

No. 80-5727, Eddings v. Oklahoma

Argued: Nov. 2, 1981

Announced: 1-19-81 ✓

Assigned: Powell, J.

Date: 11-5-81

Vote: Affirm: WEB, BRW, HAB, WHR

~~RECORDED~~ Vacate: WJB, TM, LFP, JPS, SOC

Pass: \_\_\_\_\_

No Vote: \_\_\_\_\_

Out: \_\_\_\_\_

	Date:	Print:
Circulated:	<u>12-1-81</u>	<u>1</u>
	<u>12-2-81</u>	<u>2</u>
	<u>1-4-81</u>	<u>3</u>
	<u>1-13-81</u>	<u>4</u>

Replies:	Date:	Print:	Remarks:
The Chief Justice:	<u>11/16/81</u>		<u>to Jones -</u>
	<u>12/1/81</u>		<u>WJB 4-7</u>
	<u>12/30/81</u>	<u>1</u>	<u>dissect</u>
	<u>1/12/81</u>	<u>2</u>	<u>4</u>
	<u>1/18/81</u>	<u>3</u>	<u>" you they P&amp;A! HAB, with</u>

Justice Brennan:	<u>12/3/81</u>		<u>to Jones -</u>
	<u>12-4-81</u>		<u>WJB</u>
	<u>12-4-81</u>		<u>James LFP + Jones + WJB</u>

Justice White:	<u>12/3/81</u>		<u>to Jones -</u>
	<u>12/30/81</u>		<u>WJB</u>

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Replies:

Date:

Print:

Remarks:

Justice Marshall:

12/3/81

Agree

Justice Blackmun:

10/14/81  
~~12/14/81~~

to await ds -  
in WEB's ds -

Justice Powell:

Justice Rehnquist:

12/1/81  
12/2/81  
1/5/82

to jpa ds  
Dawson ds -  
in WEB's ds -

Justice Stevens:

10/2/81

Agree

Justice O'Connor

10/3/81  
1/7/82  
1/15/82

to jpa the  
the n p/v  
the j/j -  
the j/j -

No. 80-5887, WHITE v. NEW HAMPSHIRE DEPT. OF EMPLOYMENT SECURITY

Argued: November 30, 1981 Announced: 3/2/81

Assigned: Powell, J. Date: 12-12-81

Vote: Affirm: WHR

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

Pass: \_\_\_\_\_

No Vote: \_\_\_\_\_

Out: \_\_\_\_\_

	<u>Date:</u>	<u>Print:</u>
Circulated:	<u>1-5-81</u>	<u>1</u>
	<u>2-13-81</u>	<u>2</u>
	<u>2-24-81</u>	<u>3</u>

Replies: Date: Print: Remarks:

The Chief Justice: 1/2/81 Agree  
2/2/81 Agree 30/11

Justice Brennan: 1/6/81 Agree

Justice White: 1/9/81 Agree

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Replies:

Date:            Print:            Remarks:

Justice Marshall:

1/29/82 ✓  
7/18/82 ✓

Agree  
3rd option

Justice Blackmun:

1/19/82 ✓

Agree

Justice Powell:

2/4/82 - Letter suggesting changes

8 Feb - "Harris" in claiming all joined  
opinion - acknowledges that HARB  
joined only judgment

Justice Rehnquist:

1/22/82 ✓

9 Feb 82

7/18/82 ✓

Agree

Agree with SOC that  
opinion shd be left as is  
Favors 2nd option

Justice Stevens:

1/5/82 ✓

Agree

Justice O'Connor

1/11/82 ✓

8 Feb

Agree

will not withdraw  
joinder if LFP follows  
option in 1/4 Feb memo



Replies:

Date:

Print:

Remarks:

Justice Marshall:

3/4/82 ✓

Agree

Justice Blackmun:

Justice Powell:

3/16/82 ✓

Agree

Justice Rehnquist:

11/16/81

3/2/82

3/4/82 ✓

3/7/82 ✓

1

✓

to J. P. B. -  
to J. P. B. -  
Hessant  
r

Justice Stevens:

3/4/82 ✓

Agree

Justice O'Connor

3/2/82 ✓

3/4/82 ✓

to await ds -  
for with 3 ds -

No. 80-5950, Logan v. Zimmerman Brush Co.  
 Argued: October 14, 1981 Announced: 2/24/82  
 Assigned: Blackmun, J. Date: 10-17-81

