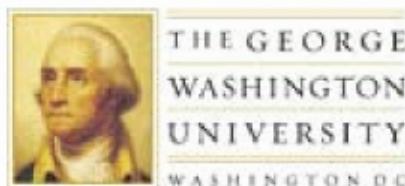


The Burger Court Opinion Writing Database

Quinn v. Muscare

425 U.S. 560 (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

April 29, 1976

Re: 75-130 - Quinn v. Muscare

Dear Potter:

Please join me in your per curiam circulated

April 28.

Regards,

MR B

Mr. Justice Stewart

Copies to the Conference

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

CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR.

April 28, 1976

RE: NO. 75-130 Quinn v. Muscare

Dear Potter:

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

Sincerely,



Mr. Justice Stewart

cc: The Conference

To: The Chief Justice
 Mr. Justice Brennan
 Mr. Justice White
 Mr. Justice Marshall
 Mr. Justice Blackmun
 Mr. Justice Powell
 Mr. Justice Rehnquist
 Mr. Justice Stevens

From: Mr. Justice Stewart

Dated: APR 26 1976

No. 75-130

1st DRAFT

SUPREME COURT OF THE UNITED STATES

No. 75-130

Robert J. Quinn, Individually and as Commissioner of the Chicago Fire Department, Petitioner,
v.

Francis Muscare.

On Writ of Certiorari to the United States Court of Appeals for the Seventh Circuit.

[May —, 1976]

PER CURIAM.

The respondent, a lieutenant in the Chicago Fire Department, was suspended from his job for a 29-day period in 1974 as a result of charges related to his violation of the department's personal appearance regulation.¹ Following the suspension, the respondent brought an action

¹ The personal appearance regulation provided:

"All members of the Chicago Fire Department shall present a clean and proper appearance in personal care and attire at all times. The face shall be clean-shaven, except that a non-eccentric mustache is permissible. Mustaches shall not extend beyond a line perpendicular to the corner of the mouth and the full upper lip must be readily visible. Sideburns shall be trimmed short and shall be no lower than a line from the middle of the ear.

"Hair shall be worn neatly and closely trimmed, and the hair outline shall follow the contour of the ear and slope to the back of the neck. It will be gradually tapered overall in order to present a neat appearance." Section 51.133 of the Rules and Regulations of the Chicago Fire Department.

The respondent was also charged with conduct unbecoming a member of the Chicago Fire Department, § 61.001, and disobedience of orders, § 61.006, in connection with his failure to conform his appearance to the above regulation.

To: The Chief Justice
 Mr. Justice Brennan
 Mr. Justice White
 Mr. Justice Marshall
 Mr. Justice Blackmun
 Mr. Justice Powell
 Mr. Justice Rehnquist
 Mr. Justice Stevens

P.4
 From Mr. Justice Stewart

Encirculated: _____

Recirculated: APR 26 1976

2nd DRAFT

SUPREME COURT OF THE UNITED STATES

No. 75-130

Robert J. Quinn, Individually and as Commissioner of the Chicago Fire Department, Petitioner,
 v.
 Francis Muscare. } On Writ of Certiorari to the United States Court of Appeals for the Seventh Circuit.

[May —, 1976]

PER CURIAM.

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

CHAMBERS OF
JUSTICE BYRON R. WHITE

April 29, 1976

Re: No. 75-130 - Quinn v. Muscare

Dear Potter:

Please join me.

Sincerely,



Mr. Justice Stewart

Copies to Conference

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

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

April 27, 1976

Re: No. 75-130, Robert J. Quinn v. Francis Muscare

Dear Potter:

I agree with your per curiam.

Sincerely,

J. M.
T. M.

Mr. Justice Stewart

cc: The Conference

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

April 27, 1976

Re: No. 75-130 - Quinn v. Muscare

Dear Potter:

Please join me in your proposed per curiam
circulated April 26.

Sincerely,



Mr. Justice Stewart

cc: The Conference

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

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

April 27, 1976

No. 75-130 Quinn v. Muscare

Dear Potter:

Please join me in your Per Curiam.

Sincerely,



Mr. Justice Stewart

lfp/ss

cc: The Conference

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

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

April 27, 1976

Re: No. 75-130 - Quinn v. Muscare

Dear Potter:

Please join me.

Sincerely,

WRM

Mr. Justice Stewart

Copies to the Conference