

No. 76-5325, Browder v. Dir. Dept. of Corrections of Illinois
Argued: October 31, 1977 Announced: 1/19/78
Assigned: Powell, J. Date: 11-12-77

Vote: Affirm: HAB
Reverse: WEB, WJB, PS, BRW, TM, LFP, WHR, JPS
Pass: _____
No Vote: _____
Out: _____

	<u>Date:</u>	<u>Print:</u>
Circulated:	<u>12-21-77</u>	<u>1</u>
	<u>12-29-77</u>	<u>2</u>
	<u>1-5-78</u>	<u>3</u>

<u>Replies:</u>	<u>Date:</u>	<u>Print:</u>	<u>Remarks:</u>
The Chief Justice	<u>12/27/77</u>		<u>Agree</u>
Mr. Justice Brennan:	<u>12/28/77</u>		<u>Agree</u>
Mr. Justice Stewart:	<u>1/3/78</u>		<u>Agree</u>

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

Replies:

Date:

Print:

Remarks:

Mr. Justice White:

12/27/77

Agree

Mr. Justice Marshall:

12/27/77

Agree

Mr. Justice Blackmun:

1/3/78

1/4/78

1

Agree
to join B/K
H/K

Mr. Justice Powell:

Mr. Justice Rehnquist:

1/4/78

in HAB's PK
Agrees - LFP

Mr. Justice Stevens:

12/27/77

Agree

No. 76-5344, Moore v. Illinois

Argued: October 3, 1977

Announced: 12/8/77

Assigned: Powell, J.

Date: 10-8-77

Vote: Affirm: WHR

Reverse: WEB, WJB, BRW, TM, HAB, LEP

Pass: PS

No Vote: _____

Out: JPS

	<u>Date:</u>	<u>Print:</u>
Circulated:	<u>11-14-77</u>	<u>1</u>
	<u>11-21-77</u>	<u>2</u>
	<u>11-30-77</u>	<u>3</u>
	<u>12-2-77</u>	<u>✓</u>

Replies:

The Chief Justice

<u>Date:</u>	<u>Print:</u>	<u>Remarks:</u>
<u>12/8/77</u>		<u>Agree</u>

Mr. Justice Brennan:

<u>11/6/77</u>		<u>Agree</u>
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Mr. Justice Stewart:

<u>11/5/77</u>		<u>Agrees if sp. are met</u>
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Replies:

Date:

Print:

Remarks:

Mr. Justice White:

11/16/77

Agree

Mr. Justice Marshall:

11/16/77

Agree

Mr. Justice Blackmun:

12/2/77

kh

Mr. Justice Powell:

Mr. Justice Rehnquist:

11/29/77

kh

Mr. Justice Stevens:

kh

No. 76-5729, Oliphant v. Suquamish Indian Tribe
 Argued: January 9, 1978 Announced: 3/6/78
 Assigned: Rehnquist, J. Date: 1-24-78

Vote: Affirm: TM, WEB
 Reverse: JPS, WHR, LFP, HAB, BRW, PS
 Pass: _____
 No Vote: _____
 Out: WJB

	<u>Date:</u>	<u>Print:</u>
Circulated:	<u>2-23-78</u>	<u>1</u>
	<u>3-1-78</u>	<u>2</u>
	<u>3-3-78</u>	<u>3</u>

<u>Replies:</u>	<u>Date:</u>	<u>Print:</u>	<u>Remarks:</u>
The Chief Justice	<u>3/3/78</u>		<u>J. TM's do-</u>

Mr. Justice Brennan:

[Signature]

Mr. Justice Stewart:

3/23/78 Agree

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

Replies:

Date:

Print:

Remarks:

Mr. Justice White:

2/24/78

Agree

Mr. Justice Marshall:

3/3/78

Typed
/

Reviewed

3/3/78

" in by USB

Mr. Justice Blackmun:

5/27/78

Agree

Mr. Justice Powell:

2/29/78

Agree

Mr. Justice Rehnquist:

Mr. Justice Stevens:

2/27/78

Agree

76-5761

No. 76-5796, Simpson v. United States

Argued: November 1, 1977

Announced: 1/28/78

Assigned: Brennan, J.