Vote: Affirm: \_\_\_\_\_  
 Reverse: Unanimous  
 Pass: \_\_\_\_\_  
 No Vote: \_\_\_\_\_  
 Out: \_\_\_\_\_

	<u>Date:</u>	<u>Print:</u>
Circulated:	<u>12-22-81</u>	<u>1</u>
	<u>1-5-82</u>	<u>✓</u>
	<u>2-11-82</u>	<u>3</u>
	<u>2-11-82</u>	<u>will circulate again</u>
	<u>2-16-82</u>	<u>4</u>

<u>Replies:</u>	<u>Date:</u>	<u>Print:</u>	<u>Remarks:</u>
The Chief Justice:	<u>1/7/82</u>		<u>joins Parts I &amp; II</u>

Justice Brennan:	<u>12/29/81</u>		<u>Agree</u>
	<u>2/16/82</u>		<u>Agree to</u>
			<u>opinion</u>

Justice White:	<u>12/31/81</u>		<u>joins Parts I &amp; II</u>
			<u>and Part III omitted</u>

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Replies:

Date:

Print:

Remarks:

Justice Marshall:

1/28/81

Agree

Justice Blackmun:

Justice Powell:

1/28/81  
1/28/81 ✓  
2/18/82 ✓

to write the  
the n  
" " " by work

Justice Rehnquist:

1/23/81  
1/24/82

to write spec.  
the n  
journal FP

Justice Stevens:

1/30/81  
2/1/82 Upper  
2/3/82 1  
2/5/82 2  
2/16/82

will go of Part III  
omitted  
the n p  
2nd  
to join klagen & will be to

Justice O'Connor

1/22/81  
1/4/82  
2/11/82  
2/16/82 ✓

Items with app  
Agree  
Will copy  
Agree with app app

No. 80-6045, KREMER v. CHEMICAL CONSTRUCTION CORPORATION

Argued: December 7, 1981 Announced: 5-17-82

Assigned: White J Date: 12/11/81

Vote: Affirm: WEB, BRW, LFP, WHR

Reverse: WJB, TM, HAB, JPS

Pass: SOC

No Vote: \_\_\_\_\_

Out: \_\_\_\_\_

	<u>Date:</u>	<u>Print:</u>
Circulated:	<u>2-16-82</u>	<u>1</u>
	<u>3-23-82</u>	<u>✓</u>
	<u>4-13-82</u>	<u>3</u>
	<u>5-12-82</u>	<u>4</u>

Replies: Date: Print: Remarks:

The Chief Justice: 4/13/82 Agree

Justice Brennan: 2/18/82 to wait for  
3/31/82 in HAB's

Justice White: \_\_\_\_\_

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Replies:

Date:

Print:

Remarks:

Justice Marshall:

1/19/82 ✓  
4/1/82 ✓

Dawson Co-  
in HAB 5 2 on

Justice Blackmun:

2/16/82 ✓  
3/30/82 ✓  
4/15/82 ✓

to J. Co-  
1 descent ✓  
2 Co-join by WTB/MTM

Justice Powell:

3/23/82 ✓

Agree

Justice Rehnquist:

3/25/82 ✓

Agree

Justice Stevens:

2/17/82 ✓  
4/1/82 ✓  
4/14/82 ✓

Dawson Co-  
1 descent ✓  
2 ✓

Justice O'Connor

2/16/82 ✓

Agree

No. 80-6298, Mills v. Habluetzel

Argued: January 12, 1982

Announced: 4/5/82 ✓

Assigned: Rehnquist, J.

Date: 1-22-82

Vote: Affirm: \_\_\_\_\_

Reverse: UNANIMOUS

Pass: \_\_\_\_\_

No Vote: \_\_\_\_\_

Out: \_\_\_\_\_

Circulated:

Date:

Print:

2-8-82

1

2-12-82

2<sup>nd</sup> draft

Replies:

Date:

Print:

Remarks:

The Chief Justice:

2/27/82 ✓

3/27/82 ✓

Agree  
also in Soc's file

Justice Brennan:

2/18/82 ✓

3/29/82 ✓

Agree  
also in Soc's file

Justice White:

2/16/82 ✓

Agree

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

Replies:

Date:

Print:

Remarks:

Justice Marshall:

1/18/82  
2/21/82

To agree Soc  
Casper

Justice Blackmun:

3/26/82

in Soc's letter

Justice Powell:

3/26/82

1

letter in pp

Justice Rehnquist:

Justice Stevens:

2/16/82  
2/18/82

typed  
11

letter  
?

