

# The Burger Court Opinion Writing Database

## *Chandler v. Florida*

449 U.S. 560 (1981)

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



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

From: The Chief Justice

Circulated: DEC 19 1980

Recirculated: \_\_\_\_\_

1st DRAFT

SUPREME COURT OF THE UNITED STATES

No. 79-1260

Noel Chandler and Robert  
Granger, Appellants, } On Appeal from the Supreme  
v. } Court of Florida.  
State of Florida.

[January —, 1980]

CHIEF JUSTICE BURGER delivered the opinion of the Court.

The question presented on this appeal is whether, consistent with constitutional guarantees, a state may provide for radio, television, and still photographic coverage of a criminal trial for a public broadcast, notwithstanding the objection of the accused.

I

A

*Background.* Over the past 50 years, some criminal cases characterized as "sensational" have been subjected to extensive coverage by news media, sometimes seriously interfering with the conduct of the proceedings, creating a setting wholly inappropriate for the administration of justice. Judges, lawyers and others soon became concerned, and in 1937, after study, the American Bar Association House of Delegates adopted Judicial Canon 35, declaring that all photographic and broadcast coverage of courtroom proceedings should be prohibited.<sup>1</sup> In 1952, the House of Delegates amended Canon

<sup>1</sup> 62 A. B. A. Rep. 1134-1135 (1937). As adopted on September 30, 1937, Judicial Canon 35 read:

"Proceedings in court should be conducted with fitting dignity and decorum. The taking of photographs in the court room, during sessions

REPRODUCED FROM THE COLLECTED MANUSCRIPT DIVISION OF THE FEDERAL BUREAU OF INVESTIGATION

4, 12

17E-1

To: Mr. Justice Brennan  
Mr. Justice Stewart  
Mr. Justice White  
Mr. Justice Marshall  
Mr. Justice Blackmun  
Mr. Justice Powell  
Mr. Justice S. J. Tanenquist  
Mr. Justice Stevens

From: The Chief Justice

Circulated: \_\_\_\_\_

Recirculated: JAN 8 1981

2nd DRAFT

SUPREME COURT OF THE UNITED STATES

No. 79-1260

Noel Chandler and Robert  
Granger, Appellants, } On Appeal from the Supreme  
v. } Court of Florida.  
State of Florida.

[January —, 1980]

CHIEF JUSTICE BURGER delivered the opinion of the Court.

The question presented on this appeal is whether, consistent with constitutional guarantees, a state may provide for radio, television, and still photographic coverage of a criminal trial for a public broadcast, notwithstanding the objection of the accused.

I

A

*Background.* Over the past 50 years, some criminal cases characterized as "sensational" have been subjected to extensive coverage by news media, sometimes seriously interfering with the conduct of the proceedings and creating a setting wholly inappropriate for the administration of justice. Judges lawyers and others soon became concerned, and in 1937, after study, the American Bar Association House of Delegates adopted Judicial Canon 35, declaring that all photographic and broadcast coverage of courtroom proceedings should be prohibited.<sup>1</sup> In 1952, the House of Delegates amended Canon

<sup>1</sup> 62 A. B. A. Rep. 1134-1135 (1937). As adopted on September 30, 1937, Judicial Canon 35 read:

"Proceedings in court should be conducted with fitting dignity and decorum. The taking of photographs in the courtroom, during sessions

REPRODUCED FROM THE COLLECTION OF THE MANUSCRIPT DIVISION OF THE SUPREME COURT OF THE UNITED STATES

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

CHAMBERS OF  
THE CHIEF JUSTICE

January 12, 1981

RE: 79-1260 - Noel Chandler and Robert Granger v. Florida

Dear Potter:

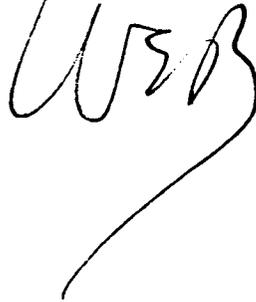
Since my quoting of your "random" discussion in Furman may have misled you, I revise lines 7-9 on page 19 to read as follows:

that it will evoke due process concerns by being "unusual in the same way that being struck by lightning" is "unusual." Furman v. Georgia, 408 U.S. 238, 309

I will also delete the words "a form of cruel and unusual punishment as well as" in line 24 on page 18, since I had no thought of the Eighth Amendment point that you see. I was simply using your graphic "random" analogy.

