

1-21-1977

## 01-21-1977 Correspondence from Stewart to Rehnquist

Potter Stewart  
*US Supreme Court Justice*

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

CHAMBERS OF  
JUSTICE POTTER STEWART

January 21, 1977

Re: No. 75-812, Codd v. Velger

Dear Bill,

I would rather prefer that Harry's suggested footnote not be added to this opinion. If it were a full dress, signed opinion, then, in the interest of thoroughness, the thought expressed in the footnote might well be added, possibly along with the discussion of other related thoughts.

It is my view, however, that the function of a Per Curiam is to apply existing and settled law to a specific fact situation, in a straightforward and expeditious way. For that reason, I think the proposed footnote would not be appropriate.

Sincerely yours,

PS,  
1.  
/

Mr. Justice Rehnquist

Copies to the Conference