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02-02-1977 Correspondence from Brennan to Rehnquist

William J. Brennan
US Supreme Court Justice

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

CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR.

February 2, 1977

RE: No. 75-812 Codd v. Velger

Dear Bill:

John's dissent suggests more problems with this case than I had fully appreciated and I am going to do some more thinking about it. At a minimum I think his Part III is well taken. I had not discerned that the Court of Appeals had not passed on the property interest claim. I think John's disposition could be incorporated in your Per Curiam and do it no damage.

I'll be in touch with you again soon.

Sincerely,

Mr. Justice Rehnquist

cc: The Conference