For me, there may be a risk of due process and equal protection violations in putting a few out of thousands of trials on TV or in a "Yankee Stadium" setting.

Regards,



Justice Stewart

Copies to the Conference

REPRODUCED FROM THE COLLECTION OF THE MANUSCRIPT DIVISION OF THE LIBRARY OF CONGRESS

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

From: The Chief Justice

Circulated: \_\_\_\_\_

Recirculated: JAN 13 1981

3rd DRAFT

SUPREME COURT OF THE UNITED STATES

No. 79-1260

Noel Chandler and Robert  
Granger, Appellants, } On Appeal from the Supreme  
v. } Court of Florida.  
State of Florida.

[January —, 1980]

CHIEF JUSTICE BURGER delivered the opinion of the Court,

The question presented on this appeal is whether, consistent with constitutional guarantees, a state may provide for radio, television, and still photographic coverage of a criminal trial for a public broadcast, notwithstanding the objection of the accused.

I

A

*Background.* Over the past 50 years, some criminal cases characterized as "sensational" have been subjected to extensive coverage by news media, sometimes seriously interfering with the conduct of the proceedings and creating a setting wholly inappropriate for the administration of justice. Judges lawyers and others soon became concerned, and in 1937, after study, the American Bar Association House of Delegates adopted Judicial Canon 35, declaring that all photographic and broadcast coverage of courtroom proceedings should be prohibited.<sup>1</sup> In 1952, the House of Delegates amended Canon

<sup>1</sup> 62 A. B. A. Rep. 1134-1135 (1937). As adopted on September 30, 1937, Judicial Canon 35 read:

"Proceedings in court should be conducted with fitting dignity and decorum. The taking of photographs in the courtroom, during sessions

REPRODUCED FROM THE COLLECTION

MANUSCRIPT DIVISION

U.S. DEPARTMENT OF JUSTICE

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

From: The Chief Justice

Circulated: \_\_\_\_\_

Recirculated: JAN 14 1981

4th DRAFT

## SUPREME COURT OF THE UNITED STATES

No. 79-1260

Noel Chandler and Robert  
Granger, Appellants, } On Appeal from the Supreme  
v. } Court of Florida.  
State of Florida.

[January —, 1980]

CHIEF JUSTICE BURGER delivered the opinion of the Court.

The question presented on this appeal is whether, consistent with constitutional guarantees, a state may provide for radio, television, and still photographic coverage of a criminal trial for public broadcast, notwithstanding the objection of the accused.

I

A

*Background.* Over the past 50 years, some criminal cases characterized as “sensational” have been subjected to extensive coverage by news media, sometimes seriously interfering with the conduct of the proceedings and creating a setting wholly inappropriate for the administration of justice. Judges lawyers and others soon became concerned, and in 1937, after study, the American Bar Association House of Delegates adopted Judicial Canon 35, declaring that all photographic and broadcast coverage of courtroom proceedings should be prohibited.<sup>1</sup> In 1952, the House of Delegates amended Canon

<sup>1</sup> 62 A. B. A. Rep. 1134-1135 (1937). As adopted on September 30, 1937, Judicial Canon 35 read:

“Proceedings in court should be conducted with fitting dignity and decorum. The taking of photographs in the courtroom, during sessions

REPRODUCED FROM THE COLLECTION OF THE MANUSCRIPT DIVISION OF THE LIBRARY OF CONGRESS

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

CHAMBERS OF  
THE CHIEF JUSTICE

January 19, 1981

RE: Chandler v. Florida (#79-1260)

Dear Harry:

Six it is. You can count!

Regards,



Justice Blackmun

Copies to the Conference

REPRODUCED FROM THE COLLECTION OF THE MANUSCRIPT DIVISION OF THE SUPREME COURT OF THE UNITED STATES

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

From: The Chief Justice

Circulated: \_\_\_\_\_

Recirculated: JAN 22 1981

6th DRAFT

**SUPREME COURT OF THE UNITED STATES**

No. 79-1260

Noel Chandler and Robert  
Granger, Appellants, } On Appeal from the Supreme  
v. } Court of Florida.  
State of Florida.

[January —, 1980]

**CHIEF JUSTICE BURGER** delivered the opinion of the Court.

The question presented on this appeal is whether, consistent with constitutional guarantees, a state may provide for radio, television, and still photographic coverage of a criminal trial for public broadcast, notwithstanding the objection of the accused.

