 KeyCite Yellow Flag - Negative Treatment
Not Followed as Dicta [U.S. v. Morrison](#), U.S.Va., May 15, 2000

86 S.Ct. 1170

Supreme Court of the United States

UNITED STATES, Appellant,

v.

Herbert GUEST et al.

No. 65.

|
Argued Nov. 9, 1965.|
Decided March 28, 1966.**Synopsis**

Prosecution for alleged conspiracy against rights of citizens. The United States District Court for the Middle District of Georgia, Athens Division, sustained defendants' motions to dismiss indictment, 246 F.Supp. 475, and the government appealed. The Supreme Court, Mr. Justice Stewart, held that dismissal of portion of indictment charging conspiracy to deprive Negroes of right to full and equal enjoyment of goods, services, facilities, privileges, advantages, and accommodations of motion pictures, restaurants, and other places of public accommodation, on ground that it was not alleged that defendants' acts were motivated by racial discrimination was not reviewable under Criminal Appeals Act; but that portion of indictment charging conspiracy to deprive Negroes of right to equal utilization of state owned, operated or managed facilities wherein it was expressly alleged that one of means of accomplishing object of conspiracy was 'by causing the arrest of Negroes by means of false reports that such Negroes had committed criminal acts' contained allegation of state involvement sufficient to require denial of motion to dismiss; and that portion of indictment charging conspiracy to deprive Negroes of right to travel to and from state and to use state's interstate commerce facilities and instrumentalities charged offense under statute pertaining to conspiracy against rights of citizens, since right to travel from one state to another is constitutionally protected.

Reversed and remanded.

Mr. Justice Harlan, Mr. Justice Brennan, Mr. Chief Justice Warren and Mr. Justice Douglas dissented in part.

West Headnotes (18)

[1] Federal Courts  Criminal prosecutions in general

170B Federal Courts
170BXVI Supreme Court
170BXVI(B) Decisions Reviewable
170Bk3149 Review of Federal District Courts
170Bk3151 Criminal prosecutions in general
(Formerly 170Bk472, 106k385(11/2))

Where United States District Court's judgment dismissing first paragraph of indictment was based at least alternatively upon its determination that paragraph was defective as matter of pleading, Supreme Court review of judgment on that branch of indictment was precluded, even though Court might have jurisdiction over appeal as to other paragraphs of indictment. 18 U.S.C.A. § 3731.

[2] Federal Courts  Criminal prosecutions in general

170B Federal Courts
170BXVI Supreme Court
170BXVI(B) Decisions Reviewable
170Bk3149 Review of Federal District Courts
170Bk3151 Criminal prosecutions in general
(Formerly 170Bk472, 106k385(11/2))

Dismissal of portion of indictment charging defendants with conspiracy to deprive Negroes of right to full and equal enjoyment of goods, services, facilities, privileges, advantages, and accommodations of motion pictures, restaurants, and other places of public accommodation, on ground that it was not alleged that defendants' acts were motivated by racial discrimination, was not reviewable under Criminal Appeals Act. Civil Rights Act of 1964, § 201(a), 42 U.S.C.A. § 2000a(a); 18 U.S.C.A. §§ 241, 3731.

15 Cases that cite this headnote

[3] Courts  Operation and effect in general

106 Courts
106II Establishment, Organization, and Procedure
106II(K) Opinions

106k107 Operation and effect in general
Determination that Supreme Court was without jurisdiction to review particular aspect of case implied no opinion as to correctness of District Court's appraisal.

5 Cases that cite this headnote

[4] **Conspiracy**  Civil Rights, Conspiring to Deprive

Constitutional Law  Conspiracy, racketeering, and money laundering

91 Conspiracy
91II Criminal Responsibility
91II(B) Particular Subjects of Criminal Conspiracy
91k156 Civil Rights, Conspiring to Deprive
91k157 In general
(Formerly 91k29.5(2), 91k29, 91k29.6)
92 Constitutional Law
92XXVII Due Process
92XXVII(H) Criminal Law
92XXVII(H)2 Nature and Elements of Crime
92k4502 Creation and Definition of Offense
92k4509 Particular Offenses
92k4509(6) Conspiracy, racketeering, and money laundering

(Formerly 92k258(3.1), 92k258(3), 92k258)
Statute pertaining to conspiracy against rights of citizens encompasses due process and equal protection clauses of Fourteenth Amendment and is not unconstitutionally vague. 18 U.S.C.A. § 241; U.S.C.A.Const. Amend. 14.

22 Cases that cite this headnote

[5] **Conspiracy**  Civil Rights, Conspiring to Deprive

91 Conspiracy
91II Criminal Responsibility
91II(B) Particular Subjects of Criminal Conspiracy
91k156 Civil Rights, Conspiring to Deprive
91k157 In general
(Formerly 91k29.5(1), 91k29, 91k29.5)

Since gravamen of offense under statute pertaining to conspiracy against rights of citizens is conspiracy, requirement that offender must act with specific intent to interfere with federal

rights in question is satisfied. 18 U.S.C.A. § 241; U.S.C.A.Const. Amend. 14.

10 Cases that cite this headnote

[6] **Constitutional Law**  Applicability to Governmental or Private Action; State Action

92 Constitutional Law
92XXVI Equal Protection
92XXVI(A) In General
92XXVI(A)4 Applicability to Governmental or Private Action; State Action
92k3020 In general

(Formerly 92k213(1), 92k213)
Equal protection clause of Fourteenth Amendment speaks to state or to those acting under color of its authority. U.S.C.A.Const. Amend. 14.

29 Cases that cite this headnote

[7] **Conspiracy**  Civil Rights, Conspiring to Deprive

91 Conspiracy
91II Criminal Responsibility
91II(B) Particular Subjects of Criminal Conspiracy
91k156 Civil Rights, Conspiring to Deprive
91k157 In general

(Formerly 91k29.5(2), 91k29, 91k29.6)
Statute pertaining to conspiracy against rights of citizens incorporates no more than equal protection clause itself; statute does not purport to give substantive, as opposed to remedial, implementation to any rights secured by that clause. 18 U.S.C.A. § 241; U.S.C.A.Const. Amend. 14.

5 Cases that cite this headnote

[8] **Constitutional Law**  Applicability to Governmental or Private Action; State Action

92 Constitutional Law
92XXVI Equal Protection
92XXVI(A) In General
92XXVI(A)4 Applicability to Governmental or Private Action; State Action
92k3020 In general

(Formerly 92k213(2), 92k213)

Rights under equal protection clause arise only where there has been involvement of state or of one acting under color of its authority; equal protection clause does not add anything to rights which one citizen has under Constitution against another. [U.S.C.A.Const. Amend. 14](#).

[13 Cases that cite this headnote](#)

[9] Constitutional Law 🔑 Private persons and entities

92 Constitutional Law
 92XXVI Equal Protection
 92XXVI(A) In General
 92XXVI(A)4 Applicability to Governmental or Private Action; State Action
 92k3027 Private persons and entities
 (Formerly 92k213(4), 92k213)

Fourteenth Amendment protects individual from state action, not against wrongs done by individuals. [U.S.C.A.Const. Amend. 14](#).

[26 Cases that cite this headnote](#)

[10] Constitutional Law 🔑 Applicability to Governmental or Private Action; State Action

92 Constitutional Law
 92XXVI Equal Protection
 92XXVI(A) In General
 92XXVI(A)4 Applicability to Governmental or Private Action; State Action
 92k3020 In general
 (Formerly 92k213(1), 92k213)

Involvement of state necessary to invoke equal protection clause need not be either exclusive or direct. [U.S.C.A.Const. Amend. 14](#).

[7 Cases that cite this headnote](#)

[11] Conspiracy 🔑 Civil rights, conspiring to deprive

91 Conspiracy
 91III Criminal Responsibility
 91III(H) Indictment or Other Charging Instrument
 91k258 Particular Subjects of Conspiracy
 91k264 Civil rights, conspiring to deprive
 (Formerly 91k43(8))

Portion of indictment which charged defendants with conspiracy to deprive Negroes of right to equal utilization of state owned, operated

or managed facilities wherein it was expressly alleged that one of means of accomplishing object of conspiracy was "by causing the arrest of Negroes by means of false reports that such Negroes had committed criminal acts" contained allegation of state involvement sufficient to require denial of motion to dismiss. [18 U.S.C.A. § 241](#); Civil Rights Act of 1964, § 301 et seq., [42 U.S.C.A. § 2000b](#) et seq.; [U.S.C.A.Const. Amend. 14](#).

[16 Cases that cite this headnote](#)

[12] Commerce 🔑 Nature and scope of regulations in general

83 Commerce
 83II Application to Particular Subjects and Methods of Regulation
 83II(A) In General
 83k48 Nature and scope of regulations in general
 (Formerly 83k74.70)

Constitutional right to travel from one state to another, and necessarily to use highways and other instrumentalities of interstate commerce in doing so, occupies position fundamental to concept of federal union.

[180 Cases that cite this headnote](#)

[13] Conspiracy 🔑 Civil rights, conspiring to deprive

91 Conspiracy
 91III Criminal Responsibility
 91III(H) Indictment or Other Charging Instrument
 91k258 Particular Subjects of Conspiracy
 91k264 Civil rights, conspiring to deprive
 (Formerly 91k43(8))

Portion of indictment charging defendants with conspiracy to deprive Negroes of right to travel to and from state and to use state's interstate commerce facilities and instrumentalities charged offense under statute pertaining to conspiracy against rights of citizens, since right to travel from one state to another is constitutionally protected. [18 U.S.C.A. § 241](#).

[98 Cases that cite this headnote](#)

[14] Commerce 🔑 Nature and scope of regulations in general

83 Commerce

83II Application to Particular Subjects and Methods of Regulation

83II(A) In General

83k48 Nature and scope of regulations in general (Formerly 83k74.70)

Federal commerce power authorizes Congress to legislate for protection of individuals from violations of civil rights that impinge on their free movement in interstate commerce.

[6 Cases that cite this headnote](#)

[15] Conspiracy 🔑 Civil Rights, Conspiring to Deprive

91 Conspiracy

91II Criminal Responsibility

91II(B) Particular Subjects of Criminal Conspiracy

91k156 Civil Rights, Conspiring to Deprive

91k157 In general

(Formerly 91k29.5(2), 91k29, 91k29.6)

Statute pertaining to conspiracy against rights of citizens protects only against rights secured by other federal laws or by Constitution itself. [18 U.S.C.A. § 241](#).

[3 Cases that cite this headnote](#)

[16] Commerce 🔑 Nature and scope of regulations in general

83 Commerce

83II Application to Particular Subjects and Methods of Regulation

83II(A) In General

83k48 Nature and scope of regulations in general (Formerly 83k74.70)

Right to interstate travel is right that Constitution itself guarantees and is constitutionally protected independent of Fourteenth Amendment. [U.S.C.A.Const. Amend. 14](#).

[127 Cases that cite this headnote](#)

[17] Conspiracy 🔑 Civil Rights, Conspiring to Deprive**Conspiracy** 🔑 Particular Subjects of Conspiracy

91 Conspiracy

91II Criminal Responsibility

91II(B) Particular Subjects of Criminal Conspiracy

91k156 Civil Rights, Conspiring to Deprive

91k157 In general

(Formerly 91k29.5(1), 91k29, 91k29.5)

91 Conspiracy

91II Criminal Responsibility

91II(M) Instructions

91k412 Particular Subjects of Conspiracy

91k413 In general

(Formerly 91k48.2(2), 91k48)

Not every criminal conspiracy affecting individual's right of free interstate passage is within sanction of statute pertaining to conspiracy against rights of citizens; specific intent to interfere with federal right must be proved, and at trial defendants are entitled to jury instruction phrased in those terms. [18 U.S.C.A. § 241](#).

[11 Cases that cite this headnote](#)

[18] Conspiracy 🔑 Civil Rights, Conspiring to Deprive

91 Conspiracy

91II Criminal Responsibility

91II(B) Particular Subjects of Criminal Conspiracy

91k156 Civil Rights, Conspiring to Deprive

91k157 In general

(Formerly 91k29.5(1), 91k29, 91k29.5)

If predominant purpose of conspiracy is to impede or prevent exercise of right of interstate travel, or to oppress person because of his exercise of that right, then whether or not motivated by racial discrimination conspiracy becomes proper object of statute pertaining to conspiracy against rights of citizens. [18 U.S.C.A. § 241](#).

[11 Cases that cite this headnote](#)

Attorneys and Law Firms

****1172 *746** Sol. Gen. Thurgood Marshall, for appellant.

Charles J. Bloch, Macon, Ga., for appellee James Spergeon Lackey.

James E. Hudson, Athens, Ga., for other appellees.

Opinion

Mr. Justice STEWART delivered the opinion of the Court.

The six defendants in this case were indicted by a United States grand jury in the Middle District of ***747** Georgia for criminal conspiracy in violation of [18 U.S.C. s 241 \(1964 ed.\)](#). That section provides in relevant part:

‘If two or more persons conspire to injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States, or because of his having so exercised the same;

‘They shall be fined not more than \$5,000 or imprisoned not more than ten years, or both.’

In five numbered paragraphs, the indictment alleged a single conspiracy by the defendants to deprive Negro citizens of the free exercise and enjoyment of several specified rights secured by the Constitution and laws of the United States.¹ The ****1173** defendants moved to dismiss ***748** the indictment on the ground that it did not charge an offense under the laws of the United States. The District Court sustained the motion and dismissed the indictment as to all defendants and all numbered paragraphs of the indictment. [246 F.Supp. 475](#).

¹ The indictment, filed on October 16, 1964, was as follows:

‘THE GRAND JURY CHARGES:

‘Commencing on or about January 1, 1964, and continuing to the date of this indictment, HERBERT GUEST, JAMES SPERGEON LACKEY, CECIL WILLIAM MYERS, DENVER WILLIS PHILLIPS, JOSEPH HOWARD SIMS, and GEORGE HAMPTON TURNER, did, within the Middle District of Georgia, Athens Division, conspire together, with each other, and with other persons to the Grand Jury unknown, to injure, oppress, threaten, and intimidate Negro citizens of the United States in the vicinity of Athens, Georgia, in the free exercise and enjoyment by said Negro citizens of the

following rights and privileges secured to them by the Constitution and laws of the United States:

‘1. The right to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of motion picture theaters, restaurants, and other places of public accommodation;

‘2. The right to the equal utilization, without discrimination upon the basis of race, of public facilities in the vicinity of Athens, Georgia, owned, operated or managed by or on behalf of the State of Georgia or any subdivision thereof;

‘3. The right to the full and equal use on the same terms as white citizens of the public streets and highways in the vicinity of Athens, Georgia;

‘4. The right to travel freely to and from the State of Georgia and to use highway facilities and other instrumentalities of interstate commerce within the State of Georgia;

‘5. Other rights exercised and enjoyed by white citizens in the vicinity of Athens, Georgia.

‘It was a part of the plan and purpose of the conspiracy that its objects be achieved by various means, including the following:

‘1. By shooting Negroes;

‘2. By beating Negroes;

‘3. By killing Negroes;

‘4. By damaging and destroying property of Negroes;

‘5. By pursuing Negroes in automobiles and threatening them with guns;

‘6. By making telephone calls to Negroes to threaten their lives, property, and persons, and by making such threats in person;

‘7. By going in disguise on the highway and on the premises of other persons;

‘8. By causing the arrest of Negroes by means of false reports that such Negroes had committed criminal acts; and

‘9. By burning crosses at night in public view.

‘All in violation of [Section 241, Title 18, United States Code](#).’

The only additional indication in the record concerning the factual details of the conduct with which the defendants were charged is the statement of the District Court that: ‘It is common knowledge that two of the defendants, Sims and Myers, have already been prosecuted in the Superior Court of Madison County, Georgia for the murder of Lemuel A. Penn and by a jury found not guilty.’ [246 F.Supp. 475, 487](#).

***749** The United States appealed directly to this Court under the Criminal Appeals Act, [18 U.S.C. s 3731](#).² We postponed decision of the question of our jurisdiction to the hearing on

the merits. 381 U.S. 932, 85 S.Ct. 1765. It is now apparent that this Court does not have jurisdiction to decide one of the issues sought to be raised on this direct appeal. As to the other issues, however, our appellate jurisdiction is clear, and for the reasons that follow, we reverse the judgment of the District Court. As in *United States v. Price*, 383 U.S. 787, 86 S.Ct. 1152, decided today, we deal here with issues of statutory construction, not with issues of constitutional power.

² This appeal concerns only the first four numbered paragraphs of the indictment. The Government conceded in the District Court that the fifth paragraph added nothing to the indictment, and no question is raised here as to the dismissal of that paragraph.

I.

The first numbered paragraph of the indictment, reflecting a portion of the language of s 201(a) of the Civil Rights Act of 1964, 42 U.S.C. s 2000a(a) (1964 ed.), alleged that the defendants conspired to injure, oppress, threaten, and intimidate Negro citizens in the free exercise and enjoyment of:

‘The right to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of motion picture theaters, restaurants, and other places of public accommodation.’³

³ Section 201(a) of the Civil Rights Act of 1964, 42 U.S.C. s 2000a(a) (1964 ed.), provides:

‘All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation, as defined in this section, without discrimination or segregation on the ground of race, color, religion, or national origin.’

The criteria for coverage of motion picture theaters by the Act are stated in ss 201(b)(3) and 201(c)(3), 42 U.S.C. ss 2000a(b)(3) and 2000a(c)(3) (1964 ed.); the criteria for coverage of restaurants are stated in ss 201(b)(2) and 201(c)(2), 42 U.S.C. ss 2000a(b)(2) and 2000a(c)(2) (1964 ed.). No issue is raised here as to the failure of the indictment to allege specifically that the Act is applicable to the places of public accommodation described in this paragraph of the indictment.

*750 The District Court held that this paragraph of the indictment failed to state an offense against rights secured by the Constitution or laws of the United States. The court found a fatal flaw in the failure **1174 of the paragraph to include an allegation that the acts of the defendants were motivated by

racial discrimination, an allegation the court thought essential to charge an interference with rights secured by Title II of the Civil Rights Act of 1964.⁴ The court went on to say that, in any event, 18 U.S.C. s 241 is not an available sanction to protect rights secured by that title because s 207(b) of the 1964 Act, 42 U.S.C. s 2000a—6(b) (1964 ed.), specifies that the remedies provided in Title II itself are *751 to be the exclusive means of enforcing the rights the title secures.⁵

⁴ The District Court said: ‘The Government contends that the rights enumerated in paragraph 1 stem from Title 2 of the Civil Rights Act of 1964 and thus automatically come within the purview of s 241. The Government conceded on oral argument that paragraph one would add nothing to the indictment absent the Act. It is not clear how the rights mentioned in paragraph one can be said to come from the Act because s 201(a), upon which the draftsman doubtless relied, lists the essential element ‘without discrimination or segregation on the ground of race, color, religion, or national origin.’ This element is omitted from paragraph one of the indictment, and does not appear in the charging part of the indictment. The Supreme Court said in (*United States v.*) *Cruikshank*, *supra*, 92 U.S. (542) at page 556 (23 L.Ed. 588), where deprivation of right to vote was involved, ‘We may suspect that ‘race’ was the cause of the hostility; but it is not so averred. This is material to a description of the substance of the offense and cannot be supplied by implication. Everything essential must be charged positively, not inferentially. The defect here is not in form, but in substance.’ 246 F.Supp. 475, 484.

⁵ Section 207(b) of the Civil Rights Act of 1964, 42 U.S.C. s 2000a—6(b) (1964 ed.), states:

‘The remedies provided in this title shall be the exclusive means of enforcing the rights based on this title, but nothing in this title shall preclude any individual or any State or local agency from asserting any right based on any other Federal or State law not inconsistent with this title, including any statute or ordinance requiring nondiscrimination in public establishments or accommodations, or from pursuing any remedy, civil or criminal, which may be available for the vindication or enforcement of such right.’

Relying on this provision and its legislative history, the District Court said: ‘It seems crystal clear that the Congress in enacting the Civil Rights Act of 1964 did not intend to subject anyone to any possible criminal penalties except those specifically provided for in the Act itself.’ 246 F.Supp., at 485.

[1] [2] A direct appeal to this Court is available to the United States under the Criminal Appeals Act, 18 U.S.C. s 3731, from ‘a decision or judgment * * * dismissing any indictment * * * or any count thereof, where such decision or judgment is based upon the * * * construction of the statute upon which the indictment * * * is founded.’ In the present case, however, the District Court’s judgment as to the first paragraph of the indictment was based, at least alternatively, upon its determination that this paragraph was defective as a matter of pleading. Settled principles of review under the Criminal Appeals Act therefore preclude our review of the District Court’s judgment on this branch of the indictment. In *United States v. Borden Co.*, 308 U.S. 188, 60 S.Ct. 182, 84 L.Ed. 181, Chief Justice Hughes, speaking for a unanimous Court, set out these principles with characteristic clarity:

‘The established principles governing our review are these: (1) Appeal does not lie from a judgment which rests on the mere deficiencies of the indictment *752 as a pleading, as distinguished from a construction of the statute which underlies the indictment. (2) Nor will an appeal lie in a case where the District Court has considered the construction of the statute but has also rested its decision upon the independent ground of a defect in pleading which is not subject to our **1175 examination. In that case we cannot disturb the judgment and the question of construction becomes abstract. (3) This Court must accept the construction given to the indictment by the District Court as that is a matter we are not authorized to review. * * *’ 308 U.S. at 193, 60 S.Ct. at 186.

See also *United States v. Swift & Co.*, 318 U.S. 442, 444, 63 S.Ct. 684, 685, 87 L.Ed. 889.

The result is not changed by the circumstance that we have jurisdiction over this appeal as to the other paragraphs of the indictment. *United States v. Borden*, supra, involved an indictment comparable to the present one for the purposes of jurisdiction under the Criminal Appeals Act. In *Borden*, the District Court had held all four counts of the indictment invalid as a matter of construction of the Sherman Act, but had also held the third count defective as a matter of pleading. The Court accepted jurisdiction on direct appeal as to the first, second, and fourth counts of the indictment, but it dismissed the appeal as to the third count for want of jurisdiction. ‘The Government’s appeal does not open the whole case.’ 308 U.S. 188, 193, 60 S.Ct. 182, 186.

[3] It is hardly necessary to add that our ruling as to the Court’s lack of jurisdiction now to review this aspect of the case implies no opinion whatsoever as to the correctness

either of the District Court’s appraisal of this paragraph of the indictment as a matter of pleading or of the court’s view of the preclusive effect of s 207(b) of the Civil Rights Act of 1964.

*753 II.

The second numbered paragraph of the indictment alleged that the defendants conspired to injure, oppress, threaten, and intimidate Negro citizens of the United States in the free exercise and enjoyment of:

‘The right to the equal utilization, without discrimination upon the basis of race, of public facilities in the vicinity of Athens, Georgia, owned, operated or managed by or on behalf of the State of Georgia or any subdivision thereof.’