Date: 11-12-77

Vote: Affirm: WHR

Reverse: WEB, WJB, PS, BRW, TM, HAB, LFP, JPS

Pass:

No Vote:

Out:

gale notes
1/31/78

Circulated:

<u>Date:</u>	<u>Print:</u>
1/31/78	1
2/2/78	✓
2/7/78	3
2/9/78	4

Replies:

The Chief Justice

<u>Date:</u>	<u>Print:</u>	<u>Remarks:</u>
2/15/78		Agree

Mr. Justice Brennan:

Mr. Justice Stewart:

2/8/78		Agree tentatively

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

Replies:

Date:

Print:

Remarks:

Mr. Justice White:

2/8/78

Agree

Mr. Justice Marshall:

2/1/78

Agree

Mr. Justice Blackmun:

Mr. Justice Powell:

2/8/78

Agree

Mr. Justice Rehnquist:

2/9/78

2/21/78

2/24/78

typed
1

to give dis-
statement
"

Mr. Justice Stevens:

2/2/78

Agree

No. 76-5856, Holloway v. Arkansas

Argued: November 2, 1977

Announced: 4/3/78

Assigned: Chief Justice

Date: 11-12-77

Vote: Affirm: HAB, LFP, WHR

Reverse: WEB, WJB, PS, BRW, TM, JPS

Pass: _____

No Vote: _____

Out: _____

	<u>Date:</u>	<u>Print:</u>
Circulated:	<u>3-14-78</u>	<u>1</u>
	<u>3-20-78</u>	<u>✓</u>

Replies:

The Chief Justice

Date:

Print:

Remarks:

Mr. Justice Brennan:

3/15/78

Agree

Mr. Justice Stewart:

3/14/78

Agree

Replies:

Date:

Print:

Remarks:

Mr. Justice White:

3/15/78

Agree

Mr. Justice Marshall:

3/20/78

Agree

Mr. Justice Blackmun:

3/21/78
3/31/78

to await LFP's ~~to~~ *to* *in* LFP's *to*

Mr. Justice Powell:

3/21/78
3/30/78

to *the* *in* *to* -
' dissent

Mr. Justice Rehnquist:

3/21/78
3/30/78

to await LFP's *the* *in* LFP's *to*

Mr. Justice Stevens:

3/20/78

Agree

No. 76-5935, Durst v. United States
Argued: December 5, 1977 Announced: 2-22-78
Assigned: Brennan, J. Date: 12-12-77

Vote: Affirm: UNANIMOUS
Reverse: _____
Pass: _____
No Vote: _____
Out: HAB

Circulated:

	<u>Date:</u>	<u>Print:</u>	
	<u>2-7-78</u>	<u>1</u>	<i>Stewart</i> <u>2/8/78</u>
	<u>2-16-78</u>	<u>✓</u>	

Replies:

	<u>Date:</u>	<u>Print:</u>	<u>Remarks:</u>
The Chief Justice	<u>2/15/78</u>		<u>Agree</u>

Mr. Justice Brennan: _____

Mr. Justice Stewart: 2/8/78 Agree

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

Replies:

Date:

Print:

Remarks:

Mr. Justice White:

2/8/78

Agree

Mr. Justice Marshall:

2/9/78

Agree

Mr. Justice Blackmun:

JB

Mr. Justice Powell:

2/8/78

Agree

Mr. Justice Rehnquist:

2/9/78

Agree

Mr. Justice Stevens:

2/8/78

Agree

No. 76-6372, Quilloin v. Walcott

Argued: November 9, 1977

Announced: 11/10/78

Assigned: Marshall, J.