**I**

**A**

*Background.* Over the past 50 years, some criminal cases characterized as "sensational" have been subjected to extensive coverage by news media, sometimes seriously interfering with the conduct of the proceedings and creating a setting wholly inappropriate for the administration of justice. Judges lawyers and others soon became concerned, and in 1937, after study, the American Bar Association House of Delegates adopted Judicial Canon 35, declaring that all photographic and broadcast coverage of courtroom proceedings should be prohibited.<sup>1</sup> In 1952, the House of Delegates amended Canon

<sup>1</sup> 62 A. B. A. Rep. 1134-1135 (1937). As adopted on September 30, 1937, Judicial Canon 35 read:

"Proceedings in court should be conducted with fitting dignity and decorum. The taking of photographs in the courtroom, during sessions

71

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

CHAMBERS OF  
THE CHIEF JUSTICE

January 28, 1981

MEMORANDUM TO THE CONFERENCE

RE: Cases held for No. 79-1260, Chandler v Florida

No. 79-1881 -- Agrella v State of Florida

The petitioner claims that by televising ~~of~~ his co-defendant's trial, the state deprived him (the petitioner) of his right to a fair trial.

The petitioner and his co-defendant, Zamora, were indicted and charged with first degree murder. Zamora announced his intention to defend on the grounds that television had intoxicated him to the point where he committed murder. The petitioner's trial was severed from Zamora's, and the trial court apparently invoked a "gag rule" prior to the Zamora trial in order to prevent pretrial publicity from jeopardizing the petitioner's right to a fair trial. However, Zamora's trial, which began in September 1977, was seen by a television audience of millions.?

In October, the petitioner moved for a discharge based upon his claim that the publicity attending Zamora's trial, during which the petitioner's name was mentioned, made it impossible to select an impartial jury. When this motion was denied, petitioner pleaded nolo contendere, reserving his right to appeal on the motion.

The petitioner argues that the Florida court erred in requiring him to come forward with evidence of prejudice, citing the fact that this Court has said or implied on several occasions that, under certain circumstances, prejudice due to pretrial publicity is presumed.

This case presents the fairly typical pretrial publicity issue. Although the petitioner is correct that prejudice may sometimes be presumed, he has not demonstrated that he was subject to such egregious publicity as to warrant that presumption. Given the speculative nature of the claim of prejudice, I WILL VOTE TO DENY.

*shall*

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

CHAMBERS OF  
JUSTICE Wm. J. BRENNAN, JR.

December 30, 1980

RE: No. 79-1260 Chandler v. Florida

Dear Chief:

I have read Harry's comments and share his concerns.  
I hope you will find it convenient to revise the opinion  
to incorporate his suggestions.

Sincerely,



The Chief Justice  
cc: The Conference

REPRODUCED FROM THE COLLECTION OF THE MANUSCRIPT DIVISION

U.S. SUPREME COURT ARCHIVES

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

CHAMBERS OF  
JUSTICE Wm. J. BRENNAN, JR.

January 22, 1981

RE: No. 79-1260 Chandler v. Florida

Dear Chief:

I agree.

Sincerely,

A handwritten signature in cursive script that reads "Bill".

The Chief Justice

cc: The Conference

REPRODUCED FROM THE COLLECTED

MANUSCRIPT DIVISION

LIBRARY OF CONGRESS

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

CHAMBERS OF  
JUSTICE POTTER STEWART

December 19, 1980

Re: 79-1260 - Chandler v. Florida

Dear Chief,

I contemplate the circulation of a concurring opinion, expressing the view that we are obliged in this case to overrule the Estes decision.

Sincerely yours,

P.S.

The Chief Justice

Copies to the Conference

REPRODUCED FROM THE COLLECTED

MANUSCRIPT DIVISION

LIBRARY OF CONGRESS

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

1st DRAFT

From: Mr. Justice Stewart  
DEC 1981

SUPREME COURT OF THE UNITED STATES

No. 79-1260

Circulated: \_\_\_\_\_  
Recirculated: \_\_\_\_\_

Noel Chandler and Robert  
Granger, Appellants, } On Appeal from the Supreme  
v. } Court of Florida.  
State of Florida.

[January —, 1981]

JUSTICE STEWART, concurring in the result.