[4] Correctly characterizing this paragraph as embracing rights protected by the Equal Protection Clause of the Fourteenth Amendment, the District Court held as a matter of statutory construction that 18 U.S.C. s 241 does not encompass any Fourteenth Amendment rights, and further held as a matter of constitutional law that ‘any broader construction of s 241 * * * would render it void for indefiniteness.’ 246 F.Supp., at 486. In so holding, the District Court was in error, as our opinion in *United States v. Price*, 383 U.S. 787, 86 S.Ct. 1152, decided today, makes abundantly clear.

To be sure, *Price* involves rights under the Due Process Clause, whereas the present case involves rights under the Equal Protection Clause. But no possible reason suggests itself for concluding that s 241—if it protects Fourteenth Amendment rights—protects rights secured by the one Clause but not those secured by the other. We have made clear in *Price* that when s 241 speaks of ‘any right or privilege secured * * * by the Constitution or laws of the United States,’ it means precisely that.

[5] Moreover, inclusion of Fourteenth Amendment rights within the compass of 18 U.S.C. s 241 does not render the statute unconstitutionally vague. Since the gravamen of the offense is conspiracy, the requirement that the offender must act with a specific intent to interfere *754 with the federal rights in question is satisfied. *Screws v. United States*, 325 U.S. 91, 65 S.Ct. 1031, 89 L.Ed. 1495; *United States v. Williams*, 341 U.S. 70, 93—95, 71 S.Ct. 581, 593—595, 95 L.Ed. 758 (dissenting opinion). And the rights under the Equal Protection Clause described by this paragraph of the indictment have been so firmly and precisely **1176

established by a consistent line of decisions in this Court,⁶ that the lack of specification of these rights in the language of s 241 itself can raise no serious constitutional question on the ground of vagueness or indefiniteness.

⁶ See, e.g., *Brown v. Board of Education*, 347 U.S. 483, 74 S.Ct. 686, 98 L.Ed. 873 (schools); *New Orleans City Park Improvement Assn. v. Detiege*, 358 U.S. 54, 79 S.Ct. 99, 3 L.Ed.2d 46; *Wright v. State of Georgia*, 373 U.S. 284, 83 S.Ct. 1240, 10 L.Ed.2d 349; *Watson v. City of Memphis*, 373 U.S. 526, 83 S.Ct. 1314, 10 L.Ed.2d 529; *City of New Orleans v. Barthe*, 376 U.S. 189, 84 S.Ct. 636, 11 L.Ed.2d 602 (parks and playgrounds); *Holmes v. City of Atlanta*, 350 U.S. 879, 76 S.Ct. 141, 100 L.Ed. 776 (golf course); *Mayor and City Council of Baltimore City v. Dawson*, 350 U.S. 877, 76 S.Ct. 133, 100 L.Ed. 774 (beach); *Muir v. Louisville Park Theatrical Assn.*, 347 U.S. 971, 74 S.Ct. 783, 98 L.Ed. 1112 (auditorium); *Johnson v. State of Virginia*, 373 U.S. 61, 83 S.Ct. 1053, 10 L.Ed.2d 195 (courthouse); *Burton v. Wilmington Parking Authority*, 365 U.S. 715, 81 S.Ct. 856, 6 L.Ed.2d 45 (parking garage); *Turner v. City of Memphis*, 369 U.S. 350, 82 S.Ct. 805, 7 L.Ed.2d 762 (airport).

[6] Unlike the indictment in *Price*, however, the indictment in the present case names no person alleged to have acted in any way under the color of state law. The argument is therefore made that, since there exist no Equal Protection Clause rights against wholly private action, the judgment of the District Court on this branch of the case must be affirmed. On its face, the argument is unexceptionable. The Equal Protection Clause speaks to the State or to those acting under the color of its authority.⁷

⁷ ‘No State shall * * * deny to any person within its jurisdiction the equal protection of the laws.’

[7] In this connection, we emphasize that s 241 by its clear language incorporates no more than the Equal Protection Clause itself; the statute does not purport to give substantive, as opposed to remedial, implementation to *755 any rights secured by that Clause.⁸ Since we therefore deal here only with the bare terms of the Equal Protection Clause itself, nothing said in this opinion goes to the question of what kinds of other and broader legislation Congress might constitutionally enact under s 5 of the Fourteenth Amendment to implement that Clause or any other provision of the Amendment.⁹

⁸ See p. 1172, *supra*.

⁹ Thus, contrary to the suggestion in Mr. Justice BRENNAN'S separate opinion, nothing said in this opinion has the slightest bearing on the validity or construction of Title III or Title IV of the Civil Rights Act of 1964, 42 U.S.C. ss 2000b, 2000c (1964 ed.).

[8] [9] It is a commonplace that rights under the Equal Protection Clause itself arise only where there has been involvement of the State or of one acting under the color of its authority. The Equal Protection Clause ‘does not * * * add any thing to the rights which one citizen has under the Constitution against another.’ *United States v. Cruikshank*, 92 U.S. 542, 554—555, 23 L.Ed. 588. As Mr. Justice Douglas more recently put it, ‘The Fourteenth Amendment protects the individual against state action, not against wrongs done by individuals.’ *United States v. Williams*, 341 U.S. 70, 92, 71 S.Ct. 581, 593, 95 L.Ed. 758 (dissenting opinion). This has been the view of the Court from the beginning. *United States v. Cruikshank*, *supra*; *United States v. Harris*, 106 U.S. 629, 1 S.Ct. 601, 27 L.Ed. 290; *Civil Rights Cases*, 109 U.S. 3, 3 S.Ct. 18, 27 L.Ed. 835; *Hodges v. United States*, 203 U.S. 1, 27 S.Ct. 6, 51 L.Ed. 65; *United States v. Powell*, 212 U.S. 564, 29 S.Ct. 690, 53 L.Ed. 653. It remains the Court's view today. See, e.g., *Evans v. Newton*, 382 U.S. 296, 86 S.Ct. 486, 15 L.Ed.2d 373; *United States v. Price*, 383 U.S. 787, 86 S.Ct. 1152.

**1177 [10] This is not to say, however, that the involvement of the State need be either exclusive or direct. In a variety of situations the Court has found state action of a nature sufficient to create rights under the Equal Protection Clause even though the participation of the State was peripheral, or its action was only one of several co-operative *756 forces leading to the constitutional violation. See, e.g., *Shelley v. Kraemer*, 334 U.S. 1, 68 S.Ct. 836, 92 L.Ed. 1161; *Commonwealth of Pennsylvania v. Board of Directors of City Trusts of City of Philadelphia*, 353 U.S. 230, 77 S.Ct. 806, 1 L.Ed.2d 792; *Burton v. Wilmington Parking Authority*, 365 U.S. 715, 81 S.Ct. 856, 6 L.Ed.2d 45; *Peterson v. City of Greenville*, 373 U.S. 244, 83 S.Ct. 1119, 10 L.Ed.2d 323; *Lombard v. State of Louisiana*, 373 U.S. 267, 83 S.Ct. 1122, 10 L.Ed.2d 338; *Griffin v. State of Maryland*, 378 U.S. 130, 84 S.Ct. 1770, 12 L.Ed.2d 754; *Robinson v. State of Florida*, 378 U.S. 153, 84 S.Ct. 1693, 12 L.Ed.2d 771; *Evans v. Newton*, *supra*.

[11] This case, however, requires no determination of the threshold level that state action must attain in order to create

rights under the Equal Protection Clause. This is so because, contrary to the argument of the litigants, the indictment in fact contains an express allegation of state involvement sufficient at least to require the denial of a motion to dismiss. One of the means of accomplishing the object of the conspiracy, according to the indictment, was ‘By causing the arrest of Negroes by means of false reports that such Negroes had committed criminal acts.’¹⁰ In *Bell v. State of Maryland*, 378 U.S. 226, 84 S.Ct. 1814, 12 L.Ed.2d 822, three members of the Court expressed the view that a private businessman’s invocation of state police and judicial action to carry out his own policy of racial discrimination was sufficient to create Equal Protection Clause rights in those against whom the racial discrimination was directed.¹¹ Three other members of the Court strongly disagreed with that view,¹² and three expressed no opinion on the question. The allegation of the extent of official involvement in the present case is not clear. It may charge no more than co-operative private and state action similar to that involved in *Bell*, but it may go considerably further. For example, the allegation is broad enough to cover a charge of active connivance by agents of the State in the making of the ‘false reports,’ or other conduct amounting *757 to official discrimination clearly sufficient to constitute denial of rights protected by the Equal Protection Clause. Although it is possible that a bill of particulars, or the proof if the case goes to trial, would disclose no co-operative action of that kind by officials of the State, the allegation is enough to prevent dismissal of this branch of the indictment.

¹⁰ See note 1, supra.

¹¹ 378 U.S. 226, at 242, 84 S.Ct. 1814, at 1823 (separate opinion of Mr. Justice Douglas); *id.*, at 286, 84 S.Ct. at 1847 (separate opinion of Mr. Justice Goldberg).

¹² *Id.*, at 318, 84 S.Ct. at 1864 (dissenting opinion of Mr. Justice Black).

III.

The fourth numbered paragraph of the indictment alleged that the defendants conspired to injure, oppress, threaten, and intimidate Negro citizens of the United States in the free exercise and enjoyment of:
 ‘The right to travel freely to and from the State of Georgia and to use highway facilities and other instrumentalities of interstate commerce within the State of Georgia.’¹³

¹³ The third numbered paragraph alleged that the defendants conspired to injure, oppress, threaten, and intimidate Negro citizens of the United States in the free exercise and enjoyment of:

‘The right to the full and equal use on the same terms as white citizens of the public streets and highways in the vicinity of Athens, Georgia.’

Insofar as the third paragraph refers to the use of local public facilities, it is covered by the discussion of the second numbered paragraph of the indictment in Part II of this opinion. Insofar as the third paragraph refers to the use of streets or highways in interstate commerce, it is covered by the present discussion of the fourth numbered paragraph of the indictment.

****1178 [12] [13]** The District Court was in error in dismissing the indictment as to this paragraph. The constitutional right to travel from one State to another, and necessarily to use the highways and other instrumentalities of interstate commerce in doing so, occupies a position fundamental to the concept of our Federal Union. It is a right that has been firmly established and repeatedly recognized. In *Crandall v. State of Nevada*, 6 Wall. 35, 18 L.Ed. 744, invalidating *758 a Nevada tax on every person leaving the State by common carrier, the Court took as its guide the statement of Chief Justice Taney in the *Passenger Cases*, 7 How. 283, 492:

‘For all the great purposes for which the Federal government was formed, we are one people, with one common country. We are all citizens of the United States; and, as members of the same community, must have the right to pass and repass through every part of it without interruption, as freely as in our own States.’

See 6 Wall., at 48—49.

Although the Articles of Confederation provided that ‘the people of each State shall have free ingress and regress to and from any other State,’¹⁴ that right finds no explicit mention in the Constitution. The reason, it has been suggested, is that a right so elementary was conceived from the beginning to be a necessary concomitant of the stronger Union the Constitution created.¹⁵ In any event, freedom to travel throughout the United States has long been recognized as a basic right under the Constitution. See *Williams v. Fears*, 179 U.S. 270, 274, 21 S.Ct. 128, 129, 45 L.Ed. 186; *Twining v. State of New Jersey*, 211 U.S. 78, 97, 29 S.Ct. 14, 18, 53 L.Ed. 97; *Edwards v. People of State of California*, 314 U.S. 160, 177, 62 S.Ct. 164, 168, 86 L.Ed. 119 (concurring opinion), 181, 62 S.Ct. 170

(concurring opinion); [People of State of New York v. O'Neill](#), 359 U.S. 1, 6—8; 12—16, 79 S.Ct. 564, 568—570; 571—574, 3 L.Ed.2d 585 (dissenting opinion).

14 Art. IV, Articles of Confederation.

15 See Chafee, *Three Human Rights in the Constitution of 1787*, at 185 (1956).

[14] In [Edwards v. People of State of California](#), 314 U.S. 160, 62 S.Ct. 164, 86 L.Ed. 119, invalidating a California law which impeded the free interstate passage of the indigent, the Court based its reaffirmation of the federal right of interstate travel upon the Commerce Clause. This ground of decision was consistent with precedents firmly establishing that the federal commerce *759 power surely encompasses the movement in interstate commerce of persons as well as commodities. [Gloucester Ferry Co. v. Commonwealth of Pennsylvania](#), 114 U.S. 196, 203, 5 S.Ct. 826, 827, 29 L.Ed. 158; [Covington & Cincinnati Bridge Co. v. Commonwealth of Kentucky](#), 154 U.S. 204, 218—219, 14 S.Ct. 1087, 1092, 38 L.Ed. 962; [Hoke v. United States](#), 227 U.S. 308, 320, 33 S.Ct. 281, 283, 57 L.Ed. 523; [United States v. Hill](#), 248 U.S. 420, 423, 39 S.Ct. 143, 144, 63 L.Ed. 337. It is also well settled in our decisions that the federal commerce power authorizes Congress to legislate for the protection of individuals from violations of civil rights that impinge on their free movement in interstate commerce. [Mitchell v. United States](#), 313 U.S. 80, 61 S.Ct. 873, 85 L.Ed. 1201; [Henderson v. United States](#), 339 U.S. 816, 70 S.Ct. 843, 94 L.Ed. 1302; **1179 [Boynton v. Commonwealth of Virginia](#), 364 U.S. 454, 81 S.Ct. 182, 5 L.Ed.2d 206; [Heart of Atlanta Motel v. United States](#), 379 U.S. 241, 85 S.Ct. 348, 13 L.Ed.2d 258; [Katzenbach v. McClung](#), 379 U.S. 294, 85 S.Ct. 377, 13 L.Ed.2d 290.

[15] [16] Although there have been recurring differences in emphasis within the Court as to the source of the constitutional right of interstate travel, there is no need here to canvass those differences further.¹⁶ All have agreed that the right exists. Its explicit recognition as one of the federal rights protected by what is now 18 U.S.C. s 241 goes back at least as far as 1904. [United States v. Moore, C.C.](#), 129 F. 630, 633. We reaffirm it now.¹⁷

16 The District Court relied heavily on [United States v. Wheeler](#), 254 U.S. 281, 41 S.Ct. 133, 65 L.Ed. 270, in dismissing this branch of the indictment. That case involved an alleged conspiracy to compel residents of Arizona to move out of that State. The right of interstate travel was, therefore, not directly involved. Whatever

continuing validity Wheeler may have as restricted to its own facts, the dicta in the Wheeler opinion relied on by the District Court in the present case have been discredited in subsequent decisions. Cf. [Edwards v. People of State of California](#), 314 U.S. 160, 177, 180, 62 S.Ct. 164, 168, 170, 86 L.Ed. 119 (Douglas, J., concurring); [United States v. Williams](#), 341 U.S. 70, 80, 71 S.Ct. 581, 586, 95 L.Ed. 758.

17 As emphasized in Mr. Justice HARLAN'S separate opinion, s 241 protects only against interference with rights secured by other federal laws or by the Constitution itself. The right to interstate travel is a right that the Constitution itself guarantees, as the cases cited in the text make clear. Although these cases in fact involved governmental interference with the right of free interstate travel, their reasoning fully supports the conclusion that the constitutional right of interstate travel is a right secured against interference from any source whatever, whether governmental or private. In this connection, it is important to reiterate that the right to travel freely from State to State finds constitutional protection that is quite independent of the Fourteenth Amendment.

We are not concerned here with the extent to which interstate travel may be regulated or controlled by the exercise of a State's police power acting within the confines of the Fourteenth Amendment. See [Edwards v. People of State of California](#), 314 U.S. 160, 184, 62 S.Ct. 164, 171—172, 86 L.Ed. 119 (concurring opinion); [People of State of New York v. O'Neill](#), 359 U.S. 1, 6—8, 79 S.Ct. 564, 568—570, 3 L.Ed.2d 585. Nor is there any issue here as to the permissible extent of federal interference with the right within the confines of the Due Process Clause of the Fifth Amendment. Cf. [Zemel v. Rusk](#), 381 U.S. 1, 85 S.Ct. 1271, 14 L.Ed.2d 179; [Aptheker v. Secretary of State](#), 378 U.S. 500, 84 S.Ct. 1659, 12 L.Ed.2d 992; [Kent v. Dulles](#), 357 U.S. 116, 78 S.Ct. 1113, 2 L.Ed.2d 1204.

*760 [17] [18] This does not mean, of course, that every criminal conspiracy affecting an individual's right of free interstate passage is within the sanction of 18 U.S.C. s 241. A specific intent to interfere with the Federal right must be proved, and at a trial the defendants are entitled to a jury instruction phrased in those terms. [Screws v. United States](#), 325 U.S. 91, 106—107, 65 S.Ct. 1031, 1037—1038, 89 L.Ed. 1495. Thus, for example, a conspiracy to rob an interstate traveler would not, of itself, violate s 241. But if the predominant purpose of the conspiracy is to impede or prevent the exercise of the right of interstate travel, or to oppress a person because of his exercise of that right, then, whether or not motivated by racial discrimination, the

conspiracy becomes a proper object of the federal law under which the indictment in this case was brought. Accordingly, it was error to grant the motion to dismiss on this branch of the indictment.

For these reasons, the judgment of the District Court is reversed and the case is remanded to that court for further ****1180** proceedings consistent with this opinion. It is so ordered.

Reversed and remanded.

***761** Mr. Justice CLARK, with whom Mr. Justice BLACK and Mr. Justice FORTAS join, concurring.

I join the opinion of the Court in this case but believe it worthwhile to comment on its Part II in which the Court discusses that portion of the indictment charging the appellees with conspiring to injure, oppress, threaten and intimidate Negro citizens of the United States in the free exercise and enjoyment of:

‘The right to the equal utilization, without discrimination upon the basis of race, of public facilities in the vicinity of Athens, Georgia, owned, operated or managed by or on behalf of the State of Georgia or any subdivision thereof.’

The appellees contend that the indictment is invalid since [18 U.S.C. s 241](#), under which it was returned, protects only against interference with the exercise of the right to equal utilization of state facilities, which is not a right ‘secured’ by the Fourteenth Amendment in the absence of state action. With respect to this contention the Court upholds the indictment on the ground that it alleges the conspiracy was accomplished, in part, ‘(b)y causing the arrest of Negroes by means of false reports that such Negroes had committed criminal acts.’ The Court reasons that this allegation of the indictment might well cover active connivance by agents of the State in the making of these false reports or in carrying on other conduct amounting to official discrimination. By so construing the indictment, it finds the language sufficient to cover a denial of rights protected by the Equal Protection Clause. The Court thus removes from the case any necessity for a ‘determination of the threshold level that state action must attain in order to create rights under the Equal Protection Clause.’ A study of the language in the indictment clearly shows ***762** that the Court's construction is not a capricious one, and I therefore agree with that construction, as well as the conclusion that follows.

The Court carves out of its opinion the question of the power of Congress, under s 5 of the Fourteenth Amendment, to enact legislation implementing the Equal Protection Clause or any other provision of the Fourteenth Amendment. The Court's interpretation of the indictment clearly avoids the question whether Congress, by appropriate legislation, has the power to punish private conspiracies that interfere with Fourteenth Amendment rights, such as the right to utilize public facilities. My Brother BRENNAN, however, says that the Court's disposition constitutes an acceptance of appellees' aforesaid contention as to [s 241](#). Some of his language further suggests that the Court indicates sub silentio that Congress does not have the power to outlaw such conspiracies. Although the Court specifically rejects any such connotation, ante, p. 1176, it is, I believe, both appropriate and necessary under the circumstances here to say that there now can be no doubt that the specific language of s 5 empowers the Congress to enact laws punishing all conspiracies—with or without state action—that interfere with Fourteenth Amendment rights.

Mr. Justice HARLAN, concurring in part and dissenting in part.

I join Parts I and II¹ of the Court's opinion, but I cannot subscribe to Part III in its full sweep. To the extent that it is there held that ****1181** [18 U.S.C. s 241 \(1964 ed.\)](#) reaches conspiracies, embracing only the action of ***763** private persons, to obstruct or otherwise interfere with the right of citizens freely to engage in interstate travel, I am constrained to dissent. On the other hand, I agree that [s 241](#) does embrace state interference with such interstate travel, and I therefore consider that this aspect of the indictment is sustainable on the reasoning of Part II of the Court's opinion.

¹ The action of three of the Justices who join the Court's opinion in nonetheless cursorily pronouncing themselves on the far-reaching constitutional questions deliberately not reached in Part II seems to me, to say the very least, extraordinary.

This right to travel must be found in the Constitution itself. This is so because [s 241](#) covers only conspiracies to interfere with any citizen in the ‘free exercise or enjoyment’ of a right or privilege ‘secured to him by the Constitution or laws of the United States,’ and no ‘right to travel’ can be found in [s 241](#) or in any other law of the United States. My disagreement with this phase of the Court's opinion lies in this: While past cases do indeed establish that there is a constitutional ‘right to travel’ between States free from unreasonable governmental

interference, today's decision is the first to hold that such movement is also protected against private interference, and, depending on the constitutional source of the right, I think it either unwise or impermissible so to read the Constitution.

Preliminarily, nothing in the Constitution expressly secures the right to travel. In contrast the Articles of Confederation provided in Art. IV:

'The better to secure and perpetuate mutual friendship and intercourse among the people of the different States in this Union, the free inhabitants of each of these States * * * shall be entitled to all privileges and immunities of free citizens in the several States; and the people of each State shall have free ingress and regress to and from any other State, and shall enjoy therein all the privileges of trade and commerce, subject to the same duties, impositions and restrictions as the inhabitants thereof respectively * * *.'

*764 This right to 'free ingress and regress' was eliminated from the draft of the Constitution without discussion even though the main objective of the Convention was to create a stronger union. It has been assumed that the clause was dropped because it was so obviously an essential part of our federal structure that it was necessarily subsumed under more general clauses of the Constitution. See [United States v. Wheeler](#), 254 U.S. 281, 294, 41 S.Ct. 133, 134, 65 L.Ed. 270. I propose to examine the several asserted constitutional bases for the right to travel, and the scope of its protection in relation to each source.

I.

Because of the close proximity of the right of ingress and regress to the Privileges and Immunities Clause of the Articles of Confederation it has long been declared that the right is a privilege and immunity of national citizenship under the Constitution. In the influential opinion of [Mr. Justice Washington on circuit, Corfield v. Coryell](#), Fed.Cas.No. 3,230, 4 Wash.C.C. 371 (1825), the court addressed itself to the question—'what are the privileges and immunities of citizens in the several states?' *Id.*, at 380. Corfield was concerned with a New Jersey statute restricting to state citizens the right to rake for oysters, a statute which the court upheld. In analyzing the Privileges and Immunities Clause of the Constitution, Art. IV, s 2, the court stated that it confined 'these expressions to those privileges and immunities which are, in their nature, fundamental,' and listed among them 'The right of a citizen of one state to pass through, or to reside in

any other state, for purposes of trade, agriculture, professional pursuits, or otherwise * * *.' *Id.*, at 380—381.