Date: 11-12-77

Vote: Affirm: WEB, PS, BRW, TM, HAB, WHR, JPS

~~Reverse~~ Remand: LFP

Pass: WJB

~~XXX XXXX~~ Aff. or DFWSFQ: HAB & WHR

Out: _____

Circulated:	Date:	Print:
	<u>12-8-77</u>	<u>lyped</u>
	<u>12-9-77</u>	<u>1</u>
	<u>12-16-77</u>	<u>✓</u>

Replies:

The Chief Justice

Date:

Print:

Remarks:

12/27/77

Agree

Mr. Justice Brennan:

12/28/77

Agree

Mr. Justice Stewart:

12/13/77

Agree if app. rd

Replies:

Date:

Print:

Remarks:

Mr. Justice White:

12/9/77

Agree

Mr. Justice Marshall:

Mr. Justice Blackmun:

12/20/77

Agree

Mr. Justice Powell:

12/14/77

Agree

Mr. Justice Rehnquist:

12/18/77

Agree

Mr. Justice Stevens:

12/8/77

Agree

No. 76-6513, Bell v. Ohio
Argued: January 17, 1978 Announced: 7-3-78
Assigned: Chief Justice Date: 1-24-78

Vote: Affirm: WEB, BRW, WHR
Reverse: PS, TM, HAB, LFP, JPS
Pass: _____
No Vote: _____
Out: WJB

Circulated: _____
_____ Date: 6-26-78 Print: [Signature]

Replies: _____
The Chief Justice _____

Mr. Justice Brennan: _____

_____ [Signature]

Mr. Justice Stewart: _____
_____ 6/27/78 [Signature]

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

Replies:

Date:

Print:

Remarks:

Mr. Justice White:

Mr. Justice Marshall:

Mr. Justice Blackmun:

Mr. Justice Powell:

Mr. Justice Rehnquist:

Mr. Justice Stevens:

6/27/78

Agree

6/27/78

Agree

No. 76-6528, Burks v. United States

Argued: November 28, 1977

Announced: 6-14-78

Assigned: Chief Justice

Date: 12-12-77

Vote: Affirm: WHR,

Reverse: WJB, PS, BRW, TM, LFP, JPS, WEB

Pass:

No Vote:

Out: HAB

Circulated:

Date:

Print:

4-11-78

1

5-23-78

✓

Replies:

The Chief Justice

Date:

Print:

Remarks:

Mr. Justice Brennan:

4/13/78
5/30/78

Agree
Agree

Mr. Justice Stewart:

4/13/78

Agree

Replies:

Date:

Print:

Remarks:

Mr. Justice White:

4/14/78

Agree

Mr. Justice Marshall:

4/13/78

Agree

Mr. Justice Blackmun:

Out

Mr. Justice Powell:

5/21/78

Agree

Mr. Justice Rehnquist:

5/5/78
~~6/1/78~~

Agree

Mr. Justice Stevens:

4/11/78

Agree

No. 76-6617, Greene v. Massey

Argued: November 28, 1977

Announced: 6-14-78

Assigned: Chief Justice

Date: 12-12-77

Vote: Affirm: WHR

Reverse: WEB, WJB, PS, BRW, TM, LFP, JPS

Pass: _____

No Vote: _____

Out: HAB

Circulated:

Date:
5-19-78

Print:
1

Replies:

The Chief Justice

Date:

Print:

Remarks:

6/27/78

Mr. Justice Brennan:

5/22/78

Agree

Mr. Justice Stewart:

5/22/78

Agree

Replies:

Date:

Print:

Remarks:

Mr. Justice White:

5/22/78

Agree

Mr. Justice Marshall:

5/24/78

Agree

Mr. Justice Blackmun:

Mr. Justice Powell:

5/25/78
6/9/78
6/12/78

to see if this is ok
Agree
OK

Mr. Justice Rehnquist:

6/12/78
6/17/78

typed

Rehnquist
" " -

Mr. Justice Stevens:

5/23/78

Agree

No. 76-6767, Scott v. United States

Argued: March 1, 1978

Announced: 5-11-78

Assigned: Rehnquist, J.

