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03-27-1981 Notes from Oral Argument

Harry A. Blackmun

Associate Justice of the US Supreme Court

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27 Mar 81

The Chief Justice ^{DD}

Is he in a wheel chair?
No final judgment

Brennan, J. ~~DD~~ —

Calls for no writing
But defense is non-D
Do n come within flexi. inter of 1257
∴ no final judgment
Brennan PS is right

Stewart, J. —

Hum et honest
No trial can be held
No courts support
Selective prosecution is absurd
only in severe cases can this be shown
Sent - has to come to a trial

White, J. ^{DD}

existence of other fed. ps.
PS rules will apply to all states in a
state is upheld
Cox just aside cause we are fed
issue is unresolved
abney an exception to this
Formello is + example v 4 case in Cox

Marshall, J. LD
note -

Powell, J. LD

LD

Rehnquist, J. LD

Stevens, J. —

My goal is on TJ down + indirect
- no prob on the other side
§ announced pol in + prose for 10 yrs.
+ the nature is for the individual
Cannot select political enemy with no
other reason
TJ should make it on precisely + carbon
*
-