

3-28-1981

03-28-1981 Correspondence from Powell to Burger

Lewis F. Powell
US Supreme Court Justice

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Recommended Citation

Powell, L.F. Correspondence from Powell to Burger, Beltran V. Myers, 451 U.S. 625 (1981). Box 367, Harry A. Blackmun Papers, Manuscript Division, Library of Congress, Washington, D.C.

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

CHAMBER OF
JUSTICE LEWIS F. POWELL, JR.

March 28, 1981

80-5303 Beltran v. Myers

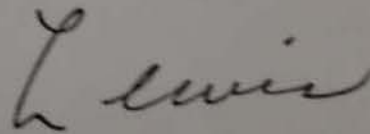
Dear Chief:

At Conference yesterday, I stated that I might be persuaded to join a DIG, although I agreed with Bill Brennan on the merits.

I have taken a further look at the case this morning, and will now vote to DIG it. With the new statute becoming effective July 1, this case has lost all of its importance except for the litigants. Even as to petitioners - as several of you pointed out at Conference - there is little or no likelihood of any tangible benefit to them from a reversal. Nor, indeed, do the equities favor persons who deliberately transfer assets to qualify for federal benefits.

In sum, I have concluded that a dismissal is appropriate.

Sincerely,



The Chief Justice

lfp/ss

cc: The Conference