Date: 3-6-78

Vote: Affirm: WEB, BRW, HAB, LFP, WHR, JPS

Reverse: WJB & TM

Pass: _____

~~No XXXXX~~: D.I.G.: PS

Out: _____

	<u>Date:</u>	<u>Print:</u>
Circulated:	<u>3-31-78</u>	<u>1</u>
	<u>5-3-78</u>	<u>2</u>

<u>Replies:</u>	<u>Date:</u>	<u>Print:</u>	<u>Remarks:</u>
The Chief Justice	<u>4/7/78</u>		<u>Agree</u>

	<u>Date:</u>	<u>Print:</u>	<u>Remarks:</u>
Mr. Justice Brennan:	<u>3/31/78</u>		<u>to Jps do-</u>
	<u>4/28/78</u>		<u>typed</u>
	<u>5-1-78</u>		<u>1</u>
			<u>4</u>

	<u>Date:</u>	<u>Print:</u>	<u>Remarks:</u>
Mr. Justice Stewart:	<u>4/6/78</u>		<u>Agree</u>

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

Replies:

Date:

Print:

Remarks:

Mr. Justice White:

4/6/78

Agree

Mr. Justice Marshall:

5/1/78

join to JB's -

Mr. Justice Blackmun:

4/4/78

Agree

Mr. Justice Powell:

4/5/78

Agree

Mr. Justice Rehnquist:

Mr. Justice Stevens:

4/3/78

Agree

No. 76-6942, Lakeside v. Oregon

Argued: January 18, 1978

Announced: 3-22-78

Assigned: Stewart, J.

Date: 1-24-78

Vote: Affirm: WEB, PS, BRW, HAB, LFP, WHR

Reverse: TM, JPS

Pass:

No Vote:

Out: WJB

	Date:	Print:
Circulated:	2-24-78	1
	2-27-78	2
	3-14-78	3

Replies:

The Chief Justice

Date:	Print:	Remarks:
3/14/78		Appeal

Mr. Justice Brennan:

Mr. Justice Stewart:

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

Replies:

Date:

Print:

Remarks:

Mr. Justice White:

2/27/78

Agree

Mr. Justice Marshall:

4/27/78

3/17/78

to await dissent
joined opinion of J. Blackmun

Mr. Justice Blackmun:

2/27/78

Agree

Mr. Justice Powell:

2/27/78

Agree

Mr. Justice Rehnquist:

2/27/78

Agree

Mr. Justice Stevens:

2/27/78

5/27/78

3/13/78

3/14/78

3/20/78

2
3
4

to pro. do-
~~Agree~~
dissent
4
1

No. 76-6997; Lockett v. Ohio

Argued: January 17, 1978

Announced: 7-3-78

Assigned: Chief Justice

Date: 1-24-78

Vote: Affirm: WHR

Reverse: PS, BRW, TM, HAB, LFP, JPS

Pass: _____

No Vote: WEB

Out: WJB

	<u>Date:</u>	<u>Print:</u>
Circulated:	<u>4-10-78</u>	<u>typed</u> <u>Themed</u>
	<u>6-9-78</u>	<u>typed</u>
	<u>6-23-78</u>	<u>typed</u>
	<u>6-26-78</u>	<u>"</u>

<u>Replies:</u>	<u>Date:</u>	<u>Print:</u>	<u>Remarks:</u>
The Chief Justice			

Mr. Justice Brennan:

Out

Mr. Justice Stewart:

6/27/78 Free

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

Replies:

Date:

Print:

Remarks:

Mr. Justice White:

6/20/78

6/26/78

typed

Agree with Part I, II & IV
disagree with
part III

Mr. Justice Marshall:

6/21/78

6/27/78

typed
"

Agree with dis-
agree with part III

Mr. Justice Blackmun:

6/21/78

typed disagree

Mr. Justice Powell:

6/27/78

Agree

Mr. Justice Rehnquist:

6/14/78

6/21/78

6/27/78

Agree with
parts I, II & IV
disagree with
part III

Mr. Justice Stevens:

6/14/78

6/17/78

6/27/78

Agree
Agree
Agree

No. 77-5176, Franks v. Delaware

Argued: February 27, 1978

Announced: 6-26-78

Assigned: Blackmun, J.

