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Smith v. Organization of Foster Families for Equality & Reform

431 U.S. 816 (1977)

Paul J. Wahlbeck, George Washington University
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Forrest Maltzman, George Washington University



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

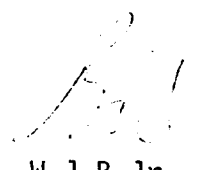
CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR.

October 1, 1976

MEMORANDUM TO THE CONFERENCE

RE: Timeliness of Appeal in No. 76-5200, Gandy v.
Organization of Foster Families for Equality, etc.

I agree with John's recommendation and would Note
this appeal and consolidate it with the other three cases
allowing one and one-half hours oral argument for the
group.


W.J.B. Jr.

76-180
76-183
76-5193
76-5200 } Same
 } file

K. J. [Signature]

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

CHAMBERS OF
JUSTICE JOHN PAUL STEVENS

October 1, 1976

MEMORANDUM TO THE CONFERENCE

RE: Timeliness of Appeal in No. 76-5200 -- Gandy v. Organization Of Foster Families For Equality And Reform (List 1, page 6).

→ | Notice of appeal in this case was noted as filed June 17, 1976, untimely by three days. This was caused by failure of counsel to pay a \$5.00 filing fee until June 15. However, in all other respects the appeal was timely taken in that notice of appeal was given to the clerk of the district court and copies of the notice mailed to the parties by June 11. Under these facts, the appeal was timely taken. Parissi v. Telechron, Inc., 349 U.S. 46 (1955).

Thus, I recommend noting this appeal and consolidating it with the three other Organization of Foster Family, etc., appeals already noted (76-180; 76-183; 76-5193). One and one-half hours oral argument should be granted for the group.

Respectfully,

John

*John concludes
case is
timely*

76-180 }
76-183 } Same
76-5193 } file
76-5200 }