

# The Burger Court Opinion Writing Database

## *Dixson v. United States*

465 U.S. 482 (1984)

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

February 1, 1984

RECEIVED  
SUPREME COURT  
JUSTICE

'84 JAN 33 AIO :07

Re: (82-5279 - Dixson v. United States  
(  
(82-5331 - Hinton v. United States

Dear Thurgood:

I join.

Regards,



Justice Marshall

Copies to the Conference

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

CHAMBERS OF  
JUSTICE WM. J. BRENNAN, JR.

October 17, 1983

No. 82-5279

Dixon v. United States

No. 82-5331

Hinton v. United States

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Dear Bill, John and Sandra,

We four are in dissent in the  
above. Would you mind taking on the  
dissent, Sandra?

Sincerely,



Justice Rehnquist

Justice Stevens

Justice O'Connor

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

CHAMBERS OF  
JUSTICE WM. J. BRENNAN, JR.

February 13, 1984

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SUPREME COURT U.S.  
JUSTICE WM. J. BRENNAN, JR.

'84 FEB 13 P2:43

Nos. 82-5279 & 82-5331

Dixon v. United States, etc.

Dear Sandra,

Please join me in your dissent in  
the above.

Sincerely,



Justice O'Connor

Copies to the Conference



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

CHAMBERS OF  
JUSTICE BYRON R. WHITE

RECORDED  
SUPREME COURT  
JUSTICE

January 17, 1984

'84 JAN 17 A10:02

Re: 82-5279 and 82-5331 -

Dixon v. United States  
Hinton v. United States

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Dear Thurgood,

Please join me.

Sincerely,

Justice Marshall

Copies to the Conference

cpm

To: The Chief Justice  
Justice Brennan  
Justice White  
Justice Blackmun  
Justice Powell  
Justice Rehnquist  
Justice Stevens  
Justice O'Connor

RECEIVED  
SUPREME COURT U.S.  
JUSTICE

From: **Justice Marshall**

**JAN 13 1984**

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'84 JAN 13 P1:43

1st DRAFT

## SUPREME COURT OF THE UNITED STATES

Nos. 82-5279 AND 82-5331

82-5279                      ARTHUR DIXSON, PETITIONER  
*v.*  
UNITED STATES

82-5331                      JAMES LEE HINTON, PETITIONER  
*v.*  
UNITED STATES

ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF  
APPEALS FOR THE SEVENTH CIRCUIT

[January —, 1984]

JUSTICE MARSHALL delivered the opinion of the Court.

These consolidated cases present the question whether officers of a private, nonprofit corporation administering and expending federal community development block grants are "public officials" for purposes of the federal bribery statute. 18 U. S. C. § 201(a).

### I

In 1979, the City of Peoria received two federal block grants from the Department of Housing and Urban Development (HUD). The first was a \$400,000 Community Development Block Grant; the second a \$636,000 Metro Reallocation Grant. Both grants were funded through the Housing and Community Development Act of 1974, 88 Stat. 633, as amended, 42 U. S. C. §§ 5301-5320 (1976 ed. and Supp. V). Under that Act, the Secretary of HUD is authorized to dispense federal block grants to state and local governments and nonprofit community organizations for urban renewal programs such as the rehabilitation of residential structures, code enforcement in deteriorating areas, and the construction of public works projects.

STYLISTIC CHANGES THROUGHOUT.

3, 4, 5, 14

To: The Chief Justice  
Justice Brennan  
Justice White  
Justice Blackmun  
Justice Powell  
Justice Rehnquist  
Justice Stevens  
Justice O'Connor

From: **Justice Marshall**

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

Recirculated: FEB 16 1984

2nd DRAFT

**SUPREME COURT OF THE UNITED STATES**

Nos. 82-5279 AND 82-5331

82-5279                      ARTHUR DIXSON, PETITIONER  
*v.*  
UNITED STATES

82-5331                      JAMES LEE HINTON, PETITIONER  
*v.*  
UNITED STATES

ON WRITS OF CERTIORARI TO THE UNITED STATES COURT OF  
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I

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CHAMBERS OF  
JUSTICE HARRY A. BLACKMUN

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

January 20, 1984

Re: No. 82-5279 - Dixon v. United States  
No. 82-5331 - Hinton v. United States

Dear Thurgood:

Please join me.

Sincerely,

Justice Marshall

cc: The Conference



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

CHAMBERS OF  
JUSTICE LEWIS F. POWELL, JR.

SUPREME COURT OF THE UNITED STATES  
JUSTICE LEWIS F. POWELL, JR.

'84 JAN 17 A10 :02

January 17, 1984

82-5279 Dixon v. United States

Dear Thurgood:

Please join me.

Sincerely,

*Lewis*

Justice Marshall

lfp/ss

cc: The Confernce

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

CHAMBERS OF  
JUSTICE WILLIAM H. REHNQUIST

RECEIVED  
FEBRUARY 13, 1984  
SUPREME COURT, U.S.  
JUSTICE REHNQUIST

Re: Nos. 82-5279 & 82-5331 Dixson v. United States 84 FEB 13 13:17

Dear Sandra:

Please join me in your dissent.

Sincerely,

*W*

Justice O'Connor

cc: The Conference

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

CHAMBERS OF  
JUSTICE JOHN PAUL STEVENS

January 17, 1984

Re: 82-5279 and 82-5331 - Dixson v. United  
States; Hinton v. United States

Dear Thurgood:

Although the Government's brief did not persuade me, your opinion does. Please join me.

Respectfully,



Justice Marshall

Copies to the Conference

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

CHAMBERS OF  
JUSTICE JOHN PAUL STEVENS

February 10, 1984

Re: 82-5279 and 82-5331 - Dixson v. United  
States; Hinton v. United States

Dear Thurgood:

It is always embarrassing for me to have to admit that I was wrong. It is especially embarrassing to find it necessary to do so twice in the same case. I still think you have written a fine opinion, but after studying the case again I have concluded that Sandra's reading of this opaque statute is the better one. Accordingly, I would be most grateful if you will "unjoin" me.

Respectfully,



Justice Marshall

Copies to the Conference

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

CHAMBERS OF  
JUSTICE SANDRA DAY O'CONNOR

October 17, 1983

No. 82-5279 Dixon v. United States  
No. 82-5331 Hinton v. United States

Dear Bill,

As you know, at Conference my vote in these cases was tentative. I will be glad to take a look at the majority draft when it is circulated, and if I then think I can constructively articulate an appropriate dissent, I will produce one. If I am not so persuaded, I may have to ask your leave to withdraw. If that is agreeable, I will "tentatively" plan to draft a dissent.

Sincerely,



Justice Brennan

cc: Justice Rehnquist  
Justice Stevens

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

CHAMBERS OF  
JUSTICE SANDRA DAY O'CONNOR

January 17, 1984

RECEIVED  
SUPREME COURT U.S.  
JUSTICE SANDRA DAY O'CONNOR

'84 JAN 18 A10:05

No. 82-5279 Dixon v. United States  
No. 82-5331 Hinton v. United States

Dear Thurgood,

You have written a reasonable opinion in this case, but I still believe a good case can and should be made for the opposing view.

In due course, I will circulate a dissent.

Sincerely,

*Sandra*

Justice Marshall

Copies to the Conference



