

The Burger Court Opinion Writing Database

Kugler v. Helfant

421 U.S. 117 (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 22, 1975

Re: (74-80 - Kugler v. Helfant
(74-277 - Helfant v. Kugler)

Dear Potter:

I join your opinion in the above and I have given it priority on my "stack" because it seems to me that this is the kind of case in which the swiftness of the justice will have a salutary effect, especially with your opinion being succinct and pointed.

Regards,

LAB

Mr. Justice Stewart

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U.S. SUPREME COURT RECORDS

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P
M
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: Stewart, J.

Circulated: APR 17 1975

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1st DRAFT

SUPREME COURT OF THE UNITED STATES

Nos. 74-80 AND 74-277

George F. Kugler, Jr., Etc.,
et al., Petitioners,

74-80 v.

Edwin H. Helfant.

Edwind H. Helfant,
Petitioner,

74-277 v.

George F. Kugler, Jr., Etc.,
et al.

On Writs of Certiorari to the
United States Court of
Appeals for the Third
Circuit.

[April —, 1975]

MR. JUSTICE STEWART delivered the opinion of the Court.

Edwin H. Helfant brought this action in a Federal District Court to enjoin the Attorney General of New Jersey and other New Jersey officials from proceeding with the prosecution of an indictment pending against him in that State.¹ His complaint alleged that he had been coerced into testifying before a state grand jury by the concerted action of a state deputy attorney general and members of the New Jersey Supreme Court, and that the indictment, charging him with obstruction of justice and false swearing, had grown out of that coerced testimony. His complaint further alleged that the significant role played by the members of the New

¹ The complaint relied upon 42 U. S. C. § 1983 in seeking injunctive relief against the state court proceedings. Federal jurisdiction was grounded on 28 U. S. C. § 1343 (3).

STYLISTIC CHANGES THROUGHOUT.

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: Stewart, J.

Circulated: _____

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2nd DRAFT

SUPREME COURT OF THE UNITED STATES

Nos. 74-80 AND 74-277

George F. Kugler, Jr., Etc.,
et al., Petitioners,

74-80 v.

Edwin H. Helfant.

Edwind H. Helfant,
Petitioner,

74-277 v.

George F. Kugler, Jr., Etc.,
et al.

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STYLISTIC CHANGES THROUGHOUT.

P. 11

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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: Stewart, J.

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3rd DRAFT

SUPREME COURT OF THE UNITED STATES

Nos. 74-80 AND 74-277

George F. Kugler, Jr., Etc.,
et al., Petitioners,

74-80 v.

Edwin H. Helfant.

Edwind H. Helfant,
Petitioner,

74-277 v.

George F. Kugler, Jr., Etc.,
et al.

On Writs of Certiorari to the
United States Court of
Appeals for the Third
Circuit.

[April —, 1975]

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

CHAMBERS OF
JUSTICE BYRON R. WHITE

April 18, 1975

Re: Nos. 74-80 & 74-277 - Kugler v. Helfant

Dear Potter:

Please join me.

Sincerely,



Mr. Justice Stewart

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

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

April 21, 1975

Re: Nos. 74-80 and 74-277 -- George F. Kugler, Jr. v.
Edwin H. Helfant; Edwin H. Helfant v. George F.
Kugler, Jr.

Dear Potter:

Please join me.

Sincerely,

T.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

April 18, 1975

Re: No. 74-80 - Kugler v. Helfant
No. 74-277 - Helfant v. Kugler

Dear Potter:

Please join me.

Sincerely,

Harry

Mr. Justice Stewart

cc: The Conference

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

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

April 18, 1975

Nos. 74-80 and 74-277 Kugler v. Helfant

Dear Potter:

Please join me.

Sincerely,

Lewis

Mr. Justice Stewart

CC: The Conference

LFP/gg

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U.S. DEPARTMENT OF JUSTICE
OFFICE OF THE ARCHIVIST

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

CHIEF JUSTICE
JUSTICE WILLIAM H. REHNQUIST

✓
April 22, 1975

Re: Nos. 74-80 and 74-277 - Kugler v. Helfant

Dear Potter:

Please join me.

Sincerely,

WHR

Mr. Justice Stewart

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