Although concurring in the judgment, I cannot join the opinion of the Court for at least two reasons: (1) It seems to me that the constitutional guarantee against cruel and unusual punishment is not even remotely involved here, and (2) more important, I think the convictions in this case cannot be affirmed without overruling *Estes v. Texas*, 381 U. S. 532.

The first point needs little elaboration. Suffice it to say that the appellants themselves have not even so much as suggested that the televising of their trial violated the Eighth and Fourteenth Amendments' guarantee against cruel and unusual punishment. The gratuitous importation of that constitutional issue at this juncture takes more ingenuity and imagination than I am able to muster.

As to the *Estes* case, I believe now, as I believed in dissent then, that it announced a *per se* rule that the Fourteenth Amendment "prohibits all television cameras from a state courtroom whenever a criminal trial is in progress." *Estes v. Texas*, 381 U. S. 532, 614 (dissenting opinion); see also *id.*, at 615 (WHITE, J., dissenting). Accordingly, rather than join what seems to me a wholly unsuccessful effort to distinguish that decision, I would now flatly overrule it.

While much was made in the various opinions in *Estes* of the technological improvements that might some day render television coverage of criminal trials less obtrusive, the re-

REPRODUCED FROM THE COLLECTED PAPERS OF THE MANUSCRIPT DIVISION OF THE LIBRARY OF CONGRESS

To: The Chief Justice  
Mr. Justice Brennan  
Mr. Justice  
Mr. Justice  
Mr. Justice  
11

2nd DRAFT

**SUPREME COURT OF THE UNITED STATES**

No. 79-1260

Noel Chandler and Robert  
Granger, Appellants,  
v.  
State of Florida. } On Appeal from the Supreme  
Court of Florida.

[January —, 1981]

JUSTICE STEWART, concurring in the result.

Although concurring in the judgment, I cannot join the opinion of the Court for at least two reasons: (1) It seems to me that the constitutional guarantee against cruel and unusual punishment is not even remotely involved here, and (2) more important, I think the convictions in this case cannot be affirmed without overruling *Estes v. Texas*, 381 U. S. 532.

The first point needs little elaboration. Suffice it to say that the appellants themselves have not even so much as suggested that the televising of their trial amounted to cruel and unusual punishment. To suggest that this constitutional protection is relevant here requires more ingenuity and imagination than I am able to muster.

As to the *Estes* case. I believe now, as I believed in dissent then, that it announced a *per se* rule that the Fourteenth Amendment "prohibits all television cameras from a state courtroom whenever a criminal trial is in progress." *Estes v. Texas*, 381 U. S. 532, 614 (dissenting opinion); see also *id.*, at 615 (WHITE, J., dissenting). Accordingly, rather than join what seems to me a wholly unsuccessful effort to distinguish that decision, I would now flatly overrule it.

While much was made in the various opinions in *Estes* of the technological improvements that might some day render television coverage of criminal trials less obtrusive, the re-

REPRODUCED FROM THE COLLECTION

THE MANUSCRIPT DIVISION

U. S. DEPARTMENT OF JUSTICE



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

CHAMBERS OF  
JUSTICE BYRON R. WHITE

December 22, 1980

Re: No. 79-1260 -- Chandler v.  
Florida

---

Dear Chief,

I shall await Potter's writing in  
this case.

Sincerely,

*B. White*

The Chief Justice

Copies to the Conference

REPRODUCED FROM THE COLLECTION OF THE MANUSCRIPT DIVISION

OFFICE OF THE CLERK OF THE SUPREME COURT

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

From: Mr. Justice White

Circulated: 1-7-81

Recirculated: \_\_\_\_\_

1st DRAFT

**SUPREME COURT OF THE UNITED STATES**

No. 79-1260

Noel Chandler and Robert  
Granger, Appellants, } On Appeal from the Supreme  
v. } Court of Florida.  
State of Florida.

[January —, 1981]

JUSTICE WHITE, concurring in the judgment.

The Florida rule, which permits the televising of criminal trials under controlled conditions, is challenged here on its face and as applied. Appellants contend that the rule is facially invalid because the televising of *any* criminal trial over the objection of the defendant inherently results in a constitutionally unfair trial; they contend that the rule is unconstitutional as applied to them because their case attracted substantial publicity and, therefore, falls within the rule established in *Estes v. United States*, 381 U. S. 532 (1965).<sup>\*</sup> The Florida court rejected both of these claims.

