

The Burger Court Opinion Writing Database

McDonald v. West Branch

466 U.S. 284 (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

March 30, 1984

RE: 83-219 - McDonald v. City of West Branch,
Michigan

Dear Bill:

I join.

Regards,

A handwritten signature in black ink, appearing to be 'WB', written over the typed word 'Regards,'.

Justice Brennan

Copies to the Conference

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

From: **Justice Brennan**

Circulated: MAR 29 1984

Recirculated: _____

Handwritten signature
1st DRAFT

SUPREME COURT OF THE UNITED STATES

No. 83-219

GARY McDONALD, PETITIONER *v.* CITY OF
WEST BRANCH, MICHIGAN, ET AL.

ON WRIT OF CERTIORARI TO THE UNITED STATES COURT OF
APPEALS FOR THE SIXTH CIRCUIT

[March —, 1984]

JUSTICE BRENNAN delivered the opinion of the Court.

The question presented in this § 1983 action is whether a federal court may accord preclusive effect to an unappealed arbitration award in an case brought under that statute.¹ In an unpublished opinion, the Court of Appeals for the Sixth Circuit held that such awards have preclusive effect. We granted certiorari, 464 U. S. — (1983), and now reverse.

I

On November 26, 1976, petitioner Gary McDonald, then a West Branch, Michigan Police Officer, was discharged. McDonald filed a grievance pursuant to the collective-bargaining agreement then in force between West Branch and the United Steelworkers of America (the Union), contending that there was "no proper cause" for his discharge, and that, as a result, the discharge violated the collective-bargaining agree-

¹42 U. S. C. § 1983 provides in pertinent part:

"Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State . . . subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."

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

CHAMBERS OF
JUSTICE BYRON R. WHITE

'84 MAR 30 09:45
March 30, 1984

Re: 83-219 - McDonald v. City of West Branch

Dear Bill,

Please join me.

Sincerely yours,



Justice Brennan

Copies to the Conference

cpm

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

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

March 30, 1984

Re: No. 83-219-McDonald v. Michigan

Dear Bill:

Please join me.

Sincerely,



T.M.

Justice Brennan

cc: The Conference

RECEIVED
SUPREME COURT OF THE UNITED STATES
903
Supreme Court of the United States
Washington, D. C. 20543

'84 MAR 30 A9:27

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

March 30, 1984

Re: No. 83-219 - McDonald v. City of West Branch, Michigan

Dear Bill:

Please join me.

Sincerely,



Justice Brennan

cc: The Conference

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

RECEIVED
SUPREME COURT U.S.
JUSTICE POWELL

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

'84 MAR 30 A9:28

March 29, 1984

83-219 McDonald v. City of West Branch

Dear Bill:

Please join me.

Sincerely,

Lewis

Justice Brennan

lfp/ss

cc: The Conference

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

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

March 29, 1984

Re: No. 83-219 McDonald v. City of West Branch

Dear Bill:

Please join me.

Sincerely,

wm

Justice Brennan

cc: The Conference

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

CHAMBERS OF
JUSTICE JOHN PAUL STEVENS

March 29, 1984

Re: 83-219 - McDonald v. City of West
Branch, Michigan

Dear Bill:

Please join me.

Respectfully,



Justice Brennan

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

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

'84 MAR 30 A9:28

CHAMBERS OF
JUSTICE SANDRA DAY O'CONNOR

March 29, 1984

Re: No. 83-219 McDonald v. City of West Branch,
Michigan

Dear Bill,

Please join me.

Sincerely,



Justice Brennan

Copies to the Conference