

The Burger Court Opinion Writing Database

Reed v. Campbell

476 U.S. 852 (1986)

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





CHAMBERS OF
THE CHIEF JUSTICE

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

June 4, 1986

85-755 - Reed v. Campbell

Dear John:

I join.

Regards,

Justice Stevens

Copies to the Conference

(6)

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

CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR.

May 28, 1986

No. 85-755

Reed v. Campbell

Dear John,

I agree.

Sincerely,



Justice Stevens

Copies to the Conference

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

CHAMBERS OF
JUSTICE BYRON R. WHITE

May 27, 1986

85-755 - Reed v. Campbell

Dear John,

Please join me.

Sincerely yours,

A handwritten signature in black ink, appearing to be "Byron", written in a cursive style.

Justice Stevens

Copies to the Conference



CHAMBERS OF
JUSTICE THURGOOD MARSHALL

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

June 4, 1986

Re: No. 85-755-Reed v. Campbell

Dear John:

Please join me.

Sincerely,

Jm.
T.M.

Justice Stevens

cc: The Conference

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

May 28, 1986

Re: No. 85-755, Reed v. Campbell

Dear John:

Please join me.

Sincerely,

A handwritten signature in black ink, appearing to read "Harry", with a horizontal line underneath it.

Justice Stevens

cc: The Conference

1250 10

(H)

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

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

May 27, 1986

85-755 Reed v. Campbell

Dear John:

Please join me.

Sincerely,

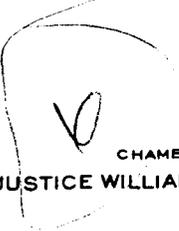


Justice Stevens

lfp/ss

cc: The Conference

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


CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

May 28, 1986

Re: 85-755 - Reed v. Campbell

Dear John:

Please join me.

Sincerely,

wm

Justice Stevens

cc: The Conference

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

From: **Justice Stevens**

Circulated: MAY 27 1986

Recirculated: _____

1st DRAFT

SUPREME COURT OF THE UNITED STATES

No. 85-755

DELYNDA ANN RICKER BARKER REED, APPELLANT *v.* PRINCESS ANN RICKER CAMPBELL, INDIVIDUALLY, AND AS ADMINISTRATRIX OF THE ESTATE OF PRINCE RUPERT RICKER, DECEASED

ON APPEAL FROM THE COURT OF APPEALS OF TEXAS,
 EIGHTH SUPREME JUDICIAL DISTRICT

[May —, 1986]

JUSTICE STEVENS delivered the opinion of the Court.

Prince Ricker, appellant's father, died intestate on December 22, 1976. At that time, § 38 of the Texas Probate Code provided that a decedent's estate should descend to "his children and their descendants,"¹ but § 42 prohibited an illegitimate child from inheriting from her father unless her parents had subsequently married.² In *Trimble v. Gordon*, 430 U. S. 762 (1977)—decided four months after Ricker's death—we held that a total statutory disinheritance, from the paternal estate, of children born out of wedlock and not legitimated by the subsequent marriage of their parents is unconstitutional. In this case, the Texas Court of Appeals held that § 42 of the Texas probate code nevertheless pre-

¹ See Texas Probate Code § 38 (Vernon 1980) ("Where any person having title to any estate, . . . shall die intestate, leaving no husband or wife, it shall descend and pass in parcenary to his kindred, male and female, in the following course: 1. To his children and their descendants . . .").

² See Texas Probate Code § 42 (1955) ("For the purpose of inheritance to, through, and from an illegitimate child, such child shall be treated the same as if he were the legitimate child of his mother, so that he and his issue shall inherit from his mother and from his maternal kindred, both descendants, ascendants, and collaterals in all degress, and they may inherit from him") (emphasis added).

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

From: Justice Stevens

Circulated: _____

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Handwritten: JTS
Please see me
FW

2nd DRAFT

SUPREME COURT OF THE UNITED STATES

No. 85-755

DELYNDA ANN RICKER BARKER REED, APPELLANT *v.* PRINCESS ANN RICKER CAMPBELL, INDIVIDUALLY, AND AS ADMINISTRATRIX OF THE ESTATE OF PRINCE RUPERT RICKER, DECEASED

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¹ See Tex. Prob. Code Ann. § 38(a) (Vernon 1980) ("Where any person having title to any estate, . . . shall die intestate, leaving no husband or wife, it shall descend and pass in parcenary to his kindred, male and female, in the following course: 1. To his children and their descendants . . .").

² See Tex. Prob. Code Ann. § 42 (Vernon 1956) ("For the purpose of inheritance to, through, and from an illegitimate child, such child shall be treated the same as if he were the legitimate child of his mother, so that he and his issue shall inherit from his mother and from his maternal kindred, both descendants, ascendants, and collaterals in all degrees, and they may inherit from him") (emphasis added).

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

CHAMBERS OF
JUSTICE SANDRA DAY O'CONNOR

May 27, 1986

No. 85-755 Reed v. Campbell

Dear John,

Please join me.

Sincerely,



Justice Stevens

Copies to the Conference

MAY 28 1986