

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

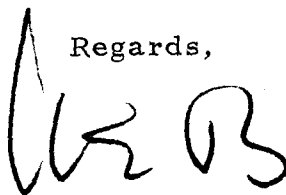
PERSONAL

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,



Mr. Justice Rehnquist

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 10-10-2000 BY 60322 UCBAW

HOOVER INSTITUTION
ON WAR, REVOLUTION AND PEACE
Stanford, California 94305-0000



NOT REPRODUCED BY COPYRIGHT
LAW (TITLE 17, U.S. CODE)

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

CHAMBERS OF
THE CHIEF JUSTICE

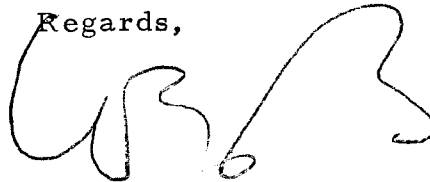
May 15, 1975

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

Dear Bill:

Please join me in your per curiam.

Regards,



Mr. Justice Rehnquist

Copies to the Conference

THIS DOCUMENT CONTAINS NEITHER RECOMMENDATIONS NOR
CONCLUSIONS OF THE NATIONAL ARCHIVES. IT IS THE PROPERTY
OF THE NATIONAL ARCHIVES AND IS LOANED TO YOUR AGENCY.
IT AND ITS CONTENTS ARE NOT TO BE DISTRIBUTED OUTSIDE
YOUR AGENCY.

Sanford, California 94903-0000

HOOPER INSTITUTE
ON WAR, REVOLUTION AND PEACE



NOTICE: THIS DOCUMENT
IS BEING PROTECTED BY COPYRIGHT
LAW (TITLE 17, U.S. CODE)

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

CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR.

May 15, 1975

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

Dear Bill:

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

Sincerely,

Bill

Mr. Justice Rehnquist

cc: The Conference

HOOPER INSTITUTION
ON WAR, REVOLUTION AND PEACE
Sanford, California 94963-6000



NOTICE: THIS MATERIAL MAY
BE PROTECTED BY COPYRIGHT
LAW (TITLE 17, U.S. CODE)

Wm

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

2

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

Copies to the Conference



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

Copies to Conference

or distributed without the specific authori-
zation of the Hoover Institution Archives.

HOVER INSTITUTION
ON WAR, REVOLUTION AND PEACE
Stanford, California 94305-6000



NOTICE: THIS MATERIAL MAY
BE PROTECTED BY COPYRIGHT
LAW (TITLE 17, U.S. CODE)

Wm

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,

Larry

Mr. Justice Rehnquist

cc: The Conference

Stanford, California 94305-5010

HOOPER INSTITUTION
ON WAR, REVOLUTION AND PEACE



NOTICE: THIS MATERIAL MAY
BE PROTECTED BY COPYRIGHT
LAW (TITLE 17, U.S. CODE)

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

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

May 14, 1975

No. 74-1077 Dallas County v. Reese

Dear Bill:

Please join me in your Per Curiam.

Sincerely,

Lewis

Mr. Justice Rehnquist

lfp/ss

cc: The Conference

or distributed without the specific authori-
zation of the Hoover Institution Archives.

HOOPER INSTITUTION
ON WAR, REVOLUTION AND PEACE
Sanford, California 94963-6000



NOTICE: THIS MATERIAL MAY
BE PROTECTED BY COPYRIGHT
LAW (TITLE 17, U.S. CODE)



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

of distributed without the specific authori-
zation of the Hoover Institution Archives.

Mr. Tolson
Mr. DeLoach
Mr. Mohr
Mr. Bishop
Mr. Casper
Mr. Callahan
Mr. Conrad
Mr. Felt
Mr. Gale
Mr. Rosen
Mr. Sullivan
Mr. Tavel
Mr. Trotter
Mr. Tele. Room
Mr. Holmes
Miss Gandy

From: Belmont, J.
Re: [illegible]
5/13/75
Re: [illegible]

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,¹ provides for countywide balloting for each of the four commission members, but requires that a member be elected from each of four residency districts.² 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.³

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

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

² 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.

³ 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
Fork	7,505

HOOPER INSTITUTION
ON WAR, REVOLUTION AND PEACE
Stanford, California 94305-5080



NOTICE: THIS MATERIAL MAY
BE PROTECTED BY COPYRIGHT
LAW (TITLE 17, U.S. CODE)