

1-27-1976

01-27-1976 Notes from Oral Argument

Harry A. Blackmun

Associate Justice of the US Supreme Court

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Recommended Citation

Blackmun, H.A. Notes from Oral Argument, Carey v. Sugar, 425 U.S. 73 (1976). Box 367, Harry A. Blackmun Papers, Manuscript Division, Library of Congress, Washington, D.C.

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The Chief Justice *pass* *Ad Vac*

Close to Mitchell - fits it like a glove!

Douglas, J. *Stevens* +

*Dep at S has abated from trial S
at ang. But if he denies, do u
let it go all t wa on appeal.*

*Random on D in my case. Net
effect is just adv to T*

On merits, +

*P = case has t b terminated. Do u let
2 fall back*

V. T S int. prob & reason on t merits.

W. Prob a on t S = it is a merit.

V. A S b on t T

Brennan, J. *Vac*

*Do u know what t my law is,
if what + 31 at 3 it is, +
This is civil, so Purvis do u know.
had it wrong*

A classical case for abstention.

Ad vacate & rem 10 t send to my etc.

Stewart, J. +

3 My lawyers on + 31 at

On their count, state is involved.

*✓ Impact is little, for my etc can sometimes
withdraw promptly*

If a day given, my law is OK

White, J. Vac

If 3d correct, state is H.G.
It does in each to determine
Fick's view (My etc) says state is correct

Marshall, J. Vac

OK go into + Ct + check a bit
B - but which
Prefer B -

Powell, J. Vac

Di H.H.B. Cd vac on -
Can attach after 3d; supplementary by 3d
Diner to vac
No request for + 3d opinion.
as to "no 3d
no + 3d"

Rehnquist, J. Vac

Di H.H.B. on merits
Cd vac for abstention