For the reasons stated by JUSTICE STEWART in his concurrence today, I think *Estes* is fairly read as establishing a *per se* constitutional rule against televising any criminal trial if the defendant objects. So understood, *Estes* must be overruled to affirm the judgment below.

It is arguable, however, that *Estes* should be read more narrowly, in light of Justice Harlan's concurring opinion, as forbidding the televising of only widely publicized and sensa-

<sup>\*</sup>In their motion in the Florida Circuit Court to declare Florida's rule unconstitutional, appellants claimed that their case had "received a substantial amount of publicity" and then argued that "[a]s in . . . *Estes v. Texas*, 381 U. S. 536 (1968), the presence of television cameras . . . will substantially harm and impair the Defendant's right to a fair and impartial trial. . . ." App., p. 4. In their brief on the merits, appellants described their case as "not 'notorious' [but] at least 'more than routine'" and asked the Court to extend the *Estes* rule to it.

REPRODUCED FROM THE COLLECTED MANUSCRIPT DIVISION OF THE LIBRARY OF CONGRESS

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

CHAMBERS OF  
JUSTICE HARRY A. BLACKMUN

December 29, 1980

Re: No. 79-1260 - Chandler v. Florida

Dear Chief:

Although I hope to be able to join your proposed opinion for the Court, I have a few concerns with the opinion in its present form and offer them to you for your consideration. I list them in no special order of importance.

(1) The opinion does not distinguish between the risk of prejudicial publicity and the risk of adverse psychological impact on various trial participants. On the former score, it would be useful, in my view, to point out that cases attracting a high level of publicity do so more because of their intrinsic interest to the public than because of the mode of media exposure. This certainly was evident in Estes, and it seems true as well for the recent Zamora and McDuffie trials in Florida. In such circumstances, any type of media coverage is capable of creating an impression of guilt or innocence. Assuming arguendo that more people are likely to watch the news than read about it, the incremental risk of juror prejudice seems to me a difference in degree rather than kind. Along these lines, there might be some value in connecting the analysis here to the more particularized assessment of prejudicial publicity set forth in Murphy v. Florida.

(2) I believe the Court should address specifically the defendants' objection to television in the courtroom. Florida's refusal to require a defendant's consent distinguishes it from many other States, yet the safeguards referred to on page 15 do not really differentiate between a defendant and any other witness. These defendants apparently never requested an evidentiary hearing to show special impact or injury, and the record does not indicate that their subjective aversion rose to the level of a cognizable due process risk. Failure to discuss this problem, which appellants emphasize in their reply brief, may convey that the Court is entirely indifferent as to its resolution.

(3) The opinion in several places refers to the advances in television technology since Estes. While I perhaps can understand your reluctance to cite with approval these technical improvements, or any asserted benefits in news-gathering capabilities, some elaboration as to the potential

REPRODUCED FROM THE COLLECTED MANUSCRIPT DIVISION OF THE SUPREME COURT OF THE UNITED STATES

benefits of televised trials (perhaps by reference to the amicus briefs) would convey more clearly why this is perceived as an important controversy.

I offer these suggestions with the hope that you will feel able to incorporate at least some of them. I share your reading of Estes, and, as I say, I hope to join your opinion in its final form.

Sincerely,

*H. C. S.*

The Chief Justice

cc: The Conference

REPRODUCED FROM THE COLLECTION OF THE MANUSCRIPT DIVISION

OFFICE OF THE CLERK OF THE SUPREME COURT

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

CHAMBERS OF  
JUSTICE HARRY A. BLACKMUN

January 19, 1981

Re: No. 79-1260 - Chandler v. Florida

Dear Chief:

The changes effectuated by your recirculation of January 8 met most of the concerns expressed in my letter of December 29. I therefore am glad to join your last recirculation of January 14.

I have only two final comments:

1. I am not really sure that the ultimate disposition of Estes v. Texas, by way of overruling it or not overruling it, is very important. Whether overruled or not, Estes now certainly fades into the background. Yet the several opinions in the present case present much argument about the status of Estes. Perhaps it cannot be avoided.

2. On pages 9, 11, and 15 of your current draft are references to the "seven" opinions in Estes. Perhaps I can't count, but I am able to find only six. Am I in error?

Sincerely,

HAB.