The dictum in *Corfield* was given general approval in the first opinion of this **1182 Court to deal directly with the right of free movement, [Crandall v. State of Nevada](#), 6 Wall. 35, 18 L.Ed. 744, *765 which struck down a Nevada statute taxing persons leaving the State. It is first noteworthy that in his concurring opinion Mr. Justice Clifford asserted that he would hold the statute void exclusively on commerce grounds for he was clear 'that the State legislature cannot impose any such burden upon commerce among the several States.' 6 Wall., at 49. The majority opinion of Mr. Justice Miller, however, eschewed reliance on the Commerce Clause and the Import-Export Clause and looked rather to the nature of the federal union:

'The people of these United States constitute one nation. * * * This government has necessarily a capital established by law * * *. That government has a right to call to this point any or all of its citizens to aid in its service * * *. The government, also, has its offices of secondary importance in all other parts of the country. On the sea-coasts and on the rivers it has its ports of entry. In the interior it has its land offices, its revenue offices, and its sub-treasuries. In all these it demands the services of its citizens, and is entitled to bring them to those points from all quarters of the nation, and no power can exist in a State to obstruct this right that would not enable it to defeat the purposes for which the government was established.' 6 Wall., at 43—44.

Accompanying this need of the Federal Government, the Court found a correlative right of the citizen to move unimpeded throughout the land:

'He has the right to come to the seat of government to assert any claim he may have upon that government, or to transact any business he may have with it. To seek its protection, to share its offices, to engage in administering its functions. He has a right to free access to its sea-ports, through which all the operations of foreign trade and commerce are *766 conducted, to the sub-treasuries, the land offices, the revenue offices, and the courts of justice in the several States, and this right is in its nature independent of the will of any State over whose soil he must pass in the exercise of it.' 6 Wall., at 44.

The focus of that opinion, very clearly, was thus on impediments by the States on free movement by citizens. This is emphasized subsequently when Mr. Justice Miller asserts that this approach is 'neither novel nor unsupported by authority,' because it is, fundamentally, a question of the exercise of a State's taxing power to obstruct the functions

of the Federal Government: ‘(T) he right of the States in this mode to impede or embarrass the constitutional operations of that government, or the rights which its citizens hold under it, has been uniformly denied.’ 6 Wall., at 44—45.

Later cases, alluding to privileges and immunities, have in dicta included the right to free movement. See *Paul v. Virginia*, 8 Wall. 168, 180, 19 L.Ed. 357; *Williams v. Fears*, 179 U.S. 270, 274, 21 S.Ct. 128, 129, 45 L.Ed. 186; *Twining v. State of New Jersey*, 211 U.S. 78, 29 S.Ct. 14, 53 L.Ed. 97.

Although the right to travel thus has respectable precedent to support its status as a privilege and immunity of national citizenship, it is important to note that those cases all dealt with the right of travel simply as affected by oppressive state action. Only one prior case in this Court, *United States v. Wheeler*, 254 U.S. 281, 41 S.Ct. 133, 65 L.Ed. 270, was argued precisely in terms of a right to free movement as against interference by private individuals. There the Government alleged a conspiracy under the predecessor of s 241 against the perpetrators of the notorious Bisbee Deportations.² **1183 The case was argued straightforwardly in terms of whether the right to free ingress and *767 egress, admitted by both parties to be a right of national citizenship, was constitutionally guaranteed against private conspiracies. The Brief for the Defendants in Error, whose counsel was Charles Evans Hughes, later Chief Justice of the United States, gives as one of its main points: ‘So far as there is a right pertaining to Federal citizenship to have free ingress or egress with respect to the several States, the right as essentially one of protection against the action of the States themselves and of those acting under their authority.’ Brief, at p.i. The Court, with one dissent, accepted this interpretation of the right of unrestricted interstate movement, observing that *Crandall v. State of Nevada*, supra, was inapplicable because, inter alia, it dealt with state action. 254 U.S. at 299, 41 S.Ct. at 136. More recent cases discussing or applying the right to interstate travel have always been in the context of oppressive state action. See, e.g., *Edwards v. People of State of California*, 314 U.S. 160, 62 S.Ct. 164, 86 L.Ed. 119, and other cases discussed, infra.³

² For a discussion of the deportations, see The President’s Mediation Comm’n, Report on the Bisbee, Deportations (November 6, 1917).

³ The Court’s reliance on *United States v. Moore, C.C.*, 129 F. 630, is misplaced. That case held only that it was not a privilege or immunity to organize labor unions. The reference to ‘the right to pass from one state to any other’ was purely incidental dictum.

It is accordingly apparent that the right to unimpeded interstate travel, regarded as a privilege and immunity of national citizenship, was historically seen as a method of breaking down state provincialism, and facilitating the creation of a true federal union. In the one case in which a private conspiracy to obstruct such movement was heretofore presented to this Court, the predecessor of the very statute we apply today was held not to encompass such a right.

II.

A second possible constitutional basis for the right to move among the States without interference is the Commerce Clause. When Mr. Justice Washington articulated *768 the right in *Corfield*, it was in the context of a state statute impeding economic activity by outsiders, and he cast his statement in economic terms. 4 Wash.C.C., at 380—381. The two concurring Justices in *Crandall v. State of Nevada*, supra, rested solely on the commerce argument, indicating again the close connection between freedom of commerce and travel as principles of our federal union. In *Edwards v. People of State of California*, 314 U.S. 160, 62 S.Ct. 164, 86 L.Ed. 119, the Court held squarely that the right to unimpeded movement of persons is guaranteed against oppressive state legislation by the Commerce Clause, and declared unconstitutional a California statute restricting the entry of indigents into that State.

Application of the Commerce Clause to this area has the advantage of supplying a longer tradition of case law and more refined principles of adjudication. States do have rights of taxation and quarantine, see *Edwards v. People of State of California*, 314 U.S. at 184 (concurring opinion), 62 S.Ct. at 171—172, which just be weighed against the general right of free movement, and Commerce Clause adjudication has traditionally been the means of reconciling these interests. Yet this approach to the right to travel, like that found in the privileges and immunities cases, is concerned with the interrelation of state and federal power, not—with an exception to be dealt with in a moment—with private interference.

**1184 The case of *In re Debs*, 158 U.S. 564, 15 S.Ct. 900, 39 L.Ed. 1092, may be thought to raise some doubts as to this proposition. There the United States sought to enjoin Debs and members of his union from continuing to obstruct—by means of a strike—interstate commerce and the passage of the mails. The Court held that Congress and the Executive could certainly act to keep the channels of interstate commerce

open, and that a court of equity had no less power to enjoin what amounted to a public nuisance. It might *769 be argued that to the extent Debs permits the Federal Government to obtain an injunction against the private conspiracy alleged in the present indictment,⁴ the criminal statute should be applicable as well on the ground that the governmental interest in both cases is the same namely to vindicate the underlying policy of the Commerce Clause. However, s 241 is not directed toward the vindication of governmental interests; it requires a private right under federal law. No such right can be found in Debs, which stands simply for the proposition that the Commerce Clause gives the Federal Government standing to sue on a basis similar to that of private individuals under nuisance law. The substantive rights of private persons to enjoin such impediments, of course, devolve from state not federal law; any seemingly inconsistent discussion in Debs would appear substantially vitiated by *Erie R. Co. v. Tompkins*, 304 U.S. 64, 58 S.Ct. 817, 82 L.Ed. 1188.

⁴ It is not even clear that an equity court would enjoin a conspiracy of the kind alleged here, for traditionally equity will not enjoin a crime. See *Developments in the Law—Injunctions*, 78 Harv.L.Rev. 994, 1013—1018 (1965).

I cannot find in any of this past case law any solid support for a conclusion that the Commerce Clause embraces a right to be free from private interference. And the Court's opinion here makes no such suggestion.

III.

One other possible source for the right to travel should be mentioned. Professor Chafee, in his thoughtful study, 'Freedom of Movement,'⁵ finds both the privileges and immunities approach and the Commerce Clause approach unsatisfactory. After a thorough review of the history *770 and cases dealing with the question he concludes that this 'valuable human right,' *id.*, at 209, is best seen in due process terms:

⁵ In *Three Human Rights in the Constitution of 1787*, at 162 (1956).

'Already in several decisions the Court has used the Due Process Clause to safeguard the right of the members of any race to reside where they please inside a state, regardless of ordinances and injunctions. Why is not this clause equally available to assure the right to live in any state one desires? And unreasonable restraints by the national government on mobility can be upset by the Due Process Clause in the Fifth

Amendment * * *. Thus the 'liberty' of all human beings which cannot be taken away without due process of law includes liberty of speech, press, assembly, religion, and also liberty of movement.' *Id.*, at 192—193.

This due process approach to the right to unimpeded movement has been endorsed by this Court. In *Kent v. Dulles*, 357 U.S. 116, 78 S.Ct. 1113, 2 L.Ed.2d 1204, the Court asserted that 'The right to travel is a part of the 'liberty' of which the citizen cannot be deprived without the due process of law under the Fifth Amendment,' *id.*, at 125, 78 S.Ct. at 1118, citing *Crandall v. State of Nevada*, *supra*, and *Edwards v. People of State of California*, *supra*. It is true that the holding in that case turned essentially on statutory grounds. However, in **1185 *Aptheker v. Secretary of State*, 378 U.S. 500, 84 S.Ct. 1659, 12 L.Ed.2d 992, the Court, applying this constitutional doctrine, struck down a federal statute forbidding members of Communist organizations to obtain passports. Both the majority and dissenting opinions affirmed the principle that the right to travel is an aspect of the liberty guaranteed by the Due Process Clause.

Viewing the right to travel in due process terms, of course, would clearly make it inapplicable to the present case, for due process speaks only to governmental action.

*771 IV.

This survey of the various bases for grounding the 'right to travel' is conclusive only to the extent of showing that there has never been an acknowledged constitutional right to be free from private interference, and that the right in question has traditionally been seen and applied, whatever the constitutional underpinning asserted, only against governmental impediments. The right involved being as nebulous as it is, however, it is necessary to consider it in terms of policy as well as precedent.

As a general proposition it seems to me very dubious that the Constitution was intended to create certain rights of private individuals as against other private individuals. The Constitutional Convention was called to establish a nation, not to reform the common law. Even the Bill of Rights, designed to protect personal liberties, was directed at rights against governmental authority, not other individuals. It is true that there is a very narrow range of rights against individuals which have been read into the Constitution. In *Ex parte Yarbrough*, 110 U.S. 651, 4 S.Ct. 152, 28 L.Ed. 274, the Court held that implicit in the Constitution is the right of

citizens to be free of private interference in federal elections. *United States v. Classic*, 313 U.S. 299, 61 S.Ct. 1031, 85 L.Ed. 1368, extended this coverage to primaries. *Logan v. United States*, 144 U.S. 263, 12 S.Ct. 617, 36 L.Ed. 429, applied the predecessor of s 241 to a conspiracy to injure someone in the custody of a United States marshal; the case has been read as dealing with a privilege and immunity of citizenship, but it would seem to have depended as well on extrapolations from statutory provisions providing for supervision of prisoners. The Court in *In re Quarles*, 158 U.S. 532, 15 S.Ct. 959, 39 L.Ed. 1080, extending *Logan*, supra, declared that there was a right of federal citizenship to inform federal officials of violations of federal law. See also *772 *United States v. Cruikshank*, 92 U.S. 542, 552, 23 L.Ed. 588, which announced in dicta a federal right to assemble to petition the Congress for a redress of grievances.

Whatever the validity of these cases on their own terms, they are hardly persuasive authorities for adding to the collection of privileges and immunities the right to be free of private impediments to travel. The cases just discussed are narrow, and are essentially concerned with the vindication of important relationships with the Federal Government—voting in federal elections, involvement in federal law enforcement, communicating with the Federal Government. The present case stands on a considerably different footing.

It is arguable that the same considerations which led the Court on numerous occasions to find a right of free movement against oppressive state action now justify a similar result with respect to private impediments. *Crandall v. State of Nevada*, supra, spoke of the need to travel to the capital, to serve and consult with the offices of government. A basic reason for the formation of this Nation was to facilitate commercial intercourse; intellectual, cultural, scientific, social, and political interests are likewise served by free movement. Surely these interests can be impeded by private vigilantes **1186 as well as by state action. Although this argument is not without force, I do not think it is particularly persuasive. There is a difference in power between States and private groups so great that analogies between the two tend to be misleading. If the State obstructs free intercourse of goods, people, or ideas, the bonds of the union are threatened; if a private group effectively stops such communication, there is at most a temporary breakdown of law and order, to be remedied by the exercise of state authority or by appropriate federal legislation.

To decline to find a constitutional right of the nature asserted here does not render the Federal Government *773 helpless.

As to interstate commerce by railroads, federal law already provides remedies for ‘undue or unreasonable prejudice,’ 24 Stat. 380, as amended, 49 U.S.C. s 3(1) (1964 ed.), which has been held to apply to racial discrimination. *Henderson v. United States*, 339 U.S. 816, 70 S.Ct. 843, 94 L.Ed. 1302. A similar statute applies to motor carriers, 49 Stat. 558, as amended, 49 U.S.C. s 316(d) (1964 ed.), and to air carriers, 72 Stat. 760, 49 U.S.C. s 1374(b) (1964 ed.). See *Boynton v. Commonwealth of Virginia*, 364 U.S. 454, 81 S.Ct. 182, 5 L.Ed.2d 206; *Fitzgerald v. Pan American World Airways*, 2 Cir., 229 F.2d 499. The Civil Rights Act of 1964, 78 Stat. 243, deals with other types of obstructions to interstate commerce. Indeed, under the Court's present holding, it is arguable that any conspiracy to discriminate in public accommodations having the effect of impeding interstate commerce could be reached under s 241, unaided by Title II of the Civil Rights Act of 1964. Because Congress has wide authority to legislate in this area, it seems unnecessary—if prudential grounds are of any relevance, see *Baker v. Carr*, 369 U.S. 186, 258—259, 82 S.Ct. 691, 732—733, 7 L.Ed.2d 663 (Clark J., concurring)—to strain to find a dubious constitutional right.

V.

If I have succeeded in showing anything in this constitutional exercise, it is that until today there was no federal right to be free from private interference with interstate transit, and very little reason for creating one. Although the Court has ostensibly only ‘discovered’ this private right in the Constitution and then applied s 241 mechanically to punish those who conspire to threaten it, it should be recognized that what the Court has in effect done is to use this all-encompassing criminal statute to fashion federal common-law crimes, forbidden to the federal judiciary since the 1812 decision in *United States v. Hudson*, 7 Cranch 32, 3 L.Ed. 259. My Brother Douglas, dissenting in *United States v. Classic*, supra, *774 noted well the dangers of the indiscriminate application of the predecessor of s 241: ‘It is not enough for us to find in the vague penumbra of a statute some offense about which Congress could have legislated and then to particularize it as a crime because it is highly offensive.’ 313 U.S. at 331—332, 61 S.Ct. at 1045, 85 L.Ed. 1368.

I do not gainsay that the immunities and commerce provisions of the Constitution leave the way open for the finding of this ‘private’ constitutional right, since they do not speak solely in terms of governmental action. Nevertheless, I think it wrong to sustain a criminal indictment on such an uncertain ground. To do so subjects s 241 to serious challenge on

the score of vagueness and serves in effect to place this Court in the position of making criminal law under the name of constitutional interpretation. It is difficult to subdue misgivings about the potentialities of this decision.

I would sustain this aspect of the indictment only on the premise that it sufficiently alleges state interference ****1187** with interstate travel, and on no other ground.

Mr. Justice BRENNAN, with whom THE CHIEF JUSTICE and Mr. Justice DOUGLAS join, concurring in part and dissenting in part.

I join Part I of the Court's opinion. I reach the same result as the Court on that branch of the indictment discussed in Part III of its opinion but for other reasons. See footnote 3, *infra*. And I agree with so much of Part II as construes [18 U.S.C. s 241 \(1964 ed.\)](#) to encompass conspiracies to injure, oppress, threaten or intimidate citizens in the free exercise or enjoyment of Fourteenth Amendment rights and holds that, as so construed, [s 241](#) is not void for indefiniteness. I do not agree, however, with the remainder of Part II which holds, as I read the opinion, that a conspiracy to interfere with the exercise of the right to equal utilization of ***775** state facilities is not, within the meaning of [s 241](#), a conspiracy to interfere with the exercise of a 'right ******* secured ******* by the Constitution' unless discriminatory conduct by state officers is involved in the alleged conspiracy.

I.

The second numbered paragraph of the indictment charges that the defendants conspired to injure, oppress, threaten, and intimidate Negro citizens in the free exercise and enjoyment of '(t)he right to the equal utilization, without discrimination upon the basis of race, of public facilities * * * owned, operated or managed by or on behalf of the State of Georgia or any subdivision thereof.' Appellees contend that as a matter of statutory construction [s 241](#) does not reach such a conspiracy. They argue that a private conspiracy to interfere with the exercise of the right to equal utilization of the state facilities described in that paragraph is not, within the meaning of [s 241](#), a conspiracy to interfere with the exercise of a right 'secured' by the Fourteenth Amendment because 'there exist no Equal Protection Clause rights against wholly private action.'

The Court deals with this contention by seizing upon an allegation in the indictment concerning one of the means employed by the defendants to achieve the object of the

conspiracy. The indictment alleges that the object of the conspiracy was to be achieved, in part, '(b)y causing the arrest of Negroes by means of false reports that such Negroes had committed criminal acts * * *.' The Court reads this allegation as 'broad enough to cover a charge of active connivance by agents of the State in the making of the 'false reports,' or other conduct amounting to official discrimination clearly sufficient to constitute denial of rights protected by the Equal Protection Clause,' and the Court holds that this allegation, so construed, is sufficient to 'prevent dismissal of this ***776** branch of the indictment.'¹ I understand ****1188** this to mean that, no matter how compelling the proof that private conspirators murdered, assaulted, or intimidated Negroes in order to prevent their use of state facilities, the prosecution under the second numbered paragraph must fail in the absence of proof of active connivance of law enforcement officers with the private conspirators in causing the false arrests.

¹ As I read the indictment, the allegation regarding the false arrest relates to all the other paragraphs and not merely, as the Court suggests, to the second numbered paragraph of the indictment. See n. 1 in the Court's opinion. Hence, assuming that, as maintained by the Court, the allegation could be construed to encompass discriminatory conduct by state law enforcement officers, it would be a sufficient basis for preventing the dismissal of each of the other paragraphs of the indictment. The right to be free from discriminatory conduct by law enforcement officers while using privately owned places of public accommodation (paragraph one) or while traveling from State to State (paragraphs three and four), or while doing anything else, is unquestionably secured by the Equal Protection Clause. It would therefore be unnecessary to decide whether the right to travel from State to State is itself a right secured by the Constitution or whether paragraph one is defective either because of the absence of an allegation of a racial discriminatory motive or because of the exclusive remedy provision of the Civil Rights Act of 1964, [s 207\(b\)](#), 78 Stat. 246, [42 U.S.C. s 2000a—6\(b\) \(1964 ed.\)](#).

Hence, while the order dismissing the second numbered paragraph of the indictment is reversed, severe limitations on the prosecution of that branch of the indictment are implicitly imposed. These limitations could only stem from an acceptance of appellees' contention that, because there exist no Equal Protection Clause rights against wholly private action, a conspiracy of private persons to interfere with the right to equal utilization of state facilities described in the second numbered paragraph is not a conspiracy to interfere

with a ‘right * * * secured * * * by the Constitution’ within the meaning of [s 241](#). In other words, in the Court’s *777 view the only right referred to in the second numbered paragraph that is, for purposes of [s 241](#), ‘secured * * * by the Constitution’ is a right to be free—when seeking access to state facilities—from discriminatory conduct by state officers or by persons acting in concert with state officers.²

² I see no basis for a reading more consistent with my own view in the isolated statement in the Court’s opinion that ‘the rights under the Equal Protection Clause described by this paragraph (two) of the indictment have been * * * firmly and precisely established by a consistent line of decisions in this Court * * *.’

I cannot agree with that construction of [s 241](#). I am of the opinion that a conspiracy to interfere with the right to equal utilization of state facilities described in the second numbered paragraph of the indictment is a conspiracy to interfere with a ‘right * * * secured * * * by the Constitution’ within the meaning of [s 241](#)—without regard to whether state officers participated in the alleged conspiracy. I believe that [s 241](#) reaches such a private conspiracy, not because the Fourteenth Amendment of its own force prohibits such a conspiracy, but because [s 241](#), as an exercise of congressional power under [s 5](#) of that Amendment, prohibits all conspiracies to interfere with the exercise of a ‘right * * * secured * * * by the Constitution’ and because the right to equal utilization of state facilities is a ‘right * * * secured * * * by the Constitution’ within the meaning of that phrase as used in [s 241](#).³

³ Similarly, I believe that [s 241](#) reaches a private conspiracy to interfere with the right to travel from State to State. I therefore need not reach the question whether the Constitution of its own force prohibits private interferences with that right; for I construe [s 241](#) to prohibit such interferences, and as so construed I am of the opinion that [s 241](#) is a valid exercise of congressional power.

My difference with the Court stems from its construction of the term ‘secured’ as used in [s 241](#) in the phrase a ‘right * * * secured * * * by the Constitution or laws *778 of the United States.’ The Court tacitly construes the term ‘secured’ so as to restrict the coverage of [s 241](#) to those rights that are ‘fully protected’ by the Constitution or another federal law. Unless private interferences with the exercise of the right in question are prohibited by the Constitution itself or another federal law, the right cannot, in the Court’s view, be deemed ‘secured * * * by the Constitution or laws of the United States’ so as to make [s 241](#) applicable to a private conspiracy to interfere with

****1189** the exercise of that right. The Court then premises that neither the Fourteenth Amendment nor any other federal law⁴ prohibits private interferences with the exercise of the right to equal utilization of state facilities.

⁴ This premise is questionable. Title III of the Civil Rights Act of 1964, 78 Stat. 246, [42 U.S.C. s 2000b](#) (1964 ed.), authorizes the Attorney General on complaint from an individual that he is ‘being denied equal utilization of any public facility which is owned, operated, or managed by or on behalf of any State or subdivision,’ to commence a civil action ‘for such relief as may be appropriate’ and against such parties as are ‘necessary to the grant of effective relief.’ Arguably this would authorize relief against private parties not acting in concert with state officers. (This title of the Act does not have an exclusive remedy similar to [s 207\(b\)](#) of Title II, [42 U.S.C. s 2000a—6\(b\)](#).)

