

The Burger Court Opinion Writing Database

Paulussen v. Herion

475 U.S. 557 (1986)

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

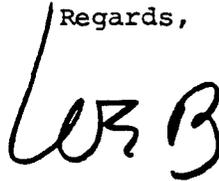
March 11, 1986

Re: 85-88 - Barbara Ann Paulussen v. Herion

Dear Sandra:

I join.

Regards,

A handwritten signature in black ink, consisting of the letters 'W', 'B', and 'B' in a stylized, cursive font. The 'W' and 'B' are connected, and the second 'B' is slightly larger and more prominent.

Justice O'Connor

Copies to the Conference

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

CHAMBERS OF
JUSTICE Wm. J. BRENNAN, JR.

March 10, 1986

No. 85-88

Paulussen v. Herion

Dear Sandra,

I agree.

Sincerely,

Bill

Justice O'Connor

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NO 11 1986

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

CHAMBERS OF
JUSTICE BYRON R. WHITE

March 10, 1986

85-88 - Paulussen v. Herion

Dear Sandra,

Please join me.

Sincerely yours,



Justice O'Connor

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

CHAMBERS OF
JUSTICE THURGOOD MARSHALL

March 10, 1986

Re: No. 85-88-Paulussen v. Herion

Dear Sandra:

Please join me in your Per Curiam.

Sincerely,

T.M.
T.M.

Justice O'Connor

cc: The Conference

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

March 11, 1986

Re: No. 85-88, Paulussen v. Herion

Dear Sandra:

Please join me in the proposed per curiam.

Sincerely,



Justice O'Connor

cc: The Conference

RECEIVED
MAR 11 1986

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85-88

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

May 21, 1986

Dear Sandra:

A motion to retax costs in No. 85-88, Paulussen v. Herion, appears on page 5 of tomorrow's conference list. The matter has not been marked for discussion and thus, presumably, will be denied. Will you please note on the public record that I would grant the motion and thus dissent.

Sincerely,

Harry

Justice O'Connor

cc: The Conference

Mr. Joseph F. Spaniol, Jr.
Clerk of the Court

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

CHAMBERS OF
JUSTICE LEWIS F. POWELL, JR.

March 10, 1986

85-88 Paulssen v. Herion

Dear Sandra:

I agree with your Per Curiam.

Sincerely,



Justice O'Connor

lfp/ss

cc: The Conference

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

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

March 10, 1986

Re: 85-88 - Paulussen v. Herion

Dear Sandra:

I agree with the proposed Per Curiam in this case.

Sincerely



Justice O'Connor

cc: The Conference

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

CHAMBERS OF
JUSTICE JOHN PAUL STEVENS

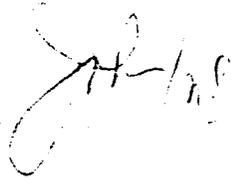
March 10, 1986

Re: 85-88 - Paulussen v. Herion

Dear Sandra:

Please join me.

Respectfully,



Justice O'Connor

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

From: Justice O'Connor

Circulated: MAR 10 1986

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SDO
Barbara Paulussen v. George Herion
per Curiam

1st DRAFT

SUPREME COURT OF THE UNITED STATES

No. 85-88

**BARBARA ANN PAULUSSEN v. GEORGE
RONALD HERION**

ON APPEAL FROM THE SUPERIOR COURT OF PENNSYLVANIA,
PHILADELPHIA OFFICE

[March —, 1986]

PER CURIAM

On February 17, 1980, appellant Barbara Paulussen filed a paternity and child support petition in a Bucks County, Pennsylvania court on behalf of her daughter, who was then seven years old. The petition alleged that the daughter had been born out of wedlock, that appellee George Herion was her natural father, and that he had ceased making contributions to her support in April of 1975. Appellee offered as a defense the time bar of the Pennsylvania statute of limitations, which at the time required that paternity actions be commenced within six years of the child's birth or within two years of the putative father's last voluntary support contribution or written acknowledgement of paternity. 42 Pa. C. S. A. §6704(e) (repealed). The defense was sustained against appellant's contention that the statute violated the Equal Protection Clause of the Fourteenth Amendment to the Federal Constitution. The Superior Court affirmed, — Pa. —, 483 A. 2d 892 (Pa. Super. 1985), and the Supreme Court of Pennsylvania denied discretionary review. Appellant sought appeal in this Court, and, on October 15, 1985, we noted probable jurisdiction. — U. S. — (1985).

On October 30, 1985, Pennsylvania enacted 43 Pa. C. S. A. §4343(b), which provides that a child born out of wedlock may commence a paternity action at any time within 18 years

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

From: Justice O'Connor

Circulated: _____

MAR 11 1986

Recirculated: _____

2nd DRAFT

SUPREME COURT OF THE UNITED STATES

No. 85-88

BARBARA ANN PAULUSSEN *v.* GEORGE
RONALD HERION

ON APPEAL FROM THE SUPERIOR COURT OF PENNSYLVANIA,
PHILADELPHIA OFFICE

[March —, 1986]

PER CURIAM

On February 17, 1980, appellant Barbara Paulussen filed a paternity and child support petition in a Bucks County, Pennsylvania court on behalf of her daughter, who was then seven years old. The petition alleged that the daughter had been born out of wedlock, that appellee George Herion was her natural father, and that he had ceased making contributions to her support in April 1975. Appellee offered as a defense the time bar of the Pennsylvania statute of limitations, which at the time required that paternity actions be commenced within six years of the child's birth or within two years of the putative father's last voluntary support contribution or written acknowledgment of paternity. 42 Pa. Cons. Stat. Ann., § 6704(e) (Purdon 1982) (repealed). The defense was sustained against appellant's contention that the statute violated the Equal Protection Clause of the Fourteenth Amendment to the Federal Constitution. The Superior Court affirmed, 334 Pa. Super. 585, 483 A. 2d 892 (1985), and the Supreme Court of Pennsylvania denied discretionary review. Appellant sought appeal in this Court, and, on October 15, 1985, we noted probable jurisdiction. 474 U. S. — (1985).

On October 30, 1985, Pennsylvania enacted 1985 Pa. Laws, Act No. 66, to be codified as 23 Pa. Cons. Stat. Ann. § 4343(b), which provides that a child born out of wedlock may commence a paternity action at any time within 18 years

MA

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

CHAMBERS OF
JUSTICE SANDRA DAY O'CONNOR

March 21, 1986

No. 85-88 Paulussen v. Herion

Dear Chief,

The case of Paulussen v. Herion is in the form of a Per Curiam. As I understand it, you generally announce all the Per Curiam opinions. Your schedule lists it for me, but I assume you will announce it on Tuesday as in the past.

Sincerely,



The Chief Justice

Copies to the Conference

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