Justice O'Connor

2-11-82  
3/25/82  
4/2/82

William Rehnquist  
1 letter

letter given to WB, WTB  
HAB

No. 80-6680, McElroy v. United States

Argued: January 12, 1982

Announced: 3/23/82 ✓

Assigned: O'Connor, J.

Date: 1-22-82

Vote: Affirm: WEB, WJB, BRW, TM, HAB, LFP, WHR, SOC

Reverse: JPS

Pass: \_\_\_\_\_

No Vote: \_\_\_\_\_

Out: \_\_\_\_\_

Circulated:

Date:

Print:

2/13/82

1st draft

3/12/82 ✓

2

2

Replies:

Date:

Print:

Remarks:

The Chief Justice:

2/22/82 ✓

Agree

Justice Brennan:

4/17/82 ✓

Agree

Justice White:

4/16/82 ✓

Agree

Replies:

Date:

Print:

Remarks:

Justice Marshall:

7/15/82 ✓

Agree

Justice Blackmun:

2/17/82 ✓

Agree

Justice Powell:

2/8/79 ✓

Agree

Justice Rehnquist:

2/17/82 ✓

Agree

Justice Stevens:

2/26/82

3/3/82

3/17/82

to prepare -  
dissent

1  
2

4

Justice O'Connor

No. 81-750, FIDELITY FED. SAVINGS & LOAN ASSN. v. de la CUESTA

Argued: April 28, 1982 Announced: \_\_\_\_\_

Assigned: Blackmun, J. Date: 5-3-82

Vote: Affirm: WHR, JPS

Reverse: WEB, WJB, BRR, TM, HAB, SOC

Pass: \_\_\_\_\_

No Vote: \_\_\_\_\_

Out: LFP

Circulated: 

	<u>Date:</u>	<u>Print:</u>
	<u>6-7-82 ✓</u>	<u>1</u>
	<u>6-9-82 ✓</u>	<u>2</u>

Replies:  

	<u>Date:</u>	<u>Print:</u>	<u>Remarks:</u>
The Chief Justice:	<u>6/9/82 ✓</u>		<u>Agree</u>

Justice Brennan: 

	<u>6/8/82 ✓</u>		<u>Agree</u>

Justice White: 

	<u>6/8/82 ✓</u>		<u>Agree</u>

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Replies:

Date:

Print:

Remarks:

Justice Marshall:

6/8/8 ✓

Copied

Justice Blackmun:

Justice Powell:

Justice Rehnquist:

6/9/8 ✓  
6/18/8 ✓

to J. J. -  
Brent

Justice Stevens:

6/9/8 ✓  
6/28/8 ✓

awaiting as -  
m. w. h. do -

Justice O'Connor

6/9/8 ✓  
6/21/8 ✓

Copied  
J. J.

No. 81-770, BLUM v. BACON

Argued: April 28, 1982

Announced: 6-14-82

Assigned: Marshall, J,

Date: 5-3-82

Vote: Affirm: WEB, WJB, TM, HAB, JPS, SOC

Reverse: BRW, LFP, WHR

Pass:

No Vote:

Out:

Circulated:

Date:

Print:

5-28-82 ✓

1

6-9-82 ✓

2

Replies:

Date:

Print:

Remarks:

The Chief Justice:

6/4/82 ✓

Agree

Justice Brennan:

6/1/82 ✓

Agree

Justice White:

6/2/82 ✓

Agree

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No. 81-5114, TIBBS v. FLORIDA

Argued: March 2, 1982

Announced: 6/7/82 ✓

Assigned: O'Connor, J.

