:

Please join me in your opinion
in 73-858, GONZALEZ v. EMPLOYEES CREDIT
UNION.

W. O. Douglas
William O. Douglas

Mr. Justice Stewart

cc: The Conference

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

CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR.

December 3, 1974

RE: No. 73-858 Gonzalez v. Automatic Employees
Credit Union, et al.

Dear Potter:

I'm happy to join your first rate opinion
in the above.

Sincerely,

Bill

Mr. Justice Stewart

cc: The Conference

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U.S. SUPREME COURT LIBRARY

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

1st DRAFT

SUPREME COURT OF THE UNITED STATES

No. 73-858

Circulated: NOV 26 1974

Recirculated: _____

Alfredo Gonzalez, individually
and On Behalf of All Others
Similarly Situated,
Appellant,
v.
Automatic Employees Credit
Union et al.

On Appeal from the
United States District
Court for the North-
ern District of Illinois.

[December —, 1974]

MR. JUSTICE STEWART delivered the opinion of the Court.

This is an appeal under 28 U. S. C. § 1253 from an order of a three-judge court dismissing the appellant's complaint for lack of "standing."¹ We deferred consideration of our jurisdiction until the hearing on the merits. 415 U. S. 947. For the reasons that follow, we have concluded that the District Court's order is not directly appealable to this Court.

I

The appellant Gonzalez and three other named plaintiffs brought a class action in the District Court attacking as unconstitutional various provisions of the Commercial Code and Motor Vehicle Code of Illinois governing repossession, retitling, and resale of automobiles purchased on an instalment payment basis under security agreements.² The plaintiffs alleged that the statutory scheme

¹ *Mojica v. Automatic Employees Credit Union*, 363 F. Supp. 143.

² Ill. Rev. Stat. c. 26, §§ 9-503 and 9-504, and Ill. Rev. Stat. c. 95½, §§ 3-114 (b), 3-116 (b), and 3-612.

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

3rd DRAFT

From: Stewart, J.

SUPREME COURT OF THE UNITED STATES

No. 73-858

Recirculated: DEC 4 1974

Alfredo Gonzalez, individually
and On Behalf of All Others
Similarly Situated,
Appellant,
v.
Automatic Employees Credit
Union et al.

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

CHAMBERS OF
JUSTICE BYRON R. WHITE

November 29, 1974

Re: No. 73-858 - Gonzalez v. Automatic Employees
Credit Union

Dear Potter:

Please join me in your opinion in this
case.

Sincerely,



Mr. Justice Stewart

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IN THE MANUSCRIPT DIVISION

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

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

December 3, 1974

Re: No. 73-858 -- Alfredo Gonzalez v. Automatic Employees
Credit Union et al.

Dear Potter:

Please join me in your opinion in this case.

Sincerely,

J.M.
T.M.

Mr. Justice Stewart

cc: The Conference

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

November 29, 1974

Re: No. 73-858 - Gonzalez v. Automatic Employees
Credit Union

Dear Potter:

Please join me. I think this opinion makes a distinct contribution, for it gathers together the law on 3-judge courts.

Sincerely,

Harry

Mr. Justice Stewart

cc: The Conference

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U.S. SUPREME COURT RECORDS

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

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

November 27, 1974

No. 73-858 Gonzalez v. Automatic Employees
Credit Union

Dear Potter:

Please join me.

Sincerely,

Lewis

Mr. Justice Stewart

LFP/gg

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

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

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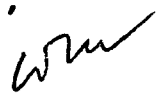
November 27, 1974

Re: No. 73-858 - Gonzalez v. Automatic Employees Credit
Union

Dear Potter:

Please join me in your opinion.

Sincerely,



Mr. Justice Stewart

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