Date: 3-2-78

Vote: Affirm: WEB, WHR

Reverse: WJB, PS, BRW, TM, HAB, LFP, JPS

Pass: _____

No Vote: _____

Out: _____

Circulated:

Date:	Print:
<u>6-7-78</u>	<u>Copy per</u>
<u>6-12-78</u>	<u>11</u>

Replies:

Date:	Print:	Remarks:
<u>6/19/78</u>		<u>for WTR's Ro-</u>

Mr. Justice Brennan:

<u>6/7/78</u>	<u>Agree</u>

Mr. Justice Stewart:

<u>6/8/78</u>	<u>Agree</u>

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

Replies:

Date:

Print:

Remarks:

Mr. Justice White:

6/12/78

Agree

Mr. Justice Marshall:

6/7/78

Agree

Mr. Justice Blackmun:

Mr. Justice Powell:

6/8/78

Agree

Mr. Justice Rehnquist:

6/9/78

6/9/78

6/19/78

to grade -
topper descent
/

Mr. Justice Stevens:

6/8/78

Agree

No. 77-5353, Mincey v. Arizona

Argued: February 21, 1978

Announced: 6/21/78

Assigned: Stewart, J.

Date: 3-6-78

Vote: ~~AMXX~~ REMAND: UNANIMOUS

Reverse: _____

Pass: _____

No Vote: _____

Out: _____

	<u>Date:</u>	<u>Print:</u>
Circulated:	<u>5-15-78</u>	<u>1</u>
	<u>5-18-78</u>	<u>2</u>

<u>Replies:</u>	<u>Date:</u>	<u>Print:</u>	<u>Remarks:</u>
The Chief Justice	<u>5/23/78</u>		<u>to write</u>
	<u>5/23/78</u>		<u>to discuss with</u>
	<u>6/12/78</u>		<u>Agree</u>

Mr. Justice Brennan:	<u>5/17/78</u>		<u>Agree</u>
	<u>5/18/78</u>		<u>in IM's letter</u>

Mr. Justice Stewart:			

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

Replies:

Date:

Print:

Remarks:

Mr. Justice White:

5/17/78

Agree

Mr. Justice Marshall:

5/17/78

typed

know

5/23/78

11

know for the w/B

6/9/78

2

" " " "

Mr. Justice Blackmun:

5/17/78

Agree

Mr. Justice Powell:

5/17/78

Agree

Mr. Justice Rehnquist:

5/16/78

to find out - in part

6/7/78

to find out -

6/7/78

typed

know in part (w/B)

6/9/78

1

"

"

"

6/13/78

4

"

"

"

Mr. Justice Stevens:

5-16-78

Agree

No. 77-5549, Taylor v. Kentucky

Argued: March 27, 1978 Announced: 5-30-78

Assigned: Powell, J. Date: 4-3-78

Vote: Affirm: DISMISS: WHR

Reverse: WEB, WJB, PS, BRW, TM, HAB, LFP, JPS

Pass: _____

No Vote: _____

Out: _____

	<u>Date:</u>	<u>Print:</u>
Circulated:	<u>5-9-78</u>	<u>1</u>
	<u>5-15-78</u>	<u>2</u>

<u>Replies:</u>	<u>Date:</u>	<u>Print:</u>	<u>Remarks:</u>
The Chief Justice	<u>5/23/78</u>		<u>Agree</u>

Mr. Justice Brennan:	<u>5/10/78</u>	<u>Typed</u>	<u>tkw</u>
	<u>5/11/78</u>	<u>1</u>	<u>tkw</u>

Mr. Justice Stewart:	<u>5/9/78</u>		<u>Agree</u>

REPRODUCED FROM THE COLLECTIONS OF THE MANUSCRIPT DIVISION, LIBRARY OF CONGRESS

Replies:

Date:

Print:

Remarks:

Mr. Justice White:

5/9/78

Agree

Mr. Justice Marshall:

5/11/78

Agree

Mr. Justice Blackmun:

5/16/78

Agree

Mr. Justice Powell:

Mr. Justice Rehnquist:

5/21/78

in JP's do-

Mr. Justice Stevens:

5/17/78
5/23/78

Typed

dissent
do - in by WTR