Date: 3-8-82

Vote: Affirm: WEB, LFP, WHR, JPS, SOC

Reverse: WJB, BRW, TM, HAB

Pass: \_\_\_\_\_

No Vote: \_\_\_\_\_

Out: \_\_\_\_\_

Circulated:

Date:

Print:

5-18-82

1

5-25-82

✓

Replies:

Date:

Print:

Remarks:

The Chief Justice:

5/26/82 ✓

Agree

Justice Brennan:

5/25/82

in Blue ink

Justice White:

5/19/82

5/24/82

5/25/82

typed

to JPS do -  
present ✓

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Replies:

Date:                      Print:                      Remarks:

Justice Marshall:

5/16/82 ✓

for Blw's do-

Justice Blackmun:

5/17/82 ✓

for Blw's do-

Justice Powell:

5/19/82 ✓

Agree

Justice Rehnquist:

5/18/82 ✓

Agree

Justice Stevens:

5/21/82 ✓  
5/21/82 ✓

will you sign me ✓  
Agree

Justice O'Connor

No. 81-5152, TAYLOR v. ALABAMA

Argued: 3/23/82

Announced: 6/23/82 ✓

Assigned: Marshall, J.

Date: 4-1-82

Vote: Affirm: WEB, LFP, WHR, SOC

Reverse: WJB, BRW, TM, HAB, JPS

Pass: \_\_\_\_\_

No Vote: \_\_\_\_\_

Out: \_\_\_\_\_

	Date:	Print:
Circulated:	5-19-82 ✓	1
	5-26-82 ✓	2
	6-17-82 ✓	3
	6-21-82 ✓	4

Replies: Date: Print: Remarks:

The Chief Justice: 6/18/82 ✓ In Soc'd -

Justice Brennan: 5/20/82 ✓ Agree

Justice White: 5/21/82 ✓ Agree

Replies:

Date:

Print:

Remarks:

Justice Marshall:

Justice Blackmun:

5/19/8 ✓

Agree

Justice Powell:

5/19/8 ✓  
6/16/8 ✓

To await ds -  
in Soc's d -

Justice Rehnquist:

6/17/8 ✓

in Soc's d -

Justice Stevens:

5/21/8 ✓

Agree

Justice O'Connor

5/19/8 ✓  
6/16/8 ✓  
6/16/8 ✓  
6/21/8 ✓

to pps  
1

To pps ds -  
discuss ✓  
"

ds - in leg c d,  
L.F.P. ✓ with

No. 81-5321, Emmard v Florida

Argued: \_\_\_\_\_ Announced: \_\_\_\_\_

Assigned: White Date: \_\_\_\_\_

Vote: Affirm: \_\_\_\_\_

Reverse: \_\_\_\_\_

Pass: \_\_\_\_\_

No Vote: \_\_\_\_\_

Out: \_\_\_\_\_

Circulated: \_\_\_\_\_  
Date: 6-21-82 Print: by post

Replies: \_\_\_\_\_  
Date: \_\_\_\_\_ Print: \_\_\_\_\_ Remarks: \_\_\_\_\_

The Chief Justice: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Justice Brennan: \_\_\_\_\_  
Date: 6/25/82 Print: typed hhr

Justice White: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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Replies:

Date:

Print:

Remarks:

Justice Marshall:

6/29/82

Agree

Justice Blackmun:

6/29/82

Agree  
(memo for B&W)

Justice Powell:

Justice Rehnquist:

Justice Stevens:

6/29/82

Agree

Justice O'Connor

81-5321

ENMUND v. FLORIDA

Argued: 3/23/82

Announced:

Assigned: O'Connor, J. White

Date: 4-2-82

Vote: Affirm:

Reverse: UNANIMOUS

Pass:

No Vote:

Out:

	Date:	Print:
Circulated:	5-26-81	1

Replies:	Date:	Print:	Remarks:
The Chief Justice:	6/8/82 ✓		Agnes

Justice Brennan:	6/21/82 ✓		typed letter to go to Brennan's office
	6/23/82 ✓		W. S. J.

Justice White:	6/24/82 ✓	1	Agnes
	6/25/82 ✓	2	do

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Replies:

Date:                      Print:                      Remarks:

Justice Marshall:

6/23/80 ✓                      Jm Bledsoe

Justice Blackmun:

6/23/80 ✓                      Jm Bledsoe

Justice Powell:

6/27/80 ✓                      Agree

Justice Rehnquist:

6/1/80 ✓                      Agree

Justice Stevens:

6/23/80 ✓                      Jm Bledsoe  
+ J. P. ...

Justice O'Connor