The Chief Justice

cc: The Conference

REPRODUCED FROM THE COLLECTED MANUSCRIPT DIVISION OF THE FEDERAL BUREAU OF INVESTIGATION

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

CHAMBERS OF  
JUSTICE LEWIS F. POWELL, JR.

December 30, 1980

No. 79-1260 Chandler v. Florida

Dear Chief:

A first reading of your opinion impressed me quite favorably, and I expect to join it.

I do think, however, that the draft is not clear as to the protection that the Constitution affords a defendant who objects to his trial being televised. I appreciate that you keep the options open pending developments in State law and better empirical data. Nonetheless, I am inclined to think it desirable that we make explicit that the defendant who makes a timely motion to exclude the cameras, and alleges specific harms that he fears will occur, is entitled as a matter of right to a hearing. We have precedent for such a requirement in Richmond Newspapers and in my concurring opinion in Gannett.

The enduring concern of Estes is that the presence of the camera may impair the fairness of a trial, but not leave evidence of specific prejudice. The purpose of a hearing would be (i) to enable a defendant to advance at the outset whatever grounds he may have as to why he thinks electronic media coverage would affect the fairness of his trial, (ii) to enable the court to prescribe in advance appropriate protective measures, and (iii) to facilitate the post-trial evaluation of untoward events that may occur.

I also would leave open whether a witness may object to his testimony being recorded for television or radio. Although the witness' interest may be the mere desire for privacy, some witnesses may satisfy a court that their testimony could not be fair and impartial when given with the knowledge that they may be on the public stage of the evening television news.

While I am concerned about preserving the rights of defendants, I agree that states should be allowed to experiment. Such experimentation will not be deterred by cautioning words from this Court. In the present case, I agree that the convictions should be affirmed because the defendants neither requested a hearing nor alleged specific dangers of prejudice.

Sincerely,

The Chief Justice

lfp/ss  
cc: The Conference



REPRODUCED FROM THE COLLECTED MANUSCRIPT DIVISION OF THE LIBRARY OF CONGRESS

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

CHAMBERS OF  
JUSTICE LEWIS F. POWELL, JR.

January 9, 1981

79-1260 Chandler v. Florida

Dear Chief:

Please join me in your opinion as recirculated on  
January 8.

Sincerely,

*Lewis*

The Chief Justice

lfp/ss

cc: The Conference

REPRODUCED FROM THE COLLECTION

THE MANUSCRIPT DIVISION

OFFICE OF THE CLERK OF THE SUPREME COURT

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

CHAMBERS OF  
JUSTICE WILLIAM H. REHNQUIST

December 22, 1980

Re: No. 79-1260 Chandler v. Florida

Dear Chief,

Please join me.

Sincerely,



The Chief Justice

Copies to the Conference

REPRODUCED FROM THE COLLECTION OF THE MANUSCRIPT DIVISION

U.S. SUPREME COURT MANUSCRIPT DIVISION

CHAMBERS OF  
JUSTICE JOHN PAUL STEVENS

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

November 12, 1980

Re: 79-1260 - Chandler et al. v. Florida

Dear Chief:

For reasons that I will explain at the Conference,  
I have concluded that I should disqualify myself in  
this case.

Respectfully,

The Chief Justice

Copies to the Conference

REPRODUCED FROM THE COLLECTED MANUSCRIPT DIVISION

OFFICE OF THE CLERK OF THE SUPREME COURT OF THE UNITED STATES

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

CHAMBERS OF  
JUSTICE JOHN PAUL STEVENS

December 22, 1980

Re: 79-1260 - Chandler v. Florida

Dear Chief:

Please note that I took no part in the  
consideration or decision of this case.

Respectfully,



The Chief Justice

Copies to the Conference

REPRODUCED FROM THE COLLECTION OF THE MANUSCRIPT DIVISION  
SERIALS ACQUISITION DIVISION

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

CHAMBERS OF  
JUSTICE JOHN PAUL STEVENS

January 13, 1981

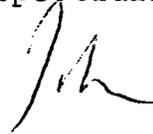
Re: 79-1260 - Chandler v. Florida

Dear Chief:

It's a small point but since I was on the bench during the oral argument, I suppose the proper notation at the end of the opinion should be:

"Justice Stevens took no part in the decision of this case."

Respectfully,



The Chief Justice

Copies to the Conference

REPRODUCED FROM THE COLLECTED MANUSCRIPT DIVISION OF THE SUPREME COURT OF THE UNITED STATES