

# The Burger Court Opinion Writing Database

*Little v. Ciuros*

436 U.S. 1301 (1978)

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SUPREME COURT OF THE UNITED STATES

\_\_\_\_\_  
No. A-1007  
\_\_\_\_\_

Joan Little	)	
	)	
v.	)	
	)	
William Ciuros, Jr., Commissioner of	)	FURTHER APPLICATION FOR STAY
Correction of the City of New York	)	OF EXECUTION OF JUDGMENT
and	)	PENDING APPEAL
	)	
Essie Murph, Superintendent of New	)	
York City Correctional Institution	)	
for Women	)	

(June 7, 1978)

MR. JUSTICE MARSHALL, Circuit Justice.

The application for a stay in this case was denied by the Court on June 5, 1978.

This new application is based on the following allegation:

"Following this Court's denial on June 5, 1978, of Petitioner's original application for the aforesaid stay, counsel for Petitioner has been informed that the Office of the Attorney General of the State of North Carolina has stated publicly that it intends to prosecute Petitioner for the crime of escape upon her return to said jurisdiction."

In support of this new application it is stated:

"Under the principle of specialty, a demanding country may not try an individual who has been extradited for any offense other than that for which extradition was granted, unless the alleged offense

was committed after extradition. United States v. Rauscher, 119 U.S. 407 (1886)."

It just so happens that United States v. Rauscher was controlled by a treaty between the United States and Great Britain. Needless to say, there is no treaty involved here.

The application is, therefore, without legal support and is Denied.