

10-15-1982

10-15-1982 Correspondence from Stevens to the Conference

John Paul Stevens
US Supreme Court Justice

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



Part of the [Criminology and Criminal Justice Commons](#)

Recommended Citation

Stevens, J. P. Correspondence from Stevens to the Conference, Illinois v. Gates, 462 U.S. 213 (1983). Box 367, Harry A. Blackmun Papers, Manuscript Division, Library of Congress, Washington, D.C.

This Conference Note 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 Illinois v. Gates 462 U.S. 213 (1983) by an authorized administrator of ISU ReD: Research and eData. For more information, please contact ISURed@ilstu.edu.

HAB

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

CHAMBERS OF
JUSTICE JOHN PAUL STEVENS

October 15, 1982

MEMORANDUM TO THE CONFERENCE

Re: 81-430 - Illinois v. Gates

At our conference discussion I believe we failed to take into account the fact that on February 8, 1982, the petitioner filed a motion for leave to amend or enlarge the question presented for review, which motion was unanimously denied. The question that we refused to allow the Illinois Attorney General to argue reads as follows:

"Assuming, arguendo, that the information used to obtain the search warrant did not satisfy Aguilar v. Texas, 378 U.S. 108 (1964), should the evidence obtained under the warrant nevertheless be admitted at trial because the police acted in a reasonable good faith belief in the validity of the warrant?"

In view of the denial of that motion, it seems to me that the Court should not address the question which the parties were not permitted to argue. I would imagine the respondent assumed that there was no need to address that question.

Respectfully,

