

The Burger Court Opinion Writing Database

Drew Municipal Separate School District v Andrews

425 U.S. 559 (1976)

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

March 8, 1976

Re: 74-1318 - Drew Municipal Separate School District v. Andrews

MEMORANDUM TO THE CONFERENCE:

At Conference it was the consensus that I would send a memorandum calling for a DIG and await reaction.

Some who were for DIG conditioned it on there being no writing.

My sheet shows:

3 to affirm with DIG as alternative

4 to reverse with DIG as possible alternative of 2 of the 4

2 DIG

When the dust settles or one week passes, I will reassess. It may develop that a memorandum will help "settle the dust."

Regards,

WSB

✓
Chell
I agree with you
per curiam re this
Case M

To: Mr. Justice Brennan
Mr. Justice Stewart
Mr. Justice White
Mr. Justice Marshall ✓
Mr. Justice Blackmun
Mr. Justice Powell
Mr. Justice Rehnquist
Mr. Justice Stevens

From: The Chief Justice

Circulated: APR 23 1976

Recirculated: _____

1st DRAFT

SUPREME COURT OF THE UNITED STATES

No. 74-1318

Drew Municipal Separate
School District et al.,
Petitioners,
v.
Katie Mae Andrews et al.]

On Writ of Certiorari to the
United States Court of Ap-
peals for the Fifth Circuit.

[April —, 1976]

PER CURIAM.

The writ of certiorari is dismissed as improvidently
granted.

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

CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR.

March 9, 1976

MEMORANDUM TO THE CONFERENCE

RE: No. 74-1318 Drew Municipal Separate School District
v. Andrews

I would join Potter's suggestion for a one line
order without elaboration.

W.J.B. Jr.

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

CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR.

April 22, 1976

RE: No. 74-1318 Drew Municipal Separate School District
v. Andrews, et al.

Dear Chief:

Please join me.

Sincerely,

Bril

The Chief Justice

cc: The Conference

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

CHAMBERS OF
JUSTICE POTTER STEWART

March 8, 1976

Re: No. 74-1318, Drew Municipal Separate School
District v. Andrews

Dear Chief,

My preference in this case would be a one line
order without elaboration: The writ is dismissed as
improvidently granted.

Sincerely yours,

P.S.
P.

The Chief Justice

Copies to the Conference

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

CHAMBERS OF
JUSTICE POTTER STEWART

April 21, 1976

Re: No. 74-1318, Drew Municipal Separate School
District v. Andrews

Dear Chief,

I agree with the proposed order in this case.

Sincerely yours,

P.S.

The Chief Justice

Copies to the Conference

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

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

March 10, 1976

Re: No. 74-1318 -- Drew Municipal Separate School
District v. Andrews

Dear Chief:

I go for a one-liner in this one.

Sincerely,

T.M.
T. M.

The Chief Justice

cc: The Conference

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

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

April 22, 1976

Re: No. 74-1318 -- Drew Municipal Separate School
District v. Katie Mae Andrews

Dear Chief:

I agree with your Per Curiam in this case.

Sincerely,

J. M.

T. M.

The Chief Justice

cc: The Conference

March 23, 1976

Re: No. 74-1318 - Drew Municipal Separate School
District v. Andrews

Dear Byron:

My notes indicate that you, Bill Rehnquist and I were somewhat concerned about the proposal to dismiss this case as improvidently granted. Enclosed is a recent Eighth Circuit opinion which bears generally on the subject and which, in fact, cites Drew. I thought it might be of interest to you.

Sincerely,

HAB

Mr. Justice White

cc: Mr. Justice Rehnquist

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

April 26, 1976

Re: No. 74-1318 - Drew Municipal Separate School
District v. Andrews

Dear Chief:

I am content to dismiss the writ in this case as improvidently granted. I therefore join the per curiam you circulated on April 21.

Sincerely,



The Chief Justice

cc: The Conference

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

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

March 9, 1976

No. 74-1318 Drew Municipal Separate School
District v. Andrews

Dear Chief:

I prefer a dismissal as improvidently granted, without any opinion.

Sincerely,

Lewis

The Chief Justice

1fp/ss

cc: The Conference

~~Dear Chief~~

I go for a one-liner in this one

SLY

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

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

April 21, 1976

No. 74-1318 Drew Municipal Separate School
District v. Katie Mae Andrews

Dear Chief:

I approve of your Per Curiam for the Court.

Sincerely,



The Chief Justice

CC: The Conference

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

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

April 26, 1976

Re: No. 74-1318 - Drew Municipal Separate School
District v. Andrews

Dear Chief:

Please join me.

Sincerely,



The Chief Justice

Copies to the Conference

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

CHAMBERS OF
JUSTICE JOHN PAUL STEVENS

March 17, 1976

Re: No. 74-1318 - Drew Municipal Separate
School District v. Andrews

Dear Chief:

Unless someone writes something that requires
a response, I will join a simple dismissal as
improvidently granted.

Respectfully,



The Chief Justice

Copies to the Conference

Supreme Court of the United States

Washington, D. C. 20543

CHAMBERS OF
JUSTICE JOHN PAUL STEVENS

April 22, 1976

Re: No. 74-1318 - Drew Municipal Separate School
District v. Katie Mae Andrews

Dear Chief:

Please join me.

Respectfully,



The Chief Justice

Copies to the Conference