

The Burger Court Opinion Writing Database

United States v. Morton

467 U.S. 822 (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

RECEIVED
SUPREME COURT, U.S.
JUSTICE MARSHALL

June 12, 1984

84 JUN 13 09:44

6
CHAMBERS OF
THE CHIEF JUSTICE

Re: 83-916 - U.S. v. Morton

Dear John:

I join.

Regards,



Justice Stevens

Copies to the Conference



CHAMBERS OF
JUSTICE Wm. J. BRENNAN, JR.

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

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SUPREME COURT, U.S.
JUSTICE MARSHALL

24 JUN -4 11:30

June 4, 1984

No. 83-916

United States v. Morton

Dear John,

I agree.

Sincerely,
Bill

Justice Stevens

Copies to the Conference



Supreme Court of the United States

Washington, D.C. 20543
SUPREME COURT, U.S.
JUSTICE MARSHALL

CHAMBERS OF
JUSTICE BYRON R. WHITE

71 JUN -5 11:14 June 5, 1984

Re: 83-916 - United States v. Morton

Dear John,

Please join me.

Sincerely yours,

Justice Stevens

Copies to the Conference

cpm



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

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

June 1, 1984

Re: No. 83-916 - United States v. Morton

Dear John:

Please join me.

Sincerely,

J.M.
T.M.

Justice Stevens

cc: The Conference

5

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

June 6, 1984

RECEIVED
SUPREME COURT, U.S.
JUSTICE MARSHALL

74 JUN -6 19:31

Re: No. 83-916, United States v. Morton

Dear John:

Please join me.

Sincerely,



Justice Stevens

cc: The Conference

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

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

June 1, 1984

83-916 United States v. Morton

Dear John:

Please join me.

Sincerely,

Lewis

Justice Stevens

lfp/ss

cc: The Conference



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

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

June 1, 1984

Re: No. 83-916 United States v. Morton

Dear John:

Please join me.

Sincerely,

Justice Stevens

cc: The Conference

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84 90-1

RECEIVED
SUPREME COURT, U.S.
JUSTICE MARSHALL

'84 JUN -4 10:18
STYLISH CHANGES THROUGHOUT.
SEE PAGES: 13

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

From: Justice Stevens

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JUN 4 1984

2nd DRAFT

SUPREME COURT OF THE UNITED STATES

No. 83-916

UNITED STATES, PETITIONER *v.*
ALLAN WAYNE MORTON

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

[June —, 1984]

JUSTICE STEVENS delivered the opinion of the Court.

The question presented is whether the United States is liable for sums withheld from the pay of one of its employees because it complied with a direction to withhold those sums contained in a writ of garnishment issued by a court without personal jurisdiction over the employee.

On December 27, 1976, respondent, a Colonel in the United States Air Force, was stationed at Elmendorf Air Force Base in Alaska. On that date Elmendorf's Finance Office received by certified mail a writ of garnishment, accompanied by a copy of a judgment against respondent that had been issued by the Circuit Court for the Tenth Judicial Circuit of Alabama in a divorce proceeding. The writ, which was in the regular form used in Alabama, directed the Air Force to withhold \$4,100 of respondent's pay to satisfy sums due under the judgment "for alimony and child support." The Finance Office promptly notified respondent that it had received the writ. On advice from an Air Force attorney, respondent told the Finance Office that the state court's order was void because the Alabama court had no jurisdiction over him. Nevertheless, the Finance Officer honored the writ and paid \$4,100 to the Clerk of the Alabama court, deducting that amount from respondent's pay. Subsequently additional writs of garnishment were served on the Air Force with similar results.

STYLISTIC CHANGES THROUGHOUT.
SEE PAGES.

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SUPREME COURT, U.S.
JUSTICE MARSHALL

'84 JUN -7 A9:30

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

From: Justice Stevens

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2nd DRAFT

SUPREME COURT OF THE UNITED STATES

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

CHAMBERS OF
JUSTICE SANDRA DAY O'CONNOR

June 1, 1984

Re: No. 83-916 United States v. Morton

Dear John,

Please join me.

Sincerely,

Sandra

Justice Stevens

Copies to the Conference