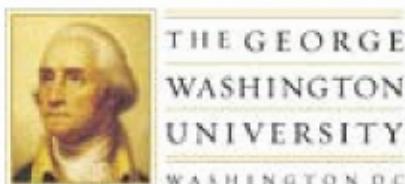


The Burger Court Opinion Writing Database

Sears, Roebuck & Co. v. County of Los Angeles

449 U.S. 1119 (1981)

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

Date? Probably correct.

CHAMBERS OF
THE CHIEF JUSTICE

January 22, 1981

Re: ✓ 78-1577 - Sears, Roebuck & Co. v. County of Los Angeles

(79-700 - Walter Fleisher Co. v. County of Los Angeles

MEMORANDUM TO THE CONFERENCE:

I have been mulling over these cases with a view to possibly changing my vote and breaking the four to four tie. I conclude, however, that I will stand on my initial vote. Unless someone else changes the vote, I would like to see these cases come down next Monday.

I recommend that No. 79-700 - Walter Fleisher Co. v. County of Los Angeles be disposed of by the attached per curiam order. With regard to No. 78-1577 - Sears, Roebuck & Co. v. County of Los Angeles, which was argued last Term and held over but not re-argued this Term, I suggest that we enter a separate order on the Order List stating: "The judgment is affirmed by an equally divided Court. Justice Stewart took no part in the consideration or decision of this case."

Regards,

WRB