

The Burger Court Opinion Writing Database

Knebel v. Hein

429 U.S. 288 (1977)

Paul J. Wahlbeck, George Washington University
James F. Spriggs, II, Washington University in St. Louis
Forrest Maltzman, George Washington University



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

CHAMBERS OF
THE CHIEF JUSTICE

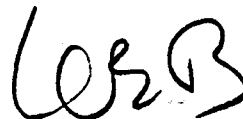
January 6, 1977

Re: (75-1261 John A. Knebel v. Karen Hein
(
(75-1355 Kevin J. Burns v. Karen Hein

Dear John:

I join.

Regards,



Mr. Justice Stevens

cc: The Conference

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

CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR.

January 3, 1977

RE: Nos. 75-1261 and 75-1335 Knebel and Burns, etc.
et al. v. Karen Hein, et al.

Dear John:

I was the other way but your opinion has persuaded
me and I am happy to join.

Sincerely,

JWB

Mr. Justice Stevens

cc: The Conference

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

CHAMBERS OF
JUSTICE POTTER STEWART

January 3, 1977

Nos. 75-1261 and 75-1355
Knebel v. Hein
Burns v. Hein

Dear John,

I am glad to join your opinion for the
Court in these cases.

Sincerely yours,

P.S.
/

Mr. Justice Stevens

Copies to the Conference

4
Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE BYRON R. WHITE

December 29, 1976

Re: No. 75-1261 & 75-1355 - Knebel v. Hein

Dear John:

Please join me.

Sincerely,



Mr. Justice Stevens

Copies to Conference

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

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

January 4, 1977

Re: No. 75-1261 -- Knebel v. Hein
No. 75-1355 -- Burns v. Hein

Dear John:

Please join me.

Sincerely,

T.M.

T.M.

Mr. Justice Stevens

cc: The Conference

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

January 4, 1977

Re: No. 75-1261 - Knebel v. Hein
No. 75-1355 - Burns v. Hein

Dear John:

Please join me.

It is of no importance, but I wonder whether there is not a geographical error in the 6th line on page 2. I believe the school was in Davenport rather than Des Moines. The difference in mileage is substantial.

Sincerely,



Mr. Justice Stevens

cc: The Conference

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

✓

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

December 29, 1976

No. 75-1261 Knebel v. Hein
No. 75-1355 Burns v. Hein

Dear John:

Please join me.

Sincerely,

Lewis

Mr. Justice Stevens

lfp/ss

cc: The Conference

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

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

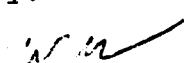
January 3, 1977

Re: Nos. 75-1261 and 75-1355 - Knebel v. Hein, et al.

Dear John:

Please join me.

Sincerely,



Mr. Justice Stevens

Copies to the Conference

✓ PS
✓
MA

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

1st DRAFT

From: Mr. Justice Stevens

SUPREME COURT OF THE UNITED STATES
Circulated: 12/26/76

Nos. 75-1261 AND 75-1355 Recirculated: _____

John A. Knebel, Secretary of
Agriculture, Appellant,
75-1261 v.
Karen Hein et al.
Kevin J. Burns, etc., et al.,
Appellants,
75-1355 v.
Karen Hein et al.

On Appeals from the United
States District Court for
the Southern District of
Iowa.

??

[January —, 1977]

MR. JUSTICE STEVENS delivered the opinion of the Court.
Under the program administered by the Secretary of Agriculture and cooperating state agencies pursuant to the Food Stamp Act of 1964, 78 Stat. 703, 7 U. S. C. § 2011 *et seq.*, certain low-income households are entitled to purchase food coupons at a discount. The price an eligible household must pay for food stamps is determined, in part, by its "income" as defined in the applicable federal and state regulations. Under those regulations a transportation allowance, which appellee receives from the State of Iowa and uses to defray the cost of commuting to a nurses' training program, is treated as "income." The questions presented on this appeal are whether those regulations are authorized by the statute and, if so, whether they are constitutional.

Appellee Hein, a divorced woman with custody of two children, is the head of a household receiving assistance.¹

¹ It was stipulated that prior to November 28, 1973, Ms. Hein had no savings and only the following elements of income:

[Footnote 1 is continued on p. 2]

✓
✓
pp. 2, 4-9

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

From: Mr. Justice Stevens

Circulated: JAN 4 77

Recirculated: _____

2nd DRAFT

SUPREME COURT OF THE UNITED STATES

Nos. 75-1261 AND 75-1355

John A. Knebel, Secretary of
Agriculture, Appellant,
75-1261 v.
Karen Hein et al.

Kevin J. Burns, etc., et al.,
Appellants,
75-1355 v.
Karen Hein et al.

On Appeals from the United
States District Court for
the Southern District of
Iowa.

[January —, 1977]

MR. JUSTICE STEVENS delivered the opinion of the Court.

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¹ It was stipulated that prior to November 28, 1973, Ms. Hein had no savings and only the following elements of income:

[Footnote 1 is continued on p. 2]