

The Burger Court Opinion Writing Database

Shell Oil Co. v. Dartt

434 U.S. 99 (1977)

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

November 12, 1977

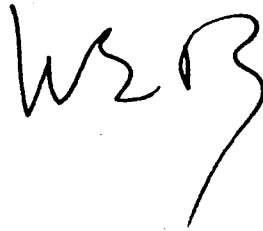
MEMORANDUM TO THE CONFERENCE:

Re: 76-768 Shell v. Dartt

I am taking a second look at this case with consideration of changing my vote to produce a definitive result.

It will be on the next Conference List if I change and on the next Order List if not.

Regards,

A handwritten signature in dark ink, appearing to be "WJBR", written in a cursive, stylized manner.

✓

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

CHAMBERS OF
THE CHIEF JUSTICE

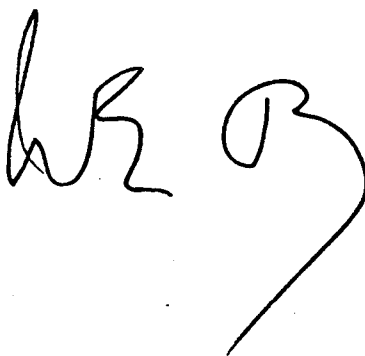
November 21, 1977

Re: 76-678 - Shell Oil Co. v. Dartt

MEMORANDUM TO THE CONFERENCE:

After further consideration of this case, I have decided to adhere to my vote to reverse. This leaves the Court evenly divided, and I shall advise the Clerk to enter the appropriate 4-4 affirmance order on November 28 unless I hear from any member of the Conference in the interim, thus leaving the ambiguity to Congress.

Regards,



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

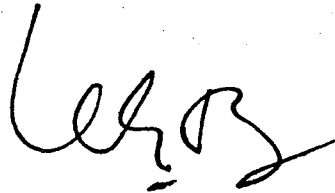
CHAMBERS OF
THE CHIEF JUSTICE

November 23, 1977

RE: 76-678 - Shell Oil Co. v. Dartt

MEMORANDUM TO THE CLERK:

Since the Court is evenly divided in this case, please enter the appropriate 4-4 affirmance order on November 28.



Copies to the Conference

Mr. Justice Stewart
Mr. Justice White
Mr. Justice Marshall
Mr. Justice Blackmun
Mr. Justice Powell
Mr. Justice Roberts
Mr. Justice Stevens

From: The Chief Justice

1st DRAFT

Filed: NOV 28 1977

SUPREME COURT OF THE UNITED STATES

No. 76-678

Shell Oil Company, Petitioner, | On Writ of Certiorari to the
v. | United States Court of Ap-
Anne M. Dartt. | peals for the Tenth Circuit.

[November 29, 1977]

PER CURIAM.

The judgment is affirmed by an equally divided Court.

MR. JUSTICE STEWART took no part in the consideration or
decision of this case.