The Court affirmatively disclaims any intention to deal with Title III of the Civil Rights Act of 1964 in connection with the second numbered paragraph of the indictment. But, as the District Judge observed in his opinion, the Government maintained that the right described in that paragraph was ‘secured’ by the Fourteenth Amendment and, ‘additionally,’ by Title III of the Civil Rights Act of 1964. [246 F.Supp.](#), at 484. That position was not effectively abandoned in this Court.

In my view, however, a right can be deemed ‘secured * * * by the Constitution or laws of the United States,’ within the meaning of [s 241](#), even though only governmental interferences with the exercise of the right are prohibited by the Constitution itself (or another federal *779 law). The term ‘secured’ means ‘created by, arising under, or dependent upon,’ [Logan v. United States](#), [144 U.S. 263, 293, 12 S.Ct. 617, 626, 36 L.Ed. 429](#), rather than ‘fully protected.’ A right is ‘secured * * * by the Constitution’ within the meaning of [s 241](#) if it emanates from the Constitution, if it finds its source in the Constitution. [Section 241](#) must thus be viewed, in this context, as an exercise of congressional power to amplify prohibitions of the Constitution addressed, as is invariably the case, to government officers; contrary to the view of the Court, I think we are dealing here with a statute that seeks to implement the Constitution, not with the ‘bare terms’ of the Constitution. [Section 241](#) is not confined to protecting rights against private conspiracies that the Constitution or another federal law also protects against private interferences. No such duplicative function was envisioned in its enactment. See Appendix in [United States v. Price](#), [383 U.S. 807, 86 S.Ct. 1163](#). Nor has this Court construed [s 241](#) in such a restrictive manner in other contexts. Many of the rights that have been

held to be encompassed within s 241 are not additionally the subject of protection of specific federal legislation or of any provision of the Constitution addressed to private individuals. For example, the prohibitions and remedies of s 241 have been declared to apply, without regard to whether the alleged violator was a government officer, to interferences with the right to vote in a federal election, *Ex parte Yarbrough*, 110 U.S. 651, 4 S.Ct. 152, 28 L.Ed. 274, or primary, *United States v. Classic*, 313 U.S. 299, 61 S.Ct. 1031, 85 L.Ed. 1368; the right to discuss public affairs or petition for redress of grievances, *United States v. Cruikshank*, 92 U.S. 542, 552, 23 L.Ed. 588, cf. *Hague v. CIO*, 307 U.S. 496, 512—513, 59 S.Ct. 954, 962—963, 83 L.Ed. 1423 (opinion of Roberts, J.); *Collins v. Hardyman*, 341 U.S. 651, 663, 71 S.Ct. 937, 942, 96 L.Ed. 1253 (dissenting opinion); the right to be protected against violence while in the lawful custody of a federal officer, *Logan v. United States*, 144 U.S. 263, 12 S.Ct. 617, 36 L.Ed. 429; and the right to inform of violations of *780 federal law, *In re Quarles and Butler*, 158 U.S. 532, 15 S.Ct. 959, 39 L.Ed. 1080. The full import of our decision in *United States v. Price*, 383 U.S. 787, at pp. 796—807, 86 S.Ct. 1152, at pp. 1158—1163, regarding s 241 is to treat the rights purportedly arising from the Fourteenth Amendment in parity with those rights just enumerated, **1190 arising from other constitutional provisions. The reach of s 241 should not vary with the particular constitutional provision that is the source of the right. For purposes of applying s 241 to a private conspiracy, the standard used to determine whether, for example, the right to discuss public affairs or the right to vote in a federal election is a ‘right * * * secured * * * by the Constitution’ is the very same standard to be used to determine whether the right to equal utilization of state facilities is a ‘right * * * secured * * * by the Constitution.’

For me, the right to use state facilities without discrimination on the basis of race is, within the meaning of s 241, a right created by, arising under and dependent upon the Fourteenth Amendment and hence is a right ‘secured’ by that Amendment. It finds its source in that Amendment. As recognized in *Strauder v. West Virginia*, 100 U.S. 303, 310, 25 L.Ed. 664, ‘The Fourteenth Amendment makes no attempt to enumerate the rights it designed to protect. It speaks in general terms, and those are as comprehensive as possible. Its language is prohibitory; but every prohibition implies the existence of rights * * *.’ The Fourteenth Amendment commands the State to provide the members of all races with equal access to the public facilities it owns or manages, and the right of a citizen to use those facilities without discrimination on the basis of race is a basic corollary of this command. Cf. *Brewer v. Hoxie School District No. 46, etc.*,

238 F.2d 91 (C.A.8th Cir. 1956). Whatever may be the status of the right to equal utilization of privately owned facilities, see generally *Bell v. State of Maryland*, 378 U.S. 226, 84 S.Ct. 1814, 12 L.Ed.2d 822, it must be emphasized that we *781 are here concerned with the right to equal utilization of public facilities owned or operated by or on behalf of the State. To deny the existence of this right or its constitutional stature is to deny the history of the last decade, or to ignore the role of federal power, predicated on the Fourteenth Amendment, in obtaining nondiscriminatory access to such facilities. It is to do violence to the common understanding, an understanding that found expression in Titles III and IV of the Civil Rights Act of 1964, 78 Stat. 246, 42 U.S.C. ss 2000b, 2000c (1964 ed.), dealing with state facilities. Those provisions reflect the view that the Fourteenth Amendment creates the right to equal utilization of state facilities. Congress did not preface those titles with a provision comparable to that in Title II⁵ explicitly creating the right to equal utilization of certain privately owned facilities. Congress rightly assumed that a specific legislative declaration of the right was unnecessary, that the right arose from the Fourteenth Amendment itself.

5 ‘All persons shall be entitled to the full and equal enjoyment of the goods, services, facilities, privileges, advantages, and accommodations of any place of public accommodation, as defined in this section, without discrimination or segregation on the ground of race, color, religion, or national origin.’ 42 U.S.C. s 2000a(a) (1964 ed.).

In reversing the District Court's dismissal of the second numbered paragraph, I would therefore hold that proof at the trial of the conspiracy charged to the defendants in that paragraph will establish a violation of s 241 without regard to whether there is also proof that state law enforcement officers actively connived in causing the arrests of Negroes by means of false reports.

II.

My view as to the scope of s 241 requires that I reach the question of constitutional power—whether s 241 or legislation indubitably designed to punish entirely private *782 conspiracies to interfere with the exercise of Fourteenth Amendment rights constitutes a permissible exercise **1191 of the power granted to Congress by s 5 of the Fourteenth Amendment ‘to enforce, by appropriate legislation, the provisions of’ the Amendment.

A majority of the members of the Court⁶ expresses the view today that s 5 empowers Congress to enact laws punishing all conspiracies to interfere with the exercise of Fourteenth Amendment rights, whether or not state officers or others acting under the color of state law are implicated in the conspiracy. Although the Fourteenth Amendment itself, according to established doctrine, ‘speaks to the State or to those acting under the color of its authority,’ legislation protecting rights created by that Amendment, such as the right to equal utilization of state facilities, need not be confined to punishing conspiracies in which state officers participate. Rather, s 5 authorizes Congress to make laws that it concludes are reasonably necessary to protect a right created by and arising under that Amendment; and Congress is thus fully empowered to determine that punishment of private conspiracies interfering with the exercise of such a right is necessary to its full protection. It made that determination in enacting s 241, see the Appendix in [United States v. Price, 383 U.S. 807, 86 S.Ct. 1163](#), and, therefore s 241 is constitutional legislation as applied to reach the private conspiracy alleged in the second numbered paragraph of the indictment.

⁶ The majority consists of the Justices joining my Brother CLARK'S opinion and the Justice joining this opinion. The opinion of Mr. Justice STEWART construes s 241 as applied to the second numbered paragraph to require proof of active participation by state officers in the alleged conspiracy and that opinion does not purport to deal with this question.

I acknowledge that some of the decisions of this Court, most notably an aspect of the [Civil Rights Cases, 109 U.S. 3, 11, 3 S.Ct. 18, 21, 27 L.Ed. 835](#), have declared that Congress' power under *783 s 5 is confined to the adoption of ‘appropriate legislation for correcting the effects of * * * prohibited state law and state acts, and thus to render them effectually null, void, and innocuous.’ I do not accept—and a majority of the Court today rejects—this interpretation of s 5. It reduces the legislative power to enforce the provisions of the Amendment to that of the judiciary;⁷ and it attributes a far too limited objective to the Amendment's sponsors.⁸ Moreover, the language of s 5 of the Fourteenth Amendment and s 2 of the Fifteenth Amendment are virtually the same, and we recently held in [State of South Carolina v. Katzenbach, 383 U.S. 301, at 326, 86 S.Ct. 803, at 817](#), that ‘(t)he basic test to be applied in a case involving s 2 of the Fifteenth Amendment is the same as in all cases concerning the express powers of Congress with relation to the reserved powers of the States.’ The classic formulation of that test by Chief Justice

Marshall in ****1192** [McCulloch v. Maryland, 4 Wheat. 316, 421, 4 L.Ed. 579](#), was there adopted:

⁷ Congress, not the judiciary, was viewed as the more likely agency to implement fully the guarantees of equality, and thus it could be presumed the primary purpose of the Amendment was to augment the power of Congress, not the judiciary. See James, *The Framing of the Fourteenth Amendment* 184 (1956); Harris, *The Quest for Equality* 53—54 (1960); Frantz, [Congressional Power to Enforce the Fourteenth Amendment Against Private Acts, 73 Yale L.J. 1353, 1356 \(1964\)](#).

⁸ As the first Mr. Justice Harlan said in dissent in the [Civil Rights Cases, 109 U.S. at 54, 3 S.Ct. at 52, 27 L.Ed. 835](#): ‘It was perfectly well known that the great danger to the equal enjoyment by citizens of their rights, as citizens, was to be apprehended, not altogether from unfriendly state legislation, but from the hostile action of corporations and individuals in the states. And it is to be presumed that it was intended, by that section (s 5), to clothe congress with power and authority to meet that danger.’ See [United States v. Price, 383 U.S. 787, at 803—806, 86 S.Ct. 1152, at 1161—1163](#), and Appendix.

‘Let the end be legitimate, let it be within the scope of the constitution, and all means which are appropriate, which are plainly adapted to that end, *784 which are not prohibited, but consist with the latter and spirit of the constitution, are constitutional.’

It seems to me that this is also the standard that defines the scope of congressional authority under s 5 of the Fourteenth Amendment. Indeed, *State of South Carolina v. Katzenbach* approvingly refers to [Ex parte State of Virginia, 100 U.S. 339, 345—346, 25 L.Ed. 676](#), a case involving the exercise of the congressional power under s 5 of the Fourteenth Amendment, as adopting the *McCulloch v. Maryland* formulation for ‘each of the Civil War Amendments.’

Viewed in its proper perspective, s 5 of the Fourteenth Amendment appears as a positive grant of legislative power, authorizing Congress to exercise its discretion in fashioning remedies to achieve civil and political equality for all citizens. Non one would deny that Congress could enact legislation directing state officials to provide Negroes with equal access to state schools, parks and other facilities owned or operated by the State. Nor could it be denied that Congress has the power to punish state officers who, in excess of their authority and in violation of state law, conspire to threaten, harass and murder Negroes for attempting to use these facilities.⁹ And I can find no principle of federalism nor word of the

Constitution that denies Congress power to determine that in order adequately to protect the right to equal utilization of state facilities, it is also appropriate to punish other individuals—not state officers themselves and not acting in concert with state officers—who engage in the same brutal conduct for the same misguided purpose.¹⁰

⁹ *United States v. Price*, 383 U.S. 787, 86 S.Ct. 1152. See *Screws v. United States*, 325 U.S. 91, 65 S.Ct. 1031, 89 L.Ed. 1495; *Williams v. United States*, 341 U.S. 97, 71 S.Ct. 576, 95 L.Ed. 774; *Monroe v. Pape*, 365 U.S. 167, 81 S.Ct. 473, 5 L.Ed.2d 492.

¹⁰ Cf. *Heart of Atlanta Motel v. United States*, 379 U.S. 241, 258, 85 S.Ct. 348, 358, 13 L.Ed.2d 258, applying the settled principle expressed in *United States v. Darby*, 312 U.S. 100, 118, 61 S.Ct. 451, 459, 85 L.Ed. 609, that the power of Congress over interstate commerce ‘extends to those activities intrastate which so affect interstate commerce or the exercise of the power of Congress over it as to make regulation of them appropriate means to the attainment of a legitimate end * * *.’

*785 III.

Section 241 is certainly not model legislation for punishing private conspiracies to interfere with the exercise of the right of equal utilization of state facilities. It deals in only general language ‘with Federal rights, and with all Federal rights’ and protects them ‘in the lump,’ *United States v. Mosley*, 238 U.S. 383, 386, 35 S.Ct. 904, 905, 59 L.Ed. 1355; it protects in most general terms ‘any right or privilege so secured * * * by the Constitution and laws of the United States.’ Congress has left it to the courts to mark the bounds of those words, to determine on a case-by-case basis whether the right purportedly threatened is a federal right. That determination may occur after the conduct charged has taken place or it may not have been anticipated in prior decisions; ‘a penumbra of rights may be involved, which none can know until decision has been made and infraction may occur before it is had.’¹¹ Reliance on such wording plainly brings s 241 close to the danger line of being void for vagueness.

¹¹ Mr. Justice Rutledge in *Screws v. United States*, 325 U.S. at 130, 65 S.Ct. at 1050.

But, as the Court holds, a stringent scienter requirement saves s 241 from condemnation as a criminal statute failing to

provide adequate notice of the **1193 proscribed conduct.¹² The gravamen of the offense is conspiracy, and therefore, like a statute making certain conduct criminal *786 only if it is done ‘willfully,’ s 241 requires proof of a specific intent for conviction. We have construed s 241 to require proof that the persons charged conspired to act in defiance, or in reckless disregard, of an announced rule making the federal right specific and definite. *United States v. Williams*, 341 U.S. 70, 93—95, 71 S.Ct. 581, 593—595, 95 L.Ed. 758 (opinion of Douglas, J.); *Screws v. United States*, 325 U.S. 91, 101—107, 65 S.Ct. 1031, 1035—1038, 89 L.Ed. 1495 (opinion of Douglas, J.) (involving the predecessor to 18 U.S.C. s 242). Since this case reaches us on the pleadings, there is no occasion to decide now whether the Government will be able on trial to sustain the burden of proving the requisite specific intent vis-a -vis the right to travel freely from State to State or the right to equal utilization of state facilities. Compare *James v. United States*, 366 U.S. 213, 221—222, 81 S.Ct. 1052, 1056—1057, 6 L.Ed.2d 246 (opinion of Warren, C.J.). In any event, we may well agree that the necessity to discharge that burden can imperil the effectiveness of s 241 where, as is often the case, the pertinent constitutional right must be implied from a grant of congressional power or a prohibition upon the exercise of governmental power. But since the limitation on the statute's effectiveness derives from Congress' failure to define—with any measure of specificity—the rights encompassed, the remedy is for Congress to write a law without this defect. To paraphrase my Brother Douglas' observation in *Screws v. United States*, 325 U.S. at 105, 65 S.Ct. at 1037, 89 L.Ed. 1495, addressed to a companion statute with the same shortcoming, if Congress desires to give the statute more definite scope, it may find ways of doing so.

¹² Ante, pp. 1175—1176. See generally, *Boyce Motor Lines, Inc. v. United States*, 342 U.S. 337, 342, 72 S.Ct. 329, 331, 96 L.Ed. 367; *American Communications Assn. v. Douds*, 339 U.S. 382, 412—413, 70 S.Ct. 674, 690—692, 94 L.Ed. 925; *United States v. Ragen*, 314 U.S. 513, 524, 62 S.Ct. 374, 378—379, 86 L.Ed. 383; *Gorin v. United States*, 312 U.S. 19, 27—28, 61 S.Ct. 429, 433—434, 85 L.Ed. 488; *Hygrade Provision Co. v. Sherman*, 266 U.S. 497, 501—503, 45 S.Ct. 141, 142—143, 69 L.Ed. 402; *Omaechevarria v. State of Idaho*, 246 U.S. 343, 348, 38 S.Ct. 323, 325, 62 L.Ed. 763.

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Declined to Extend by	 3. Halajian v. D & B Towing	Sep. 04, 2012	Case		13 16 S.Ct.
Declined to Extend by	4. Rogers v. Orange County Transit Authority ”	May 29, 2013	Case		12 13 16 S.Ct.
Declined to Extend by	 5. People v. Contreras	June 16, 2015	Case		16 S.Ct.
Declined to Extend by	 6. Page v. Cuomo ”	Aug. 11, 2020	Case		13 16 S.Ct.
Distinguished by	 7. Kirk v. Board of Regents of University of Cal.	May 28, 1969	Case		13 S.Ct.
Distinguished by	8. U.S. v. McClean ”	Jan. 13, 1976	Case		17 S.Ct.

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Distinguished by	10. Thorpe v. State 107 P.3d 1064 , Colo.App. TAXATION - Sales and Use. Sales tax refund statutes did not violate Privileges and Immunities Clause.	Oct. 21, 2004	Case		13 S.Ct.
Distinguished by	11. Grider v. City and County of Denver  2012 WL 1079466 , D.Colo. THIS MATTER comes before the Court pursuant to Defendant City of Aurora's Motion to Dismiss (# 89), the Plaintiffs' response (# 95), and Aurora's reply (# 96); and Defendant City...	Mar. 30, 2012	Case		12 13 16 S.Ct.
Distinguished by	 12. Peterson v. Martinez 707 F.3d 1197 , 10th Cir.(Colo.) CIVIL RIGHTS - Right to Bear Arms. Second Amendment did not confer right to carry concealed weapons.	Feb. 22, 2013	Case		12 13 S.Ct.
Modification Recognized by	 13. City of Boerne v. Flores 117 S.Ct. 2157 , U.S.Tex. CIVIL RIGHTS - Free Exercise. Religious Freedom Restoration Act exceeds Congress' power under § 5 of Fourteenth Amendment.	June 25, 1997	Case		—

History (2)














Direct History (2)









 1. [U.S. v. Guest](#)
246 F.Supp. 475 , M.D.Ga. , Dec. 29, 1964

Judgment Reversed by





 2. [U.S. v. Guest](#)
383 U.S. 745 , U.S.Ga. , Mar. 28, 1966

Citing References (500)




Treatment	Title	Date	Type	Depth	Headnote(s)
Not Followed as Dicta NEGATIVE	 1. U.S. v. Morrison ” 120 S.Ct. 1740, 1745+ , U.S.Va. CIVIL RIGHTS - Gender. Civil remedy provision of Violence Against Women Act held unconstitutional.	May 15, 2000	Case		6 11 S.Ct.
Examined by	 2. Bray v. Alexandria Women's Health Clinic ” 113 S.Ct. 753, 762+ , U.S.Va. ABORTION - Conspiracy to Deprive. Obstructing access to abortion clinics did not qualify as class-based, invidiously discriminatory animus to deprive women of right to abortion or...	Jan. 13, 1993	Case		13 17 18 S.Ct.
Examined by	 3. Adickes v. S. H. Kress & Co. ” 90 S.Ct. 1598, 1629+ , U.S.N.Y. Action by a white woman who had been denied service in defendant's restaurant because she was in company of Negroes to recover for deprivation of rights and conspiracy to deprive...	June 01, 1970	Case		6 S.Ct.
Examined by	 4. Brzonkala v. Virginia Polytechnic Institute and State University ” 169 F.3d 820, 853+ , 4th Cir.(Va.) Woman brought action under the Violence Against Women Act (VAWA) against man who allegedly raped her. Motion to dismiss the VAWA claims was granted by the United States District...	Mar. 05, 1999	Case		2 11 13 S.Ct.
Examined by	 5. Griffin v. Breckenridge ” 410 F.2d 817, 818+ , 5th Cir.(Miss.) Civil rights case involving a racially motivated assault committed upon a public highway. The United States District Court for the Southern District of Mississippi, Dan M....	Apr. 29, 1969	Case		4 13 16 S.Ct.
Examined by	 6. Action v. Gannon ” 450 F.2d 1227, 1235+ , 8th Cir.(Mo.) Action on behalf of church members to enjoin interference with church services by human rights demonstrators. The United States District Court for the Eastern District of Missouri,...	Nov. 03, 1971	Case		4 6 9 S.Ct.
Examined by	 7. Jones v. Alfred H. Mayer Co. ” 379 F.2d 33, 39+ , 8th Cir.(Mo.) Action was brought to recover damages and for injunctive relief because of refusal of defendants to sell home in private subdivision to plaintiffs because plaintiff husband was a...	June 26, 1967	Case		2 11 13 S.Ct.
Examined by	 8. Brzonkala v. Virginia Polytechnic and State University ” 935 F.Supp. 779, 793+ , W.D.Va. Former university student sued other students, who allegedly raped her, under inter alia, the Violence Against Women Act (VAWA). On motion to dismiss the VAWA claims, the...	July 26, 1996	Case		6 8 9 S.Ct.















