

2-22-1977

02-22-1977 Per Curiam

William H. Rehnquist
US Supreme Court Justice

Follow this and additional works at: <https://ir.library.illinoisstate.edu/coddvvelger>



Part of the [Criminal Law Commons](#)

Recommended Citation

Rehnquist, W.H. Per Curiam, Codd v. Velger, 429 U.S. 624 (1977). Box 367, Harry A. Blackmun Papers, Manuscript Division, Library of Congress, Washington, D.C.

This Opinion is brought to you for free and open access by the U.S. Supreme Court papers, Justice Blackmun at ISU ReD: Research and eData. It has been accepted for inclusion in Codd v. Velger, 429 U.S. 624 (1977) by an authorized administrator of ISU ReD: Research and eData. For more information, please contact ISURed@ilstu.edu.

NOTICE: This opinion is subject to formal revision before publication in the preliminary print of the United States Reports. Readers are requested to notify the Reporter of Decisions, Supreme Court of the United States, Washington, D.C. 20543, of any typographical or other formal errors, in order that corrections may be made before the preliminary print goes to press.

SUPREME COURT OF THE UNITED STATES

No. 75-812

Michael J. Codd, Police Commissioner, City of New York, et al.,
Petitioners,
v.
Elliott H. Velger.

On Writ of Certiorari to the United States Court of Appeals for the Second Circuit.

[February 22, 1977]

PER CURIAM.

Respondent Velger's action shifted its focus, in a way not uncommon to lawsuits, from the time of the filing of his complaint in the United States District Court for the Southern District of New York to the decision by the Court of Appeals for the Second Circuit which we review here. His original complaint alleged that he had been wrongly dismissed without a hearing or a statement of reasons from his position as a patrolman with the New York City Police Department, and under 42 U. S. C. § 1983, sought reinstatement and damages for the resulting injury to his reputation and future employment prospects. After proceedings in which Judge Gurfein (then of the District Court) ruled that respondent had held a probationary position and therefore had no hearing right based on a property interest in his job, respondent filed an amended complaint. That complaint alleged more specifically than had the previous one that respondent was entitled to a hearing due to the stigmatizing effect of certain material placed by the City Police Department in his personnel file. He alleged that the derogatory material had brought about his subsequent dismissal