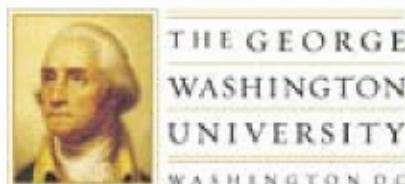


# The Burger Court Opinion Writing Database

*Dallas County v. Reese*

421 U.S. 477 (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

April 16, 1975

PERSONAL

Re: 74-1077 - Dallas County, Alabama v. Reese

Dear Bill:

Would you be willing to take on a per curiam summarily reversing in the above case? There are at least five votes for that disposition and I think Potter might go along.

Regards,

CRB

Mr. Justice Rehnquist

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

CHAMBERS OF  
THE CHIEF JUSTICE

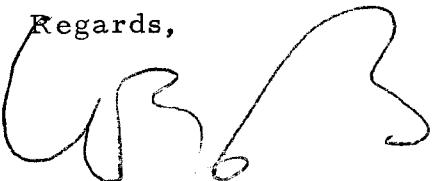
May 15, 1975

Re: 74-1077 - Dallas County, Alabama v. Reese

Dear Bill:

Please join me in your per curiam.

Regards,



Mr. Justice Rehnquist

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Washington, D. C. 20543

CHAMBERS OF  
JUSTICE WM. J. BRENNAN, JR.

May 15, 1975

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HOOVER INSTITUTION  
ON WAR, REVOLUTION AND PEACE  
Stanford, California 94303-6010



RE: No. 74-1077 Dallas County, Alabama v. Reese

Dear Bill:

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

Sincerely,

Mr. Justice Rehnquist

cc: The Conference

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

CHAMBERS OF  
JUSTICE POTTER STEWART

May 14, 1975

No. 74-1077, Dallas County v. Reese

Dear Bill,

I agree with the Per Curiam you have circulated in this case.

Sincerely yours,

P.S.

Mr. Justice Rehnquist

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

CHAMBERS OF  
JUSTICE BYRON R. WHITE

May 14, 1975

Re: No. 74-1077 - Dallas County, Alabama v.  
Reese

Dear Bill:

Please join me.

Sincerely,



Mr. Justice Rehnquist

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

CHAMBERS OF  
JUSTICE HARRY A. BLACKMUN

May 15, 1975

Re: No. 74-1077 - Dallas County, Alabama v. Reese

Dear Bill:

Please join me in your proposed per curiam.

Sincerely,



Mr. Justice Rehnquist

cc: The Conference

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Sanford, California 94535-0000



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

CHAMBERS OF  
JUSTICE LEWIS F. POWELL, JR.

May 14, 1975

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No. 74-1077 Dallas County v. Reese

Dear Bill:

Please join me in your Per Curiam.

Sincerely,

*Lewis*

Mr. Justice Rehnquist

1fp/ss

cc: The Conference



April 16, 1975

PERSONAL

Re: No. 74-1077 - Dallas County  
v. Reese

Dear Chief:

I will be happy to undertake the preparation of a per curiam for summary reversal.

Sincerely,

WHR

The Chief Justice



1. Assistant to the Pres.  
2. Director of Research  
3. Director of Archives  
4. Director of Library  
5. Executive Director  
6. Information Officer

Hoover Institution  
Stanford University  
Stanford, California 94305

1st DRAFT

SUPREME COURT OF THE UNITED STATES

DALLAS COUNTY, ALABAMA, ET AL. v. F. D.  
REESE ET AL.

ON APPEAL FROM THE UNITED STATES COURT OF APPEALS  
FOR THE FIFTH CIRCUIT

No. 74-1077. Decided May —, 1975

PER CURIAM.

Appellees are residents of the city of Selma, Alabama, who brought this action to challenge the system by which members of the Dallas County, Alabama, Commission are elected. The system, which is established by a state statute,<sup>1</sup> provides for countywide balloting for each of the four commission members, but requires that a member be elected from each of four residency districts.<sup>2</sup> Appellees' constitutional claim was premised on the fact that the populations of the four districts vary widely, with the result that only one resident of the city of Selma can be a member of the Commission, although the city contains about one-half of the county's population.<sup>3</sup>

After extensive discovery, the United States District Court for the Southern District of Alabama entered summary judgment for appellants, Dallas County and the members of the Dallas County Commission. The court

<sup>1</sup> Act No. 328, § 6, Acts of Alabama (Feb. 8, 1901) (as amended). Our appellate jurisdiction is based on 28 U. S. C. § 1254 (2).

<sup>2</sup> The Judge of Probate of Dallas County is Ex Officio Chairman of the Commission, and votes in the case of a tie vote among the commissioners. He is elected by countywide ballot and may reside anywhere within the county.

<sup>3</sup> As shown by the 1970 official census, the population of each of the residency districts is as follows:

City of Selma	27,379
West	6,209
South	14,203
Tark	7,505