Treatment	Title	Date	Type	Depth	Headnote(s)
Not Followed as Dicta NEGATIVE	 9. Hutchins v. District of Columbia ¶¶ 188 F.3d 531, 536+ , D.C.Cir. Minors, parents, and private business brought action against District of Columbia to challenge constitutionality of District's Juvenile Curfew Act. The United States District Court...	June 18, 1999	Case		12 S.Ct.
Declined to Extend by NEGATIVE	 10. Page v. Cuomo ¶¶ 2020 WL 4589329, *4+ , N.D.N.Y. CIVIL RIGHTS — Due Process. Individual failed to state constitutional claim to challenge New York State executive order requiring travelers to quarantine in light of COVID-19.	Aug. 11, 2020	Case		13 16 S.Ct.
Distinguished by NEGATIVE	11. Grider v. City and County of Denver ¶¶ 2012 WL 1079466, *6+ , D.Colo. THIS MATTER comes before the Court pursuant to Defendant City of Aurora's Motion to Dismiss (# 89), the Plaintiffs' response (# 95), and Aurora's reply (# 96); and Defendant City...	Mar. 30, 2012	Case		12 13 16 S.Ct.
Distinguished by NEGATIVE	 12. Luther v. Commissioner of Revenue 588 N.W.2d 502, 511+ , Minn. TAXATION - Income. Taxpayer fit within statutory definition of "nondomiciliary resident."	Feb. 04, 1999	Case		12 13 S.Ct.
Distinguished by NEGATIVE	13. U.S. v. McClean ¶¶ 528 F.2d 1250, 1255+ , 2nd Cir.(N.Y.) City police officers were convicted, after jury trial in the United States District Court for the Eastern District of New York, Jack B. Weinstein, J., of depriving individuals of...	Jan. 13, 1976	Case		17 S.Ct.
Discussed by	 14. Saenz v. Roe ¶¶ 119 S.Ct. 1518, 1524+ , U.S.Cal. CIVIL RIGHTS - Privileges and Immunities. State statute imposing durational residency requirement on TANF benefit recipients was unconstitutional.	May 17, 1999	Case		12 13 16 S.Ct.
Discussed by	 15. U.S. v. Kozminski ¶¶ 108 S.Ct. 2751, 2759+ , U.S.Mich. Defendants were convicted in the United States District Court for the Eastern District of Michigan of holding two retarded farm workers in involuntary servitude and of conspiring...	June 29, 1988	Case		—
Discussed by	 16. Jones v. Helms 101 S.Ct. 2434, 2439+ , U.S.Ga. Georgia prisoner, convicted of felony child abandonment, filed a petition for a writ of habeas corpus. The United States District Court for the Middle District of Georgia, J....	June 15, 1981	Case		12 16 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	 17. Chapman v. Houston Welfare Rights Organization 99 S.Ct. 1905, 1932+ , U.S.Tex. The United States District Court for the District of New Jersey, 418 F.Supp. 566, ruled that New Jersey welfare regulations did not deprive welfare benefits insured by the Social...	May 14, 1979	Case		14 S.Ct.
Discussed by	 18. Anderson v. U. S. ¶¶ 94 S.Ct. 2253, 2262+ , U.S.W.Va. Defendants were convicted in the United States District Court for the Southern District of West Virginia of violating a statute making it a crime to conspire to injure, etc., any...	June 03, 1974	Case		5 S.Ct.
Discussed by	 19. Palmer v. Thompson ¶¶ 91 S.Ct. 1940, 1949+ , U.S.Miss. Class action by Negro citizens and residents of city to compel city to reopen swimming pools and operate them on a desegregated basis. The United States District Court for the...	June 14, 1971	Case		8 10 S.Ct.
Discussed by	 20. Griffin v. Breckenridge 91 S.Ct. 1790, 1800+ , U.S.Miss. Action to recover damages on account of allegedly racially motivated assault committed upon public highway. The United States District Court for the Southern District of...	June 07, 1971	Case		12 16 S.Ct.
Discussed by	 21. Oregon v. Mitchell ¶¶ 91 S.Ct. 260, 277+ , U.S.Or. Original actions to determine constitutionality of certain 1970 amendments of Voting Rights Act. The Supreme Court held that amendments enfranchising 18-year-olds in federal...	Dec. 21, 1970	Case		12 S.Ct.
Discussed by	 22. Shapiro v. Thompson ¶¶ 89 S.Ct. 1322, 1329+ , U.S.Conn. Appeals from decisions of three-judge District Courts for District of Connecticut, District of Columbia, and Eastern District of Pennsylvania, 270 F.Supp. 331,277 F.Supp. 65,279...	Apr. 21, 1969	Case		12 13 16 S.Ct.
Discussed by	 23. U.S. v. Nelson 277 F.3d 164, 175+ , 2nd Cir.(N.Y.) CRIMINAL JUSTICE - Jury. Defendants could not waive right to impartial tribunal.	Jan. 07, 2002	Case		9 S.Ct.
Discussed by	 24. Murphy v. Lynn ¶¶ 118 F.3d 938, 945+ , 2nd Cir.(N.Y.) Arrestee brought § 1983 action against police officers, alleging malicious prosecution of criminal charges against arrestee. Upon remand, 53 F.3d 547, the United States District...	July 08, 1997	Case		12 16 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	 25. U.S. v. Johnstone 107 F.3d 200, 208+ , 3rd Cir.(N.J.) Defendant, a municipal police officer, was convicted in the United States District Court for the District of New Jersey, Maryanne Trump Barry, J., of civil rights violations, and...	Feb. 24, 1997	Case		5 S.Ct.
Discussed by	 26. Lutz v. City of York, Pa. ¶¶ 899 F.2d 255, 258+ , 3rd Cir.(Pa.) Action was brought challenging constitutionality of Pennsylvania ordinance outlawing "cruising," which consisted of driving repeatedly around loop of certain major public roads...	Mar. 28, 1990	Case		12 13 16 S.Ct.
Discussed by	 27. Novotny v. Great American Federal Sav. and Loan Ass'n 584 F.2d 1235, 1255+ , 3rd Cir.(Pa.) In an action by a male employee allegedly discharged because he had charged his employer with discrimination against female employees, the United States District Court for the...	Aug. 07, 1978	Case		3 S.Ct.
Discussed by	 28. Schleifer by Schleifer v. City of Charlottesville ¶¶ 159 F.3d 843, 872+ , 4th Cir.(Va.) Juvenciles and parents challenged municipal curfew law applicable to children under the age of 17, and sought preliminary injunction preventing enforcement of such law. After the...	Oct. 20, 1998	Case		4 S.Ct.
Discussed by	 29. Bellamy v. Mason's Stores, Inc. (Richmond) 508 F.2d 504, 506+ , 4th Cir.(Va.) Civil rights action alleging that employer violated plaintiff's right of free association by firing him for his membership in the Ku klux Klan. The United States District Court...	Dec. 27, 1974	Case		4 6 9 S.Ct.
Discussed by	 30. U.S. v. Anderson ¶¶ 481 F.2d 685, 699+ , 4th Cir.(W.Va.) Defendants were convicted in the United States District Court for the Southern District of West Virginia, at Huntington, John A. Field, Jr., Chief Judge, of violating statute which...	June 26, 1973	Case		4 S.Ct.
Discussed by	 31. Scott v. Moore 680 F.2d 979, 997+ , 5th Cir.(Tex.) Construction company and two of its employees brought action against trades council, its unions, and individual union members, alleging that defendants conspired for purpose of...	July 01, 1982	Case		—
Discussed by	 32. Westberry v. Gilman Paper Co. ¶¶ 507 F.2d 206, 211+ , 5th Cir.(Ga.) Civil rights suit was brought against paper company and an agent, counsel and vice-president thereof by former employee who alleged that, because of his antipollution efforts and...	Jan. 22, 1975	Case		6 9 S.Ct.


Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	33. Hayes v. U.S. ¶¶ 464 F.2d 1252, 1256+ , 5th Cir.(Tex.) Proceeding on motion to vacate sentences imposed for offenses of conspiring to injure Negro students in free exercise of right to attend school without regard to race and of...	June 30, 1972	Case		2 11 S.Ct.
Discussed by	34. Wilkins v. U.S. 376 F.2d 552, 559+ , 5th Cir.(Ala.) Prosecution under civil rights conspiracy statute, arising out of shooting of participant in protest march. The United States District Court for the Middle District of Alabama,...	Apr. 27, 1967	Case		2 11 S.Ct.
Discussed by	35. U.S. v. Lester 363 F.2d 68, 72+ , 6th Cir.(Ky.) Prosecution for conspiracy and substantive violation of civil rights statute. The United States District Court for the Eastern District of Kentucky, Mac Swinford, J., rendered...	July 08, 1966	Case		2 11 S.Ct.
Discussed by	36. U.S. v. Olinger ¶¶ 759 F.2d 1293, 1302+ , 7th Cir.(Ill.) Defendant was convicted in the United States District Court for the Northern District of Illinois, James B. Moran, J., of conspiracy to violate federal law through organized acts...	Apr. 15, 1985	Case		—
Discussed by	37. Murphy v. Mount Carmel High School ¶¶ 543 F.2d 1189, 1194+ , 7th Cir.(Ill.) After the United States District Court for the Northern District of Illinois, Eastern Division, William J. Lynch and Hubert L. Will, JJ., dismissed two civil rights conspiracy...	Oct. 04, 1976	Case		9 S.Ct.
Discussed by	38. Dombrowski v. Dowling ¶¶ 459 F.2d 190, 195+ , 7th Cir.(Ill.) Action wherein plaintiff alleged that acts of defendants were part of an unlawful conspiracy to deny him his civil rights and violated his statutory right to equal enjoyment of...	Apr. 07, 1972	Case		11 S.Ct.
Discussed by	39. U.S. v. Reese ¶¶ 2 F.3d 870, 880+ , 9th Cir.(Cal.) Following jury trial before the United States District Court for the Northern District of California, Fern M. Smith, J., defendant housing authority police officers were found...	July 27, 1993	Case		13 17 18 S.Ct.
Discussed by	40. Fisher v. Reiser ¶¶ 610 F.2d 629, 634+ , 9th Cir.(Nev.) Class action was filed to obtain declaratory and injunctive relief to redress alleged deprivation of equal protection and violation of the right to travel arising from Nevada's...	Nov. 28, 1979	Case		12 13 16 S.Ct.



Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	 41. Ouzts v. Maryland Nat. Ins. Co. 505 F.2d 547, 554+ , 9th Cir.(Nev.) Principal who had entered into bonding agreement in Nevada in connection with charges against him in Nevada brought action against the bondsman and several of its agents alleging...	Oct. 29, 1974	Case		6 11 S.Ct.
Discussed by	 42. Taylor v. Gilmartin ¶¶ 686 F.2d 1346, 1359+ , 10th Cir.(Okla.) Adult plaintiff sued religious deprogrammers seeking recovery under Civil Rights Act and at common law. The United States District Court for the Western District of Oklahoma,...	July 30, 1982	Case		2 11 13 S.Ct.
Discussed by	 43. U.S. v. Ehrlichman ¶¶ 546 F.2d 910, 918+ , D.C.Cir. Defendant, former assistant to the President of the United States for domestic affairs, was convicted in the United States District Court for the District of Columbia, Gerhard A....	May 17, 1976	Case		17 S.Ct.
Discussed by	 44. U.S. v. Barker 546 F.2d 940, 945+ , D.C.Cir. Defendants, members of a "special investigations" unit of the White House which burglarized a psychiatrist's office in search of records on a patient who was suspected of having...	May 17, 1976	Case		5 17 18 S.Ct.
Discussed by	45. Reichardt v. Life Ins. Co. of North America ¶¶ 485 F.Supp. 56, 61+ , N.D.Cal. Female disability insurance policyholder brought action against the California State Insurance Commissioner and various insurers, on behalf of herself and other women similarly...	Aug. 22, 1979	Case		6 S.Ct.
Discussed by	46. Baer v. Baer ¶¶ 450 F.Supp. 481, 495+ , N.D.Cal. Action was brought by plaintiff against his parents and foundation allegedly in business of "legal deprogramming" claiming that parents and foundation conspired to and did abduct...	Apr. 14, 1978	Case		4 S.Ct.
Discussed by	 47. Reichardt v. Payne 396 F.Supp. 1010, 1017+ , N.D.Cal. A female disability insurance policyholder brought an action against the California Insurance Commissioner and various disability insurance companies, on behalf of herself and...	Apr. 30, 1975	Case		4 13 S.Ct.
Discussed by	48. Peruta v. City of Hartford ¶¶ 2012 WL 3656366, *5+ , D.Conn. The Plaintiff, Edward A. Peruta, brings this action for an injunction on behalf of himself and other persons similarly situated to enjoin the operation of the Pay and Display...	Aug. 24, 2012	Case		12 13 16 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	 49. Thompson v. Shapiro ¶ 270 F.Supp. 331, 335+ , D.Conn. Action was brought in three-judge federal District Court for a declaration that Connecticut statute violates the Federal Constitution, and for an injunction against its enforcement...	June 19, 1967	Case		13 18 S.Ct.
Discussed by	50. Pollack v. Duff ¶ 958 F.Supp.2d 280, 287+ , D.D.C. LABOR AND EMPLOYMENT - Discrimination. Local residency requirement in government job announcement did not violate nonresident applicant's equal protection rights.	Aug. 06, 2013	Case		13 16 S.Ct.
Discussed by	 51. Shiffman v. Askew ¶ 359 F.Supp. 1225, 1228+ , M.D.Fla. Cases challenging constitutionality of Florida statute providing that party seeking a divorce must reside six months in the state before the petition is filed. The District Court,...	June 01, 1973	Case		—
Discussed by	 52. Hughes v. City of Cedar Rapids ¶ 112 F.Supp.3d 817, 839+ , N.D.Iowa GOVERNMENT - Highways and Roads. City's traffic camera system was rationally related to legitimate government interest.	July 02, 2015	Case		12 13 16 S.Ct.
Discussed by	 53. Maryland State Conference of NAACP Branches v. Maryland Dept. of State Police 72 F.Supp.2d 560, 568+ , D.Md. African-American advocacy organization and individual minority motorists filed class action lawsuit against Maryland State Police and individual officers, supervisors, and...	Sep. 30, 1999	Case		12 13 S.Ct.
Discussed by	 54. Michigan Protection and Advocacy Service, Inc. v. Babin ¶ 799 F.Supp. 695, 730+ , E.D.Mich. Advocacy group brought action on behalf of developmentally disabled plaintiffs, alleging violations of Fair Housing Amendments Act (FHAA) and state law in sale of home. On cross...	July 22, 1992	Case		9 S.Ct.
Discussed by	 55. Bergman v. U.S. 565 F.Supp. 1353, 1397+ , W.D.Mich. An action was filed seeking to recover damages for injuries sustained by "Freedom Riders." On various motions, the District Court, Enslin, J., held that: (1) the Government was...	May 31, 1983	Case		12 13 S.Ct.
Discussed by	56. O'Hara v. Mattix 255 F.Supp. 540, 541+ , W.D.Mich. Action was brought for damages resulting from alleged violations of the Civil Rights Act. The District Court, Fox, J., held that evidence was insufficient to establish any...	June 27, 1966	Case		4 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	57. Minnesota ex rel. Hatch v. U.S. ¶ 102 F.Supp.2d 1115, 1126+ , D.Minn. SOCIAL SECURITY - Medicare. Medicare+Choice payment formulation did not violate the Tenth Amendment.	July 07, 2000	Case		13 S.Ct.
Discussed by	58. U.S. v. Parker ¶ 165 F.Supp.2d 431, 454+ , W.D.N.Y. CRIMINAL JUSTICE - Indictment and Information. Indictment fairly apprised defendant police officers of conspiracy and theft charges.	Apr. 19, 2001	Case		5 S.Ct.
Discussed by	59. Weiss v. Willow Tree Civic Ass'n ¶ 467 F.Supp. 803, 813+ , S.D.N.Y. Hasidic Jews brought complaint alleging that civic association and its members had conspired and acted to harass and delay Hasidic Jews who sought to establish housing development...	Feb. 08, 1979	Case		12 13 S.Ct.
Discussed by	60. Com. of Pa. v. Local Union No. 542, Intern. Union of Operating Engineers ¶ 347 F.Supp. 268, 273+ , E.D.Pa. Proceeding on plaintiffs' petition for an injunction pendente lite on ground that union and some of its members, officers, and agents were pursuing a course of violence, harassment...	Aug. 04, 1972	Case		4 S.Ct.
Discussed by	61. Payne v. Adams ¶ 2018 WL 636754, *2+ , D.S.C. This matter is before the court upon review of the Magistrate Judge's Report and Recommendation ("Report") (ECF No. 84), recommending that the court grant Defendants' Motions For...	Jan. 30, 2018	Case		13 17 18 S.Ct.
Discussed by	62. Ervin v. Nashville Peace and Justice Center 2008 WL 4449920, *8+ , M.D.Tenn. LABOR AND EMPLOYMENT - Discrimination. Employee had not properly exhausted all of his administrative remedies and could not pursue his claim in the courts.	Sep. 29, 2008	Case		6 8 S.Ct.
Discussed by	63. Britt v. Suckle 453 F.Supp. 987, 999+ , E.D.Tex. Employee brought civil rights action under section of the Ku Klux Klan statute prohibiting conspiracy to obstruct the due course of justice. The District Court, Justice, J., held...	May 11, 1978	Case		3 6 S.Ct.
Discussed by	64. U.S. v. Wilson ¶ 880 F.Supp. 621, 634+ , E.D.Wis. Defendants were indicted under Freedom of Access to Clinics Entrances Act (FACE) section prohibiting nonviolent physical obstruction of entrances to reproductive health services...	Mar. 16, 1995	Case		6 S.Ct.
Discussed by	65. State v. Burnett ¶ 755 N.E.2d 857, 865+ , Ohio CRIMINAL JUSTICE - Trespass. Drug-exclusion zone violated due process right to intra-state travel.	Oct. 17, 2001	Case		12 16 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	66. Eggert v. City of Seattle ¶ 505 P.2d 801, 803+ , Wash. Action by applicants for city jobs against city and city civil service commission challenging city charter provisions which grant preference in employment for some positions city...	Jan. 25, 1973	Case		12 13 S.Ct.
Discussed by	67. Sale ex rel. Sale v. Goldman ¶ 539 S.E.2d 446, 475+ , W.Va. CIVIL RIGHTS - Curfews. City's curfew ordinance is constitutional.	July 19, 2000	Case		4 S.Ct.
Discussed by	68. Mr. Timothy A. Braaten ¶ Tex. Atty. Gen. Op. GA-0573, GA-0573+ Re: Whether, in light of the equal protection guarantees of the United States and Texas constitutions, the Texas Municipal Police Association, an entity credentialed by and under...	Sep. 28, 2007	Administrative Decision		9 S.Ct.
Declined to Extend by NEGATIVE	69. Rogers v. Orange County Transit Authority ¶ 2013 WL 12164780, *5+ , C.D.Cal. Before the Court is a Motion to Dismiss filed by Defendants Orange County Transportation Authority, erroneously sued as Orange County Transit Authority, Ernestito A. Torres, and R....	May 29, 2013	Case		12 13 16 S.Ct.
Declined to Extend by NEGATIVE	70. Halajian v. D & B Towing 146 Cal.Rptr.3d 646, 652 , Cal.App. 5 Dist. CRIMINAL JUSTICE - Driving After Revocation. Towing and impounding truck upon arrest for license and registration violations did not violate Fourth Amendment.	Sep. 04, 2012	Case		13 16 S.Ct.
Distinguished by NEGATIVE	71. Thorpe v. State 107 P.3d 1064, 1070 , Colo.App. TAXATION - Sales and Use. Sales tax refund statutes did not violate Privileges and Immunities Clause.	Oct. 21, 2004	Case		13 S.Ct.
Distinguished by NEGATIVE	72. Kirk v. Board of Regents of University of Cal. 78 Cal.Rptr. 260, 267 , Cal.App. 1 Dist. Action to determine validity of classification between residents and nonresidents in determining tuition at state university. The Superior Court, Alameda County, Monroe Friedman...	May 28, 1969	Case		13 S.Ct.
Cited by	73. Virginia v. Black ¶ 123 S.Ct. 1536, 1564 , U.S.Va. CIVIL RIGHTS - Free Speech. Virginia's ban on cross burning with intent to intimidate did not violate the First Amendment.	Apr. 07, 2003	Case		—
Cited by	74. U.S. v. Lanier 117 S.Ct. 1219, 1222+ , U.S.Tenn. CRIMINAL JUSTICE - Sex Offenses. Court of Appeals applied incorrect standard in determining whether defendant received "fair warning" that his conduct violated statute under which...	Mar. 31, 1997	Case		12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 75. Haig v. Agee 101 S.Ct. 2766, 2782 , U.S.Dist.Col. A passport was revoked on ground that activities of the passport holder in foreign countries had caused serious damage to national security and foreign policy of the United States....	June 29, 1981	Case		12 16 S.Ct.
Cited by	 76. Richmond Newspapers, Inc. v. Virginia 100 S.Ct. 2814, 2829 , U.S.Va. Certiorari was granted to review dismissal of mandamus and prohibition petitions by the Virginia Supreme Court. The Supreme Court, Mr. Chief Justice Burger with two Justices...	July 02, 1980	Case		—
Cited by	 77. City of Rome v. U. S. 100 S.Ct. 1548, 1577 , U.S.Dist.Col. City and two of its officials filed declaratory judgment action seeking relief from Voting Rights Act. The Three-Judge District Court for the District of Columbia, 450 F.Supp...	Apr. 22, 1980	Case		4 S.Ct.
Cited by	 78. Nevada v. Hall  99 S.Ct. 1182, 1193+ , U.S.Cal. Plaintiffs, who sustained personal injuries resulting from collision between vehicle occupied by plaintiffs and vehicle driven by employee of University of Nevada, brought action...	Mar. 05, 1979	Case		12 16 S.Ct.
Cited by	 79. Califano v. Aznavorian 99 S.Ct. 471, 475 , U.S.Cal. Supplementary Security Income recipient sought judicial review of decision of the Secretary of Health, Education, and Welfare denying her benefits for time when she had been...	Dec. 11, 1978	Case		16 S.Ct.
Cited by	 80. Califano v. Gautier Torres 98 S.Ct. 906, 908 , U.S.Puerto Rico Recipient who qualified for benefits under the Supplemental Security Income program while residing in the United States but who was denied benefits upon moving to Puerto Rico...	Feb. 27, 1978	Case		12 16 S.Ct.
Cited by	 81. Bigelow v. Virginia 95 S.Ct. 2222, 2234 , U.S.Va. Editor of weekly Virginia newspaper was convicted before the Circuit Court, Albemarle County, of violating Virginia statute making it a misdemeanor, by the sale or circulation of...	June 16, 1975	Case		—
Cited by	 82. Doe v. McMillan 93 S.Ct. 2018, 2024 , U.S.Dist.Col. Parents of District of Columbia school children brought action against members of House of Representatives Committee on the District of Columbia, federal legislative employees and...	May 29, 1973	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 83. San Antonio Independent School Dist. v. Rodriguez ¶¶ 93 S.Ct. 1278, 1296+ , U.S.Tex. Class action was brought on behalf of school children, who were said to be members of poor families residing in school districts having low property tax base, challenging reliance...	Mar. 21, 1973	Case		12 S.Ct.
Cited by	 84. District of Columbia v. Carter 93 S.Ct. 602, 606+ , U.S.Dist.Col. Civil action for damages upon several theories, including common-law theory of tort liability and an action for deprivation of civil rights pursuant to statute. The United States...	Jan. 10, 1973	Case		9 S.Ct.
Cited by	 85. Evansville-Vanderburgh Airport Authority Dist. v. Delta Airlines, Inc. 92 S.Ct. 1349, 1359+ , U.S.Ind. Actions by airlines challenging constitutionality of charges of one dollar levied by a state and by a municipality on persons enplaning a scheduled commercial airliner to help...	Apr. 19, 1972	Case		12 S.Ct.
Cited by	 86. Dunn v. Blumstein ¶¶ 92 S.Ct. 995, 1001 , U.S.Tenn. Action was brought challenging state durational residence laws for voter. A three-judge District Court, 337 F.Supp. 323, held the laws invalid and state officials appealed. The...	Mar. 21, 1972	Case		12 S.Ct.
Cited by	 87. Daniel v. Paul 89 S.Ct. 1697, 1703+ , U.S.Ark. Suit in equity for injunctive relief under public accommodations provisions of Civil Rights Act of 1964. The United States District Court, Eastern District of Arkansas, 263...	June 02, 1969	Case		11 S.Ct.
Cited by	88. U.S. v. Johnson 88 S.Ct. 1231, 1234 , U.S.Ga. Prosecution for conspiracy to violate the civil rights of Negro citizens. The United States District Court for the Northern District of Georgia, 269 F.Supp. 706, granted...	Apr. 08, 1968	Case		—
Cited by	 89. City of Greenwood, Miss. v. Peacock ¶¶ 86 S.Ct. 1800, 1814+ , U.S.Miss. Prosecutions, removed from state courts, on criminal charges against defendants who were allegedly engaged in civil rights activity. The United States District Court for the...	June 20, 1966	Case		11 S.Ct.
Cited by	 90. United States v. Martinez-Mercado 919 F.3d 91, 102 , 1st Cir.(Puerto Rico) CRIMINAL JUSTICE — Civil Rights. Evidence that defendant acted under color of state law was sufficient to support conviction for conspiring to deprive a person of civil rights.	Mar. 25, 2019	Case		17 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 91. Richards v. Thurston 424 F.2d 1281, 1284 , 1st Cir.(Mass.) Action by suspended high school student to compel restoration to status as member of senior class. The United States District Court for the District of Massachusetts, Charles...	Apr. 28, 1970	Case		12 S.Ct.
Cited by	 92. New York State Rifle & Pistol Association, Inc. v. City of New York ¶¶ 883 F.3d 45, 66 , 2nd Cir. CIVIL RIGHTS - Right to Bear Arms. City rule limiting circumstances under which person with premises license for handgun could remove gun from premises did not violate Second...	Feb. 23, 2018	Case		12 13 16 S.Ct.
Cited by	 93. U.S. v. Rutkoske 506 F.3d 170, 175 , 2nd Cir.(N.Y.) CRIMINAL JUSTICE - Indictment and Information. An original indictment was validly pending when a superseding indictment was returned.	Oct. 25, 2007	Case		—
Cited by	 94. U.S. v. McDermott ¶¶ 918 F.2d 319, 325+ , 2nd Cir.(N.Y.) Two former city transit police officers were convicted of conspiracy to violate constitutional rights, and for falsely arresting noncitizen resident and depriving him of his...	Sep. 21, 1990	Case		15 S.Ct.
Cited by	 95. Spencer v. Casavilla 903 F.2d 171, 174 , 2nd Cir.(N.Y.) Parents of black man who was fatally beaten by whites brought civil rights action against assailants. The United States District Court for the Southern District of New York,...	May 14, 1990	Case		13 S.Ct.
Cited by	 96. New York State Nat. Organization for Women v. Terry 886 F.2d 1339, 1360+ , 2nd Cir.(N.Y.) Health care clinics and abortion providers, numerous organizations, and city, as intervener, brought action against antiabortion organization and abortion protesters, seeking to...	Sep. 20, 1989	Case		13 S.Ct.
Cited by	 97. People by Abrams v. 11 Cornwell Co. 695 F.2d 34, 43 , 2nd Cir.(N.Y.) The State of New York sued partnership of property owners charging civil rights violations in connection with partnerships' acquisition of and failure to sell to the state a...	Nov. 30, 1982	Case		—
Cited by	98. In re Grand Jury Subpoena of Flanagan 691 F.2d 116, 124 , 2nd Cir.(N.Y.) Contempt proceedings was brought to compel grand jury witness who had been granted immunity to answer questions. The United States District Court for the Eastern District of New...	Oct. 13, 1982	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 99. U.S. v. Guillette 547 F.2d 743, 749+ , 2nd Cir.(Conn.) Defendants were convicted in the District Court for the District of Connecticut, Lloyd F. MacMahon, J., of conspiracy to deprive a citizen of civil rights and one defendant was...	Dec. 20, 1976	Case		—
Cited by	 100. Communications Workers of America, AFL-CIO v. American Tel. & Tel. Co., Long Lines Dept. 513 F.2d 1024, 1031 , 2nd Cir.(N.Y.) Civil Rights Act suit, in nature of class action, was brought against telephone company to recover for alleged sex-based discrimination against female employees as regards rights,...	Mar. 26, 1975	Case		—
Cited by	 101. U.S. v. Pacelli 491 F.2d 1108, 1114+ , 2nd Cir.(N.Y.) Defendant was convicted in the United States District Court for the Southern District of New York, Charles H. Tenney, J., of conspiracy to deprive a citizen of her civil right to...	Jan. 11, 1974	Case		—
Cited by	 102. Inmates of Attica Correctional Facility v. Rockefeller 477 F.2d 375, 377 , 2nd Cir.(N.Y.) Purported class action was brought by inmates of New York correctional facility and others seeking to require federal and state officials to investigate and prosecute persons who...	Apr. 18, 1973	Case		13 S.Ct.
Cited by	 103. Lefcourt v. Legal Aid Soc. 445 F.2d 1150, 1154 , 2nd Cir.(N.Y.) Action by attorney against legal aid society for wrongful discharge from his employment. From a judgment entered in the United States District Court for the Southern District of...	June 18, 1971	Case		—
Cited by	 104. Adickes v. S. H. Kress & Co. 409 F.2d 121, 125+ , 2nd Cir.(N.Y.) Action for damages for violation of plaintiff's civil rights incident to plaintiff's arrest for trespass following refusal of service at defendant's luncheon counter because...	Dec. 27, 1968	Case		—
Cited by	105. Owner Operator Independent Drivers Association, Inc. v. Pennsylvania Turnpike Commission  934 F.3d 283, 294 , 3rd Cir.(Pa.) GOVERNMENT — Highways and Roads. Pennsylvania Turnpike Commission's (PTC) use of excess toll funds for non-toll road projects did not violate the dormant Commerce Clause.	Aug. 13, 2019	Case		12 13 16 S.Ct.














Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 106. D.F. v. Collingswood Borough Bd. of Educ. ¶¶ 694 F.3d 488, 498 , 3rd Cir.(N.J.) EDUCATION - Disabled Students. Student's out-of-district move did not render moot his claims for compensatory education under IDEA.	Sep. 12, 2012	Case		12 13 16 S.Ct.
Cited by	 107. U.S. v. Shenandoah 595 F.3d 151, 162+ , 3rd Cir.(Pa.) CRIMINAL JUSTICE - Sex Offenders. Prosecution for violation of SORNA did not violate defendant's due process rights.	Feb. 09, 2010	Case		4 S.Ct.
Cited by	 108. Doe v. Pennsylvania Bd. of Probation and Parole 513 F.3d 95, 113+ , 3rd Cir.(Pa.) CRIMINAL JUSTICE - Sex Offenders. Community notice provision of Pennsylvania's "Megan's Law" violated equal protection.	Jan. 23, 2008	Case		12 S.Ct.
Cited by	 109. Maldonado v. Houston 157 F.3d 179, 185 , 3rd Cir.(Pa.) Welfare recipients brought action to challenge constitutionality of Pennsylvania's two-tier durational residency requirement limiting amount of benefits for new residents....	Sep. 09, 1998	Case		12 S.Ct.
Cited by	 110. Schumacher v. Nix ¶¶ 965 F.2d 1262, 1266 , 3rd Cir.(Pa.) Graduates of unaccredited law schools, who were members in good standing of California bar and had practiced there for more than five years, challenged Pennsylvania bar admission...	June 03, 1992	Case		12 S.Ct.
Cited by	111. U.S. v. Stewart 806 F.2d 64, 67 , 3rd Cir.(Pa.) Defendant was convicted in the United States District Court for the Eastern District of Pennsylvania, Clarence C. Newcomer, J., of conspiring to violate rights of United States...	Nov. 26, 1986	Case		—
Cited by	 112. U.S. v. Grimes 641 F.2d 96, 101 , 3rd Cir.(N.J.) Defendant appealed from order of the United States District Court for the District of New Jersey, Herbert J. Stern, District Judge, which denied his motion to vacate his armed...	Feb. 02, 1981	Case		12 S.Ct.
Cited by	113. U.S. v. Ellis 595 F.2d 154, 161 , 3rd Cir.(Pa.) Defendants, who were police officers, were convicted in the United States District Court for the Eastern District of Pennsylvania, Donald W. VanArtsdalen, J., of conspiracy to...	Mar. 13, 1979	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	114. Vorchheimer v. School Dist. of Philadelphia 532 F.2d 880, 894 , 3rd Cir.(Pa.) Female high school student who had been denied admission to an all-male academic high school because of sex brought class action to challenge the assertedly unconstitutional...	Mar. 16, 1976	Case		—
Cited by	115. Willis v. Town Of Marshall, N.C. ¶¶ 426 F.3d 251, 264 , 4th Cir.(N.C.) CIVIL RIGHTS - Right of Assembly. Recreational dancing was not protected activity under First Amendment.	Oct. 07, 2005	Case		12 13 S.Ct.
Cited by	116. Bradley v. School Bd. of City of Richmond, Va. 462 F.2d 1058, 1078 , 4th Cir.(Va.) School desegregation case. The United States District Court for the Eastern District of Virginia, Richmond Division, Robert R. Merhige, Jr., J., 338 F.Supp. 67, ordered enforcement...	June 05, 1972	Case		6 S.Ct.
Cited by	117. Montoya v. FedEx Ground Package System, Inc. 614 F.3d 145, 150+ , 5th Cir.(Tex.) CIVIL RIGHTS - Dismissal. Independent contractor failed to state conspiracy to interfere with civil rights claim against parcel delivery company.	Aug. 09, 2010	Case		18 S.Ct.
Cited by	118. Kinney v. Weaver ¶¶ 367 F.3d 337, 355+ , 5th Cir.(Tex.) CIVIL RIGHTS - Free Speech. Police officials could not assert qualified immunity in police academy instructors' First Amendment retaliation action.	Apr. 15, 2004	Case		18 S.Ct.
Cited by	119. U.S. v. Wallington 889 F.2d 573, 580 , 5th Cir.(Tex.) Defendant was convicted in the United States District Court for the Southern District of Texas, Kenneth M. Hoyt, J., of divulging information obtained within scope of official...	Nov. 21, 1989	Case		—
Cited by	120. CISPES (Committee in Solidarity with People of El Salvador) v. F.B.I. ¶¶ 770 F.2d 468, 477 , 5th Cir.(La.) Ideological group, which had been ordered by FBI to curtail its protest activities outside Honduran Consulate, brought action challenging constitutionality of federal statute...	Sep. 09, 1985	Case		18 S.Ct.
Cited by	121. Arredondo v. Brockette 648 F.2d 425, 428 , 5th Cir.(Tex.) Suit was brought challenging the constitutionality of a Texas statute which provided that if a student under the age of 18 lived apart from his parents or guardian he was required...	June 19, 1981	Case		12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 122. Scott v. Moore 640 F.2d 708, 725+ , 5th Cir.(Tex.) Construction company and two of its employees brought action against trades council, its unions, and individual union members, alleging that defendants conspired for purpose of...	Mar. 26, 1981	Case		13 S.Ct.
Cited by	 123. U.S. v. Purvis 580 F.2d 853, 857+ , 5th Cir.(Ala.) Defendants charged under statutes imposing criminal sanctions for conspiring to deprive or depriving person of his civil rights moved to dismiss indictment. The United States...	Sep. 25, 1978	Case		5 17 S.Ct.
Cited by	 124. McLellan v. Mississippi Power & Light Co. 545 F.2d 919, 923+ , 5th Cir.(Miss.) A discharged employee brought action against his former employer and local and international unions alleging conspiracy to deprive him of his civil rights, as result of which he...	Jan. 20, 1977	Case		6 S.Ct.
Cited by	125. Bures v. Houston Symphony Soc. 503 F.2d 842, 843 , 5th Cir.(Tex.) Musician brought action against symphony society and union alleging that employment rights under union contract were prejudiced by conduct of the symphony and the union. The...	Nov. 11, 1974	Case		—
Cited by	126. Williams v. Allen 439 F.2d 1398, 1399 , 5th Cir.(Ga.) Action by police officer against certain city officials for back pay and reinstatement to his position from which he allegedly was unconstitutionally discharged. The United States...	Mar. 18, 1971	Case		—
Cited by	 127. Johnson v. City of Cincinnati  310 F.3d 484, 496+ , 6th Cir.(Ohio) CIVIL RIGHTS - Right to Travel. Ordinance banning drug offenders from drug exclusion zones was unconstitutional.	Sep. 26, 2002	Case		12 S.Ct.
Cited by	128. U.S. v. Moreno 43 Fed.Appx. 760, 766 , 6th Cir.(Tenn.) CRIMINAL JUSTICE - Searches and Seizures. Officer had reasonable suspicion of violation of window tinting laws, justifying traffic stop.	July 26, 2002	Case		—
Cited by	129. Singer v. U.S. 38 F.3d 1216, 1216 , 6th Cir.(Ohio) N.D.Ohio AFFIRMED.	Oct. 24, 1994	Case		5 S.Ct.
Cited by	 130. U.S. v. Salyer 893 F.2d 113, 116 , 6th Cir.(Mich.) Defendant was convicted in the United States District Court for the Eastern District of Michigan, Stewart A Newblatt, J., of conspiring to threaten and intimidate black victims in...	Dec. 21, 1989	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 131. Browder v. Tipton 630 F.2d 1149, 1155+ , 6th Cir.(Tenn.) Plaintiffs who were caused to be arrested by defendants' false accusations that they had committed serious felonies brought civil rights suit. The United States District Court for...	Sep. 30, 1980	Case		—
Cited by	132. U. S. v. O'Dell 462 F.2d 224, 230 , 6th Cir.(Tenn.) Defendants were convicted before the United States District Court for the Eastern District of Tennessee, C. G. Neese, J., of violating the federal criminal civil rights statutes,...	June 16, 1972	Case		—
Cited by	 133. Stevens v. Tillman 855 F.2d 394, 405 , 7th Cir.(Ill.) Elementary school principal brought action against president of parent teacher association and her supporters, asserting federal claim for conspiracy to violate principal's civil...	Aug. 18, 1988	Case		—
Cited by	 134. U.S. v. Guzzino 810 F.2d 687, 696 , 7th Cir.(Ill.) Defendants were convicted of conspiracy to deprive citizen of his right to provide information and testify as a witness in a judicial proceeding, obstruction of justice, and use of...	Jan. 27, 1987	Case		—
Cited by	 135. Grimes v. Smith 776 F.2d 1359, 1364 , 7th Cir.(Ind.) Defeated candidate for judge of city court, with two voters, brought action against various defendants, alleging that by putting up same-name candidate in another race they...	Nov. 12, 1985	Case		—
Cited by	136. U.S. v. Redwine 715 F.2d 315, 320 , 7th Cir.(Ind.) Defendants were convicted in the United States District Court for the Southern District of Indiana, Cale J. Holder, J., of various offenses arising out of conspiracy and...	Aug. 17, 1983	Case		17 S.Ct.
Cited by	 137. Andre v. Board of Trustees of Village of Maywood 561 F.2d 48, 52 , 7th Cir.(Ill.) Action was brought by certain village employees challenging validity of the village ordinance requiring that all employees establish residency within village limits within...	July 27, 1977	Case		12 S.Ct.
Cited by	 138. Cohen v. Illinois Institute of Technology 524 F.2d 818, 828+ , 7th Cir.(Ill.) Former assistant professor at Illinois Institute of Technology brought Civil Rights Act suit against university and others to recover for alleged sex-based discrimination against...	Oct. 28, 1975	Case		13 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	139. U.S. v. Bradberry 517 F.2d 498, 499 , 7th Cir.(Ill.) Defendant was convicted in the United States District Court for the Eastern District of Illinois, Frank W. McGarr, J., of conspiracy to commit vote fraud during a primary election...	June 09, 1975	Case		5 17 S.Ct.
Cited by	140. Kadlec v. Illinois Bell Tel. Co. 407 F.2d 624, 628 , 7th Cir.(Ill.) Plaintiff brought action under Civil Rights Act for damages resulting from defendant's discontinuing certain part of plaintiffs' telephone service. The United States District...	Feb. 25, 1969	Case		—
Cited by	141. Hughes v. City of Cedar Rapids, Iowa 840 F.3d 987, 995 , 8th Cir.(Iowa) CIVIL RIGHTS — Due Process. Drivers did not state procedural due process claim based on city's use of traffic camera system.	Nov. 02, 2016	Case		13 S.Ct.
Cited by	142. Doe v. Miller 405 F.3d 700, 711+ , 8th Cir.(Iowa) CIVIL RIGHTS - Due Process. Residency restriction in sex offender statute was rational way of promoting safety of children.	Apr. 29, 2005	Case		12 S.Ct.
Cited by	143. U.S. v. Wadena 152 F.3d 831, 844 , 8th Cir.(Minn.) Chairman, Treasurer, and Councilman of the White Earth Reservation Tribal Council (RTC) were convicted in the United States District Court for the District of Minnesota, Michael...	Aug. 11, 1998	Case		—
Cited by	144. U.S. v. Lee 6 F.3d 1297, 1311 , 8th Cir.(Minn.) Defendant who constructed and burned cross adjacent to racially mixed apartment complex was convicted in the United States District Court for the District of Minnesota, Donald D....	Oct. 07, 1993	Case		14 S.Ct.
Cited by	145. U.S. v. Lee 935 F.2d 952, 955+ , 8th Cir.(Minn.) Defendant, who constructed and burned a cross adjacent to a racially mixed apartment complex, was convicted in the United States District Court for the District of Minnesota,...	June 10, 1991	Case		17 S.Ct.
Cited by	146. Lewis v. Pearson Foundation, Inc. 908 F.2d 318, 322+ , 8th Cir.(Mo.) Plaintiff brought action against operators of alleged "mock abortion clinic" to recover for civil rights conspiracy to prevent abortion by plaintiff. The United States District...	July 10, 1990	Case		4 S.Ct.
Cited by	147. Arcoren v. Peters 811 F.2d 392, 394 , 8th Cir.(S.D.) Action was brought against two Farmers Home Administration officials, alleging violation of borrower's due process right to notice and hearing before repossession of his cattle. ...	Feb. 02, 1987	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 148. U.S. v. Bledsoe 728 F.2d 1094, 1096 , 8th Cir.(Mo.) Defendant was convicted in the United States District Court for the Western District of Missouri, Scott O. Wright, J., under statute, prohibiting, inter alia, interference with a...	Feb. 29, 1984	Case		—
Cited by	149. Board of Managers of Ark. Training School for Boys at Wrightsville v. George 377 F.2d 228, 231+ , 8th Cir.(Ark.) Class action by Negroes against board of managers of state training schools for juvenile boys for interlocutory and permanent injunction enjoining the maintenance of separate...	May 23, 1967	Case		2 S.Ct.
Cited by	 150. Ibrahim v. U.S. Department of Homeland Security  912 F.3d 1147, 1179 , 9th Cir.(Cal.) GOVERNMENT — Attorney Fees. Alien's achievement in successfully challenging her No Fly list placement and forcing government to fix its error was extraordinary.	Jan. 02, 2019	Case		12 13 16 S.Ct.
Cited by	 151. Railway Labor Executives' Ass'n v. Burnley 839 F.2d 575, 581 , 9th Cir.(Cal.) Railway labor organizations brought action challenging constitutionality of Federal Railroad Administration regulations mandating blood and urine tests of employees after certain...	Feb. 11, 1988	Case		—
Cited by	152. U.S. v. Anaya 779 F.2d 532, 535+ , 9th Cir.(Cal.) Police officers accused of bugging a closed executive session of city council in violation of wiretapping statute moved to dismiss indictments. The United States District Court...	Dec. 27, 1985	Case		—
Cited by	153. Arnold v. Tiffany 487 F.2d 216, 219 , 9th Cir.(Cal.) A group of independent newspaper dealers brought an action against a Los Angeles newspaper publisher and others alleging that defendants conspired to prevent the dealers from...	Oct. 25, 1973	Case		12 S.Ct.
Cited by	 154. U.S. v. Davis 482 F.2d 893, 904+ , 9th Cir.(Cal.) Defendant was convicted before a magistrate of attempting to board an aircraft while carrying a concealed weapon. The United States District Court for the Northern District of...	June 29, 1973	Case		—
Cited by	155. U.S. v. Karnes 437 F.2d 284, 287 , 9th Cir.(Cal.) Defendant was convicted before the United States District Court for the Central District of California, Manuel L. Real, J., of violation of statute which prohibits a person who has...	Jan. 22, 1971	Case		12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 156. U.S. v. Eckhart 569 F.3d 1263, 1270+ , 10th Cir.(Utah) CRIMINAL JUSTICE - Searches and Seizures. Officer had reasonable suspicion that vehicle's license plate was not clearly visible or legible.	June 29, 2009	Case		12 S.Ct.
Cited by	 157. U.S. v. Magleby  241 F.3d 1306, 1314 , 10th Cir.(Utah) CRIMINAL JUSTICE - Civil Rights. Admission of expert testimony about Ku Klux Klan was harmless.	Mar. 07, 2001	Case		5 S.Ct.
Cited by	158. Tilton v. Richardson 6 F.3d 683, 686+ , 10th Cir.(Okla.) Plaintiff appealed from order of the United States District Court for the Northern District of Oklahoma, James O. Ellison, Chief Judge, which dismissed civil rights claim for lack...	Sep. 14, 1993	Case		—
Cited by	 159. U.S. v. Walraven 892 F.2d 972, 974 , 10th Cir.(Wyo.) Defendant entered conditional plea of guilty to possession with intent to distribute cocaine, in the United States District Court for the District of Wyoming, Ewing T. Kerr, J.,...	Dec. 27, 1989	Case		—
Cited by	160. U.S. v. Lane  883 F.2d 1484, 1489+ , 10th Cir.(Colo.) Four defendants were prosecuted and two were convicted under statute criminalizing interference with application for or enjoyment of private employment because of race, color,...	Aug. 25, 1989	Case		—
Cited by	 161. Browns v. Mitchell 409 F.2d 593, 594 , 10th Cir.(Colo.) Suspended private university students brought action for injunctive relief in nature of reinstatement under Civil Rights Act against university officials and trustees. United...	Jan. 31, 1969	Case		6 S.Ct.
Cited by	 162. Common Cause/Georgia v. Billups 554 F.3d 1340, 1345 , 11th Cir.(Ga.) GOVERNMENT - Elections. State's interest in deterring voter fraud outweighed burdens imposed by Georgia statute requiring photo ID for voters.	Jan. 14, 2009	Case		—
Cited by	 163. Park v. City of Atlanta 120 F.3d 1157, 1162 , 11th Cir.(Ga.) Korean-American store owners filed civil rights action against city, mayor, and chief of police, claiming that owners' constitutional rights were violated by defendants' failure to...	Aug. 28, 1997	Case		—
Cited by	164. U.S. v. Fields 909 F.2d 470, 474 , 11th Cir.(Ga.) Bus passenger was convicted in the United States District Court for the Southern District of Georgia, No. CR489-35,B. Avant Edenfield, Chief Judge, pursuant to a guilty plea to...	Aug. 20, 1990	Case		12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	165. Ibrahim v. Latham & Watkins, Law Office 331 Fed.Appx. 757, 758 , D.C.Cir. This appeal was considered on the record from the United States District Court for the District of Columbia and on the brief and appendix filed by appellant. See Fed. R.App. P....	Aug. 28, 2009	Case		11 S.Ct.
Cited by	166. Howard University v. National Collegiate Athletic Ass'n ¶ 510 F.2d 213, 217 , D.C.Cir. A private university and one of its student athletes sought injunctive and declaratory relief, alleging that their constitutional rights had been abridged because certain members...	Mar. 25, 1975	Case		10 S.Ct.
Cited by	167. Edwards v. Habib 397 F.2d 687, 693 , D.C.Cir. Action by landlord for possession of dwelling house rented on a month-to-month lease. The District of Columbia Court of General Sessions, John J. Malloy, J., rendered judgment for...	May 17, 1968	Case		—
Cited by	168. McGuire v. Strange ¶ 83 F.Supp.3d 1231, 1244 , M.D.Ala. CRIMINAL JUSTICE - Sex Offenders. Alabama Sex Offender Registration and Community Notification Act as a whole was not punitive, and thus did not violate Ex Post Facto Clause.	Feb. 05, 2015	Case		13 16 S.Ct.
Cited by	169. Mays v. U.S. Postal Service 928 F.Supp. 1552, 1561 , M.D.Ala. Black female former postal employee brought action against Postal Service, Postmaster General, Postmaster, and immediate supervisor alleging violations of Title VII, the Fourteenth...	Apr. 08, 1996	Case		7 S.Ct.
Cited by	170. D.W. by M.J. on Behalf of D.W. v. Poundstone 165 F.R.D. 661, 674 , M.D.Ala. Minor brought action against Commissioner of State Department of Mental Health and Mental Retardation challenging state's practice of placing children on waiting list after...	Mar. 29, 1996	Case		6 8 S.Ct.
Cited by	171. L.Q.A. By and Through Arrington v. Eberhart 920 F.Supp. 1208, 1229 , M.D.Ala. Student filed civil rights and tort claims against school officials arising from suspension and expulsion of student for possession of marijuana in class. On defendants' motions...	Feb. 21, 1996	Case		7 S.Ct.
Cited by	172. U.S. v. Purvis 436 F.Supp. 770, 773+ , S.D.Ala. Defendants charged under statutes imposing criminal sanctions for conspiring to deprive or depriving person of his civil rights moved to dismiss indictment. The District Court,...	Aug. 17, 1977	Case		2 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	173. U.S. v. Shepard 2012 WL 113027, *10 , D.Ariz. Pending before the Court are the Motion to Dismiss for Denial of Speedy Trial Right and to Withdraw PC–Court Access (Doc. 569), filed by Defendant Moses Shepard (“Shepard”). Also...	Jan. 13, 2012	Case		13 16 S.Ct.
Cited by	174. Baird v. Becerra 2020 WL 5107614, *7+ , E.D.Cal. In this case brought under 42 U.S.C. § 1983, plaintiffs challenge the constitutionality of California’s open carry licensing regime under the Second, Fourth, Fifth and Fourteenth...	Aug. 31, 2020	Case		12 13 16 S.Ct.
Cited by	175. Alarid v. Mailloux 2010 WL 11596563, *10+ , C.D.Cal. On November 26, 2008, plaintiff Adam Alarid (“Alarid”) filed suit in federal court against defendants Daniel Mailloux (“Mailloux”); Cesar Mayorga-Rugama (“Mayorga”); Leroy Baca...	Jan. 13, 2010	Case		16 S.Ct.
Cited by	176. Labankoff v. Polly Klaas Foundation 2007 WL 1345204, *2 , N.D.Cal. Before the Court are three motions to dismiss pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6). Defendants Polly Klass Foundation, John Joseph Hogan, and National...	May 08, 2007	Case		6 8 S.Ct.
Cited by	177. Harris v. Business, Transp. and Housing Agency 2007 WL 1140667, *15 , N.D.Cal. Plaintiff Smiley J. Harris filed this action on January 23, 2007, and also filed a request for leave to proceed in forma pauperis (“IFP”), and a motion for preliminary...	Apr. 17, 2007	Case		12 S.Ct.
Cited by	178. Green v. Anderson 811 F.Supp. 516, 518+ , E.D.Cal. Recent California residents brought action challenging constitutionality of California’s durational residency requirement limiting Aid to Families with Dependent Children (AFDC)...	Jan. 28, 1993	Case		12 S.Ct.
Cited by	179. Planned Parenthood Ass'n of San Mateo County v. Holy Angels Catholic Church 765 F.Supp. 617, 624 , N.D.Cal. Abortion clinic brought action against protesters. On clinic’s motion for preliminary injunction, the District Court, Weigel, J., held that evidence that protesters had...	May 29, 1991	Case		13 S.Ct.
Cited by	180. U.S. v. Anaya 601 F.Supp. 1318, 1320+ , E.D.Cal. Defendants filed a motion to dismiss a three-count indictment charging them with having willfully used or procured another person to use an electrical device to intercept and...	Jan. 23, 1985	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	181. Hutton v. Woodall 70 F.Supp.3d 1235, 1240 , D.Colo. ENERGY AND UTILITIES — Telecommunications. Lack of federal nexus rendered unconstitutional Omnibus Crime Control and Safe Streets Act's prohibition against interception of oral...	Oct. 03, 2014	Case		—
Cited by	182. Carrillo v. Romero 2013 WL 6133362, *4 , D.Colo. On October 4, 2013, Plaintiffs filed a Complaint pursuant to 42 U.S.C. § 1983 alleging that Defendants violated their constitutional rights, engaged in legal malpractice, and...	Nov. 21, 2013	Case		13 S.Ct.
Cited by	183. Bridgeport and Port Jefferson Steamboat Co. v. Bridgeport Port Authority ¶¶ 566 F.Supp.2d 81, 96 , D.Conn. MARITIME LAW - Passenger Ferries. Passenger wharfage fee imposed by port authority was not based on fair approximation of use.	July 03, 2008	Case		12 S.Ct.
Cited by	184. Rivera v. Dunn 329 F.Supp. 554, 555 , D.Conn. Class action for declaratory judgment striking down statute requiring persons receiving public assistance to have been residents of state for at least one year as unconstitutional....	July 29, 1971	Case		—
Cited by	185. State of Kansas v. U.S. 797 F.Supp. 1042, 1051 , D.D.C. Airline travelers, state of Kansas, city airport authority and travel agency sued United States, Department of Transportation, and Office of Aviation Analysis challenging Wright...	June 30, 1992	Case		3 S.Ct.
Cited by	186. Karp v. Roach 1990 WL 302782, *10 , D.D.C. This case comes before the court on defendants' motion to dismiss or, in the alternative, for partial summary judgment and plaintiffs' motion to dismiss defendants' affirmative...	Dec. 24, 1990	Case		—
Cited by	187. Lyles v. Executive Club Ltd. 670 F.Supp. 34, 35+ , D.D.C. Women who had been denied admission to nightclub brought civil rights action against the nightclub. The District Court, Gasch, District Judge, held that regulation of nightclub...	July 14, 1987	Case		2 11 S.Ct.
Cited by	188. U.S. v. Ehrlichman 376 F.Supp. 29, 35 , D.D.C. Defendants, who had been indicted for conspiring to injure psychiatrist in enjoyment of Fourth Amendment rights by entering offices without warrant for purpose of obtaining medical...	May 24, 1974	Case		—
Cited by	189. Christopher v. Mitchell 318 F.Supp. 994, 1004 , D.D.C. Action by citizens of New York challenging constitutionality of Voting Rights Act amendments of 1970. On defendants' motion for summary judgment on merits with respect to...	Oct. 02, 1970	Case		8 S.Ct.













Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	190. Lowe v. DE State Troop #6 Actors 2020 WL 2113443, *4 , D.Del. Plaintiff Ra Amon EL Ramon D. Lowe ("Plaintiff") filed this action on December 19, 2019, alleging violations of his civil rights. (D.I. 2, 5). He appears pro se and has been...	May 04, 2020	Case		12 13 16 S.Ct.
Cited by	191. Duffy ex rel. Duffy v. Meconi 508 F.Supp.2d 399, 403 , D.Del. HEALTH - Medical Assistance. Delaware's application of Medicaid residency regulations violated the beneficiary's constitutional right to travel.	Sep. 11, 2007	Case		12 S.Ct.
Cited by	192. Duffy ex rel. Duffy v. Meconi	Oct. 28, 2005	Case		12 16 S.Ct.
Cited by	193. Russ v. Williams 2014 WL 7404060, *2 , N.D.Fla. Before me are the December 19, 2014, Magistrate Judge's Report and Recommendation (Doc.14), Plaintiff's Motion Object [sic] to the Magistrates Ruling (Doc. 15), and Plaintiff's...	Dec. 30, 2014	Case		—
Cited by	194. Catron v. City of St. Petersburg 2009 WL 3837789, *12 , M.D.Fla. CIVIL RIGHTS - Equal Protection. Homeless persons failed to state claim for the denial of equal protection based on their homeless status.	Nov. 17, 2009	Case		12 16 S.Ct.
Cited by	195. Del Pino v. Bay of Pigs Veterans Association 2008 WL 11411845, *2+ , S.D.Fla. THIS CAUSE is before the Court upon (1) the Motions for Rule 11 Sanctions filed by Defendants Martha Flores, Esteban Bovo, Bay of Pigs Veterans, 2506 Brigade, Inc., Felix I...	Feb. 12, 2008	Case		—
Cited by	196. Pottinger v. City of Miami 810 F.Supp. 1551, 1579 , S.D.Fla. Class action was brought under § 1983 against city on behalf of homeless persons living in city, alleging violations of constitutional rights in connection with arrests and...	Nov. 16, 1992	Case		12 S.Ct.
Cited by	197. International Caucus of Labor Committees v. Metropolitan Dade County, Fla.	Oct. 17, 1989	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	198. Denney v. City of Albany 68 F.Supp.2d 1369, 1380 , M.D.Ga. White firefighters passed over for promotions brought action against city, city manager, and fire chief, alleging claims for discrimination under Title VII and § 1981, for federal...	Sep. 29, 1999	Case		7 S.Ct.
Cited by	199. Potter v. City of Albany 68 F.Supp.2d 1360, 1369 , M.D.Ga. White firefighter who was denied promotion brought race discrimination action against city, city manager and fire chief, claiming violations of Title VII of the Civil Rights Act of...	Sep. 24, 1999	Case		7 S.Ct.
Cited by	200. Brown v. State Realty Co. 304 F.Supp. 1236, 1239 , N.D.Ga. Action for injunctive relief and damages for alleged violation of statute rendering it unlawful, for profit, to induce or attempt to induce any person to sell or rent any dwelling...	Sep. 02, 1969	Case		9 S.Ct.
Cited by	201. U.S. v. Johnson 269 F.Supp. 706, 707 , N.D.Ga. Prosecution, under statute proscribing conspiracy against rights of citizens, for conspiracy to violate civil rights of negro citizens. On defendants' motion to dismiss, the...	May 16, 1967	Case		2 S.Ct.
Cited by	202. Walsh v. City and County of Honolulu 423 F.Supp.2d 1094, 1101 , D.Hawai'i LABOR AND EMPLOYMENT - Public Employment. Hawaii preemployment residency requirement for public employment was preliminarily enjoined.	Feb. 01, 2006	Case		12 S.Ct.
Cited by	203. Daly v. Harris 215 F.Supp.2d 1098, 1110+ , D.Hawai'i ENVIRONMENTAL LAW - Parks. Charging non-residents a fee to enter underwater park did not violate right to travel.	June 24, 2002	Case		12 13 S.Ct.
Cited by	204. Crowder v. Kitagawa 842 F.Supp. 1257, 1261 , D.Hawai'i Guide dog owners filed class action seeking to establish an exemption for guide dogs from Hawaii's animal quarantine laws, which required 120-day quarantine of animals coming into...	Feb. 01, 1994	Case		12 S.Ct.
Cited by	205. Nehring v. Ariyoshi 443 F.Supp. 228, 235 , D.Hawai'i A class action was instituted against the Governor of Hawaii for a declaration that Hawaii's one-year durational residency requirement for public employment was unconstitutional as...	Dec. 16, 1977	Case		12 S.Ct.
Cited by	206. Brown v. City of Chicago 2020 WL 489522, *3 , N.D.Ill. Before the Court is Defendant City of Chicago's ("the City") motion to dismiss Plaintiff Jeff Brown's ("Brown") class action complaint pursuant to Federal Rule of Civil Procedure...	Jan. 30, 2020	Case		12 13 16 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	207. U.S. v. Lesure ¶ 2012 WL 2979033, *4, S.D.Ill. Before the Court is Defendant George Lesure's motion to dismiss the superceding indictment (Doc. 37). Upon full consideration of the parties' papers, the Court finds oral argument...	July 19, 2012	Case		12 13 16 S.Ct.
Cited by	208. Perez v. Personnel Bd. of City of Chicago 690 F.Supp. 670, 674, N.D.Ill. Disqualified applicant for Chicago police department position sought declaratory judgment that city personnel policy requiring all applicants for career civil service positions to...	July 07, 1988	Case		—
Cited by	209. Avery v. City of Chicago 501 F.Supp. 1, 3, N.D.Ill. Defendant city officials moved to dismiss complaint alleging that they acted with intent and/or effect of driving minorities from a specified neighborhood in the city and seeking...	May 09, 1978	Case		9 S.Ct.
Cited by	210. Rasmussen v. City of Lake Forest, Illinois 404 F.Supp. 148, 155, N.D.Ill. Real estate developers brought an action against a city and others challenging the constitutionality of zoning ordinances prohibiting sale of lots of less than one and one-half...	Nov. 10, 1975	Case		12 S.Ct.
Cited by	211. Chicago Joint Bd., Amalgamated Clothing Workers of America, AFL-CIO v. Chicago Tribune Co. 307 F.Supp. 422, 425, N.D.Ill. Proceedings on defendants' motions for summary judgment and plaintiff's motion for preliminary injunction. The District Court, Marovitz, J., held that where newspaper publishers...	Dec. 19, 1969	Case		9 S.Ct.
Cited by	212. Eddleman v. Center Tp. of Marion County ¶ 723 F.Supp. 85, 88, S.D.Ind. Indigent citizens brought class action suit against township and township trustee seeking declaratory and injunctive relief from enforcement of statute imposing durational...	Oct. 13, 1989	Case		—
Cited by	213. Coolman v. Robinson ¶ 452 F.Supp. 1324, 1326, N.D.Ind. Applicant for alcoholic beverage permit brought civil rights action claiming that residency requirement for permit deprived him of rights, privileges and immunities secured by...	June 20, 1978	Case		12 S.Ct.
Cited by	214. Bright v. Isenbarger ¶ 314 F.Supp. 1382, 1390+, N.D.Ind. Civil rights action by two pupils who had been expelled from private parochial secondary school against the principal and the diocesan superintendent of schools to, inter alia, be...	July 06, 1970	Case		6 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 215. United States v. Callison ¶ 436 F.Supp.3d 1218, 1227 , S.D.Iowa CRIMINAL JUSTICE — Investigatory Stop. Officer lacked reasonable suspicion to prolong traffic stop by asking about address, reason for stop, and whether there was anything illegal...	Jan. 29, 2020	Case		12 13 S.Ct.
Cited by	 216. Doe v. Miller ¶ 298 F.Supp.2d 844, 874 , S.D.Iowa CRIMINAL JUSTICE - Sex Offenders. Statute restricting residency of sex offenders was unconstitutional.	Feb. 09, 2004	Case		12 16 S.Ct.
Cited by	217. Sale v. Waverly-Shell Rock Bd. of Ed. 390 F.Supp. 784, 787 , N.D.Iowa Public school teacher brought action against board of education and alleged that denial of sick leave benefits to her during absence from work caused solely by normal pregnancy...	Jan. 08, 1975	Case		—
Cited by	 218. D.L. v. Unified School Dist. No. 497 270 F.Supp.2d 1217, 1262 , D.Kan. EDUCATION - Admission. Pullman abstention was not warranted is case relating to Kansas residence requirements.	Sep. 18, 2002	Case		12 16 S.Ct.
Cited by	219. Poe v. Menghini 339 F.Supp. 986, 992 , D.Kan. Suit wherein plaintiffs challenged constitutionality of portions of Kansas abortion statutes and sought declarative and injunctive relief. The three-judge District Court, Thisis,...	Mar. 13, 1972	Case		—
Cited by	 220. Roberts v. Neace ¶ --- F.Supp.3d ----+ , E.D.Ky. CIVIL RIGHTS — Injunction. Restrictions on out-of-state travel in executive orders by Kentucky governor in response to COVID-19 were not narrowly tailored to serve compelling state...	May 04, 2020	Case		12 13 16 S.Ct.
Cited by	221. United States v. McCoy 2016 WL 1248743, *12 , E.D.Ky. This matter is before the Court on Defendant Clarence McCoy's pro se 28 U.S.C. § 2255 motion to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody. Defendant...	Mar. 29, 2016	Case		—
Cited by	222. Costa v. Bluegrass Turf Service, Inc. 406 F.Supp. 1003, 1005 , E.D.Ky. Action was brought for declaratory and injunctive relief asserting that a Kentucky statute prohibiting liquor licenses from employing nonresidents of Kentucky was unconstitutional....	Nov. 24, 1975	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	223. Communications Workers of America, Local 10317 v. Methodist Hospital of Kentucky, Inc. 368 F.Supp. 564, 565 , E.D.Ky. A union and union members brought an action under the Civil Rights Act against a charitable hospital, exempt from federal labor laws, claiming unlawful interference with union...	Jan. 07, 1974	Case		—
Cited by	224. Alexander v. City of Gretna 2008 WL 5111152, *1 , E.D.La. The Motion for Partial Summary Judgment (Doc. # 43) by the City of Gretna, Gretna Police Department and Chief Arthur Lawson is GRANTED, and plaintiffs' right to travel claims are...	Dec. 03, 2008	Case		14 S.Ct.
Cited by	225. Dickerson v. City of Gretna 2007 WL 1098787, *2 , E.D.La. IT IS ORDERED that defendants' motion to dismiss (Rec.Doc.21) is GRANTED regarding plaintiffs' allegations of intrastate travel; defendants' motion is DENIED as it relates to all...	Mar. 30, 2007	Case		12 16 S.Ct.
Cited by	226. U.S. v. Davis 1995 WL 617582, *2 , E.D.La. The defendants have filed a Motion to Dismiss Counts 1 & 2 of the Indictment, challenging the constitutionality of 18 USC § 241 and § 242 as an offense basis for a death penalty...	Oct. 18, 1995	Case		5 S.Ct.
Cited by	227. Gault v. Capdeboscq 404 F.Supp. 900, 904 , E.D.La. Plaintiff, a citizen of Australia and wife of a Louisiana citizen, instituted action on behalf of the martial community acting as authorized agent of her husband. Defendants moved...	Aug. 19, 1975	Case		6 S.Ct.
Cited by	228. Clark v. American Marine Corp. 304 F.Supp. 603, 609 , E.D.La. Action against employer by three former employees for personal redress and class relief on behalf of other Negroes who allegedly suffered discrimination in employment in violation...	Sep. 15, 1969	Case		9 S.Ct.
Cited by	229. Major v. Sowers 298 F.Supp. 1039, 1040+ , E.D.La. Plaintiffs who originally filed class action in District Court, Alvin B. Rubin, J., to desegregate Louisiana state correctional institutions and have state statutes requiring...	Apr. 17, 1969	Case		2 S.Ct.
Cited by	230. St. Augustine High School v. Louisiana High School Athletic Ass'n 270 F.Supp. 767, 772 , E.D.La. Class action by high school attended solely by students of the Negro race seeking admission to membership in high school athletic association. The District Court, Heebe, J., held...	July 06, 1967	Case		9 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 231. Raffety v. Prince George's County 423 F.Supp. 1045, 1060+ , D.Md. Plaintiffs, a white husband and black wife, whose three children had been killed in fire which destroyed the family's home, brought action against county and certain members of...	Nov. 01, 1976	Case		9 S.Ct.
Cited by	 232. U.S. v. Mintzes 304 F.Supp. 1305, 1312 , D.Md. Action brought by Attorney General to enforce fair housing provisions of Civil Rights Act making it unlawful, for profit, to induce any person to sell dwelling by representations...	Oct. 13, 1969	Case		—
Cited by	233. Garrison v. Glentz 2005 WL 2155936, *8 , W.D.Mich. This is a civil action brought pro se by a state prisoner pursuant to 42 U.S.C. § 1983. Plaintiff is an inmate at the Saginaw Correctional Facility located in Saginaw, Michigan....	Sep. 07, 2005	Case		—
Cited by	 234. Waller v. Tripett 179 F.Supp.2d 724, 729 , E.D.Mich. CIVIL RIGHTS - Immunity. Warden was not entitled to qualified immunity from suit by estate of employee killed by prisoner.	Sep. 28, 2001	Case		9 S.Ct.
Cited by	 235. U.S. v. Bay Mills Indian Community 692 F.Supp. 777, 779 , W.D.Mich. United States sought to enjoin Indian tribes from operating casinos on tribal land in Michigan. The District Court, Hillman, Chief Judge, held that United States was not entitled...	Aug. 11, 1988	Case		4 S.Ct.
Cited by	236. U.S. v. Lewis 649 F.Supp. 1109, 1111 , W.D.Mich. After being found guilty, 644 F.Supp. 1391, members of religious congregation who were charged with conspiracy renewed motions for dismissal due to vagueness and for judgment of...	Nov. 26, 1986	Case		2 S.Ct.
Cited by	237. U.S. v. Lewis 644 F.Supp. 1391, 1405 , W.D.Mich. Defendants were charged in first count with conspiring to deny certain boys the right to be free from involuntary servitude and by second count with knowingly and wilfully holding...	Sep. 22, 1986	Case		18 S.Ct.
Cited by	238. U.S. v. McMillan  946 F.Supp. 1254, 1258 , S.D.Miss. United States sought preliminary injunction against abortion protestor under the Freedom of Access to Clinic Entrances Act (FACE). The District Court, Wingate, J., held that:...	Nov. 22, 1995	Case		9 S.Ct.
Cited by	239. Kenyatta v. Moore 623 F.Supp. 224, 228 , S.D.Miss. Civil rights activist brought civil rights action against FBI agents. On motion for judgment on the pleadings, the District Court, Tom S. Lee, J., held that: (1) Section 1985(3)...	Nov. 20, 1985	Case		—












Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	240. Shenfield v. Prather 387 F.Supp. 676, 683 , N.D.Miss. Recent graduates of law schools outside state of Mississippi and attorney licensed in sister state brought class action challenging constitutionality of Mississippi's bar...	Dec. 20, 1974	Case		12 S.Ct.
Cited by	241. Belk v. Chancellor of Washington University 336 F.Supp. 45, 46 , E.D.Mo. Students at private university brought class action seeking actual and punitive damages and injunctive relief in nature of mandatory injunction that would order university...	Nov. 25, 1970	Case		—
Cited by	242. Jones v. Alfred H. Mayer Co. ” 255 F.Supp. 115, 120 , E.D.Mo. Action based on refusal of defendant subdividers to sell house and lot to plaintiffs solely because of plaintiffs' race. The District Court, Regan, J., held that wilful refusal of...	May 18, 1966	Case		9 S.Ct.
Cited by	243. Shanks v. Forsyth County Park Authority, Inc. ” 869 F.Supp. 1231, 1234 , M.D.N.C. Motorcyclist brought civil rights action against county park authority and park manager challenging ban on motorcycles within park. Plaintiff sought injunctive relief and also...	Oct. 04, 1994	Case		12 S.Ct.
Cited by	244. Keenan v. Board of Law Examiners of State of N. C. 317 F.Supp. 1350, 1361 , E.D.N.C. Class action seeking a declaratory judgment declaring unconstitutional and an injunction preventing enforcement of rule requiring a person to have been a bona fide citizen and...	Oct. 02, 1970	Case		12 S.Ct.
Cited by	245. Doe v. Nebraska 734 F.Supp.2d 882, 929 , D.Neb. CRIMINAL JUSTICE - Sex Offenders. Consent to search and Internet monitoring provisions of Nebraska's Sex Offender Registration Act violated Fourth Amendment.	Aug. 16, 2010	Case		12 16 S.Ct.
Cited by	246. U.S. v. Oakley 2008 WL 2986256, *19+ , D.Neb. This matter is before the Court on the Report and Recommendation (Filing No. 28) issued by Magistrate Judge F.A. Gossett recommending denial of the motion to dismiss or, in the...	July 31, 2008	Case		12 S.Ct.
Cited by	247. U.S. v. Weiss 847 F.Supp. 819, 829 , D.Nev. Title VIII action was brought against apartment building owners alleging pattern and practice violation of Fair Housing Act and denial of rights to group of persons based on...	Mar. 15, 1994	Case		9 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 248. Chimento v. Stark 353 F.Supp. 1211, 1214 , D.N.H. Action to declare unconstitutional and permanently enjoin enforcement of sections of New Hampshire Constitution which sets forth a seven-year durational residency requirement as a...	Jan. 22, 1973	Case		—
Cited by	249. B.K. v. Grewal 2020 WL 5627231, *5 , D.N.J. In this action, plaintiffs B.K. and Emily Doe ("Plaintiffs") have filed separate civil complaints, in which they challenge the constitutionality of the registration scheme in...	Sep. 21, 2020	Case		16 S.Ct.
Cited by	250. Galicki v. New Jersey  2016 WL 4950995, *12+ , D.N.J. This civil action arises out of the closure of multiple lanes of traffic to the George Washington Bridge ("GWB") from September 9, 2013, through September 13,2013, and is before...	Sep. 15, 2016	Case		12 13 16 S.Ct.
Cited by	 251. Major Tours, Inc. v. Colorel 720 F.Supp.2d 587, 609+ , D.N.J. COMMERCIAL LAW - Industry Regulation. Bus companies' allegations stated civil conspiracy claim against state's commercial bus safety inspectors.	June 22, 2010	Case		12 16 S.Ct.
Cited by	 252. Young Women's Christian Ass'n of Princeton, N. J. v. Kugler 342 F.Supp. 1048, 1080 , D.N.J. Actions challenging constitutionality of New Jersey abortion and related statutes. The three-judge District Court, Forman, C. J., held that where, aside from allegation that women...	Feb. 29, 1972	Case		—
Cited by	 253. Krzewinski v. Kugler 338 F.Supp. 492, 497 , D.N.J. Action to determine constitutionality of New Jersey tenure statute requiring police and firemen to be residents in municipality where they are employed. The three-judge District...	Feb. 04, 1972	Case		—
Cited by	254. Martinez v. Gonzales 2014 WL 12651266, *6 , D.N.M. THIS MATTER is before the Court on Defendant Belarmino "Mino" Romero's Motion to Dismiss Amended Action (Doc. 41) filed on December 9, 2013. Plaintiffs' Response was filed on...	Apr. 16, 2014	Case		—
Cited by	255. Archuleta v. City of Roswell, New Mexico 2013 WL 12329138, *5 , D.N.M. THIS MATTER is before the Court on Defendant Jessica Palmer's Motion to Dismiss filed October 3, 2012 ("Motion to Dismiss") (Doc. 74) which seeks to dismiss Plaintiff's claims for...	May 23, 2013	Case		16 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 256. Archuleta v. City of Roswell 898 F.Supp.2d 1240, 1253 , D.N.M. CIVIL RIGHTS - State Action. Prisoner's allegations were insufficient to plead agreement and concerted action between attorney and government prosecutor.	Sep. 30, 2012	Case		—
Cited by	257. United States v. Lopez-Molina 2008 WL 11451526, *8 , D.N.M. On February 22, 2008, the Defendant filed a Motion to Suppress (Doc. No. 30). The Court held an evidentiary hearing on the Motion to Suppress on March 31, 2008. Assistant United...	May 21, 2008	Case		16 S.Ct.
Cited by	258. Smith v. American Telephone & Telegraph Communications 2006 WL 2019647, *8 , D.N.M. THIS MATTER comes before the Court upon a Second Motion for Summary Judgment filed by American Telephone and Telegraph Communications, Inc. ("AT & T") on January 31, 2006 (Doc....	Apr. 12, 2006	Case		6 S.Ct.
Cited by	 259. New York v. United States Department of Homeland Security  408 F.Supp.3d 334, 353+ , S.D.N.Y. IMMIGRATION — Public Benefits. Challenge to public-charge regulations was likely to succeed, warranting preliminary injunction.	Oct. 11, 2019	Case		12 16 S.Ct.
Cited by	 260. Make the Road New York v. Cuccinelli  419 F.Supp.3d 647, 667+ , S.D.N.Y. IMMIGRATION — Exclusion. Immigrant organizations demonstrated likelihood of success on challenge to rule implementing "public charge" provision of INA.	Oct. 11, 2019	Case		16 S.Ct.
Cited by	261. Janes v. Triborough Bridge and Tunnel Authority  977 F.Supp.2d 320, 332 , S.D.N.Y. GOVERNMENT - Highways and Roads. Toll policies did not interfere with natural functioning of the interstate market.	Oct. 16, 2013	Case		13 16 S.Ct.
Cited by	262. Henry v. County of Niagara 2012 WL 7828967, *12 , W.D.N.Y. This matter has been referred to the undersigned pursuant to 28 U.S.C. § 636(b)(1)(C) (Docket No. 7). The instant matter before the Court is defendants' motion for summary judgment...	Nov. 05, 2012	Case		13 S.Ct.
Cited by	 263. Osterweil v. Bartlett  819 F.Supp.2d 72, 87 , N.D.N.Y. CIVIL RIGHTS - Right to Bear Arms. New York law prohibiting gun possession in state by nearly all nonresidents did not violate Second Amendment.	May 20, 2011	Case		12 13 16 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	264. Torraco v. Port Authority of New York & New Jersey 539 F.Supp.2d 632, 651+ , E.D.N.Y. CIVIL RIGHTS - Weapons. FOPA statute allowing interstate transportation of firearms does not support § 1983 damages claim.	Mar. 17, 2008	Case		—
Cited by	265. Bach v. Pataki ¶ 289 F.Supp.2d 217, 226 , N.D.N.Y. CIVIL RIGHTS - Right to Bear Arms. Nonresidency portion of New York conceal and carry law did not violate Second or Fourteenth Amendments.	Sep. 23, 2003	Case		12 S.Ct.
Cited by	266. Platsky v. Kilpatrick 806 F.Supp. 358, 365 , E.D.N.Y. Tenant in low-income rental property brought action under the civil rights conspiracy statute for defendants' alleged violation of equal protection rights. On defendants' motions...	Nov. 04, 1992	Case		7 S.Ct.
Cited by	267. Peavey v. Polytechnic Institute of New York 775 F.Supp. 75, 79+ , E.D.N.Y. Following dismissal of his employment discrimination suit, university employee brought another action claiming that unsatisfactory result of proceeding before New York State...	Oct. 17, 1991	Case		4 S.Ct.
Cited by	268. Jones v. Deutsch 715 F.Supp. 1237, 1248 , S.D.N.Y. Organizations and individuals concerned with development of housing project for the homeless brought action to bar proposed incorporation of municipality. The District Court,...	June 28, 1989	Case		—
Cited by	269. Milkson on Behalf of Milkson v. Secretary of Dept. of Health and Human Services 633 F.Supp. 836, 838 , E.D.N.Y. Action was brought on behalf of individual who received emergency medical services in Canada challenging decision of Secretary of Health and Human Services denying medicare part A...	Jan. 08, 1986	Case		16 S.Ct.
Cited by	270. Peck v. U.S. 470 F.Supp. 1003, 1010+ , S.D.N.Y. Civil action was brought against FBI agents and the United States to recover for alleged violations of plaintiff's constitutional rights based on agents' alleged failure to attempt...	Apr. 25, 1979	Case		16 S.Ct.
Cited by	271. Male v. Crossroads Associates ¶ 337 F.Supp. 1190, 1197 , S.D.N.Y. Suit by welfare recipients against apartment house owners and others seeking to enjoin defendants from denying apartments to plaintiffs solely on ground that plaintiffs were...	Oct. 29, 1971	Case		10 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	272. Dougall v. Sugarman 330 F.Supp. 265, 267 , S.D.N.Y. Action by aliens against city officials for a preliminary and permanent injunction restraining defendants from continued enforcement of Civil Service Law making noncitizens...	May 24, 1971	Case		4 S.Ct.
Cited by	273. U. S. v. Weisscredit Banca Commerciale E D'Investimenti 325 F.Supp. 1384, 1396 , S.D.N.Y. Motion by defendant broker-dealer to, inter alia, dismiss indictment on ground that it failed to allege an offense by defendant. The District Court, Wyatt, J., held that amendment...	Apr. 15, 1971	Case		11 S.Ct.
Cited by	274. Muhammad Ali v. Division of State Athletic Commission of Dept. of State of State of N. Y. 316 F.Supp. 1246, 1250 , S.D.N.Y. Action for declaratory judgment and injunction wherein plaintiff moved for preliminary injunction restraining state athletic commission from denying him a license to box in state...	Sep. 14, 1970	Case		—
Cited by	275. Mullarkey v. Borglum 323 F.Supp. 1218, 1228 , S.D.N.Y. Tenants in multiple dwelling and officers and organizers of tenant organizations sued landlord, superintendent of building and district attorney on ground that landlord in...	July 02, 1970	Case		—
Cited by	276. Seidenberg v. McSorleys' Old Ale House, Inc. 317 F.Supp. 593, 596 , S.D.N.Y. Action by members of women's organization seeking declaration that refusal of ale house to serve women was illegal, discriminatory and unconstitutional, and injunction against...	June 25, 1970	Case		10 S.Ct.
Cited by	277. Seidenberg v. McSorleys' Old Ale House, Inc. 308 F.Supp. 1253, 1257 , S.D.N.Y. Members of women's organization sought to enjoin defendant operators of bar primarily engaged in serving alcoholic and nonalcoholic beverages from continuing its 114-year practice...	Nov. 12, 1969	Case		10 S.Ct.
Cited by	278. Stambler v. Dillon 302 F.Supp. 1250, 1252 , S.D.N.Y. The plaintiffs alleged in their amended complaint that the defendants acted and conspired in such a way as to violate various civil rights statutes. The District Court, Herlands,...	June 23, 1969	Case		—
Cited by	279. Haag v. Cuyahoga County 619 F.Supp. 262, 275 , N.D.Ohio Father brought action under § 1983 against various defendants, alleging that county welfare department's failure to initiate investigation of report of child abuse against father...	July 09, 1985	Case		12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 280. Finstuen v. Edmondson ¶ 497 F.Supp.2d 1295, 1314 , W.D.Okla. FAMILY LAW - Adoption. Statute barring recognition of status of both parents in adoptions by same-sex couples violated Full Faith and Credit Clause.	May 19, 2006	Case		12 13 S.Ct.
Cited by	281. Silkwood v. Kerr-McGee Corp. 460 F.Supp. 399, 410+ , W.D.Okla. Administrator of estate of union organizer and others brought action against employer and others claiming employer had conspired to deprive union organizer and others of their...	Sep. 22, 1978	Case		—
Cited by	282. Camarena-Revis v. Stoneberg 2019 WL 2437458, *2 , D.Or. Plaintiff Jeanne Camarena-Revis seeks leave to proceed in forma pauperis ("IFP") in this action. (Doc. 2) For the reasons set forth below, the Amended Complaint (doc. 17) is...	June 11, 2019	Case		9 S.Ct.
Cited by	283. Spence v. Caputo 2015 WL 630294, *31 , W.D.Pa. This civil rights action was received by the Clerk of Court on July 31, 2012, without the filing fee or a request for leave to proceed in forma pauperis. Subsequently, Plaintiff...	Feb. 12, 2015	Case		16 S.Ct.
Cited by	 284. Ickes v. Grassmeyer ¶ 30 F.Supp.3d 375, 384 , W.D.Pa. CIVIL RIGHTS - Excessive Force. Excessive force claims were not precluded by state convictions.	July 02, 2014	Case		13 16 S.Ct.
Cited by	285. Spence v. Thompson 2013 WL 1180765, *13 , W.D.Pa. It is respectfully recommended that Plaintiff's Complaint, which was commenced in forma pauperis, be dismissed under 28 U.S.C. § 1915(e) (2)(B), as frivolous and for failure to...	Jan. 04, 2013	Case		16 S.Ct.
Cited by	286. Connelly v. Steel Valley School Dist. ¶ 2011 WL 5024415, *5 , W.D.Pa. This is a civil rights action. Plaintiff, Patrick Connelly ("Mr. Connelly"), alleges that, by failing to fully credit his out-of-state teaching experience for purposes of setting...	Oct. 20, 2011	Case		12 13 16 S.Ct.
Cited by	287. U.S. v. Clayton 2009 WL 1033664, *18+ , W.D.Pa. CRIMINAL JUSTICE - Sex Offenders. Requirement that sex offenders register within three days of traveling in interstate commerce was one way which closely linked such registration...	Apr. 16, 2009	Case		12 13 S.Ct.
Cited by	288. Bulles v. Hershman 2009 WL 435337, *6 , E.D.Pa. GOVERNMENT - Municipalities. Registered sex offender lacked standing to bring an action against a city challenging an ordinance that prohibited unregistered sex offenders from...	Feb. 19, 2009	Case		12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 289. McCool v. City of Philadelphia ¶ 494 F.Supp.2d 307, 313 , E.D.Pa. CIVIL RIGHTS - Due Process. Plaintiff stated claim that his substantive due process right of intrastate travel was violated by residency requirement.	June 27, 2007	Case		12 S.Ct.
Cited by	290. Natale v. Schwartz 1999 WL 1134535, *8 , E.D.Pa. The plaintiffs, Ronald, Janet, Augustine, and Kathleen Natale, brought suit against defendants French and Pickering Creeks Conservation Trust, Inc., its board members, directors,...	Dec. 10, 1999	Case		—
Cited by	 291. U.S. v. Parker ¶ 911 F.Supp. 830, 842 , E.D.Pa. Father was charged with violating Child Support Recovery Act (CSRA) provision for willful nonpayment of child support, and father moved to dismiss the information. The District...	Oct. 30, 1995	Case		14 S.Ct.
Cited by	292. Smith v. Lower Merion Tp. 1991 WL 152982, *2+ , E.D.Pa. Plaintiffs, a group of students residing in Lower Merion Township and owners of property within the Township, bring this action, under 42 U.S.C. §§ 1983 and 1985, asking the court...	Aug. 06, 1991	Case		16 S.Ct.
Cited by	293. U.S. v. Callahan 659 F.Supp. 80, 84 , E.D.Pa. Following conviction of conspiracy to violate civil rights and attempted destruction of government property pursuant to guilty plea, petitioner sought postconviction relief in...	Mar. 11, 1987	Case		5 S.Ct.
Cited by	294. Knox v. Pcobasco 1986 WL 6310, *1 , E.D.Pa. In this pro se civil complaint, plaintiff asserts that he has the constitutional right to travel the highways on his motorcycle without a driver's licence, vehicle registration or...	June 04, 1986	Case		12 S.Ct.
Cited by	 295. Rusack v. Harsha 470 F.Supp. 285, 297 , M.D.Pa. Plaintiff, a supervisory contract negotiator at United States Navy ships parts control center, filed defamation action, and defendants filed various motions. The District Court,...	Dec. 14, 1978	Case		—
Cited by	296. Sament v. Hahnemann Medical College and Hospital of Philadelphia ¶ 413 F.Supp. 434, 437+ , E.D.Pa. A physician whose position on the staff of a private nonprofit medical college and hospital had been terminated brought action under the Civil Rights Act for injunctive relief and...	Feb. 10, 1976	Case		—
Cited by	297. U.S. v. Crum 404 F.Supp. 1161, 1163 , W.D.Pa. Defendant, charged with conspiracy, moved to dismiss the indictment on the ground that the applicable statute required that all conspirators be prosecuted and punished. The...	Dec. 02, 1975	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	<p> 298. Isaacs v. Board of Trustees of Temple University of Com. System of Higher Ed. ¶¶ 385 F.Supp. 473, 485 , E.D.Pa.</p> <p>Two former members of the faculty of Temple University brought an action under the Civil Rights Act of 1871 challenging the legality of their terminations. After the University...</p>	Nov. 11, 1974	Case		<p>10 S.Ct.</p>
Cited by	<p> 299. Brownley v. Gettysburg College 338 F.Supp. 725, 726+ , M.D.Pa.</p> <p>Action by teacher in public college for reinstatement. On defendant's motion to dismiss, the District Court, Nealon, J., held that refusal by private college to reappoint...</p>	Feb. 14, 1972	Case		<p>8 S.Ct.</p>
Cited by	<p> 300. Miller v. Depuy 307 F.Supp. 166, 172 , E.D.Pa.</p> <p>Action under Civil Rights Act by one whose driver's license and owner registration rights had been suspended under Pennsylvania Financial Responsibility Law. The United States...</p>	Oct. 01, 1969	Case		<p>16 S.Ct.</p>
Cited by	<p> 301. Hughes v. Rizzo 282 F.Supp. 881, 884 , E.D.Pa.</p> <p>Action under Civil Rights Act. The District Court, Fullam, J., held that where primary motive for various arrests and interrogations was desired to rid park of 'hippies', or at...</p>	Apr. 11, 1968	Case		—
Cited by	<p>302. Sinchak v. Parente 262 F.Supp. 79, 88 , W.D.Pa.</p> <p>Action under the Civil Rights Act for damages. Defendant moved to dismiss. The District Court, Rosenberg, J., held that complaint alleging in effect that defendant deprived...</p>	Dec. 29, 1966	Case		—
Cited by	<p> 303. Rhode Island Chapter, Associated General Contractors of America, Inc. v. Kreps 450 F.Supp. 338, 351 , D.R.I.</p> <p>The Rhode Island Chapter of Associated General Contractors of America brought suit seeking declaratory and injunctive relief challenging the constitutionality of the 10% minority...</p>	Feb. 06, 1978	Case		<p>10 S.Ct.</p>
Cited by	<p>304. Cole v. Housing Authority of City of Newport ¶¶ 312 F.Supp. 692, 701 , D.R.I.</p> <p>Civil rights action seeking declaratory and injunctive relief against a two-year durational residency requirement for admission to federally financed public housing. The District...</p>	Apr. 16, 1970	Case		<p>12 S.Ct.</p>
Cited by	<p>305. Johnson v. Hall 2011 WL 4501323, *6 , D.S.C.</p> <p>After obtaining his certified public accountant license from the State of Oregon, Plaintiff worked for many years as a CPA in Oregon and Illinois before becoming an accounting...</p>	Aug. 09, 2011	Case		<p>6 S.Ct.</p>

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	306. Johnson v. Hall 2010 WL 3724746, *8 , D.S.C. After obtaining his certified public accountant license from the State of Oregon, Plaintiff worked for many years as a CPA in Oregon and Illinois before becoming an accounting...	Aug. 23, 2010	Case		4 S.Ct.
Cited by	307. U.S. v. Burroughs 379 F.Supp. 736, 741 , D.S.C. Defendants were charged with violation of the federal statute prohibiting interception or endeavor to intercept wire or oral communication. The District Court, Hemphill, J., on...	Aug. 02, 1974	Case		—
Cited by	308. Hunter v. Unknown Named South Dakota Criminal 2020 WL 3791909, *3+ , D.S.D. On August 21, 2019, Plaintiff, Michael Hunter ("Mr. Hunter"), appearing pro se filed a complaint on behalf of himself and on behalf of the Civil Rights Center of South Dakota ("the...	July 07, 2020	Case		16 S.Ct.
Cited by	309. Hunter v. Doe 2018 WL 1569753, *2 , D.S.D. On January 31, 2017, plaintiff Michael Howard Hunter, appearing pro se, filed a complaint on behalf of the Civil Rights Center of South Dakota and himself. (Docket 1). Mr. Hunter...	Mar. 30, 2018	Case		16 S.Ct.
Cited by	310. Osloond v. Brady ¶¶ 1998 WL 896850, *2 , D.S.D. Defendant Thomas E. Brady has filed a motion to dismiss pursuant to Fed.R.Civ.P. 12(b)(6). Plaintiff Raymond Earl Osloond, Jr. objects to Brady's motion. Plaintiff's claim should...	June 15, 1998	Case		6 8 S.Ct.
Cited by	311. U.S. v. Ramirez 115 F.Supp.2d 918, 923 , W.D.Tenn. CRIMINAL JUSTICE - Searches and Seizures. Officer's relying on tinting ordinance for vehicle stop was reasonable despite constitutional defect.	Sep. 28, 2000	Case		12 S.Ct.
Cited by	312. Kovac v. Wray ¶¶ 363 F.Supp.3d 721, 750+ , N.D.Tex. TRANSPORTATION — Aviation. Muslim-American plausibly pleaded substantive due process claim challenging his placement on federal "no fly list."	Mar. 05, 2019	Case		12 13 16 S.Ct.
Cited by	313. Castillo v. Kerry 2013 WL 12145967, *3 , S.D.Tex. BE IT REMEMBERED that on April 1, 2013, the Court considered Respondents' Motion to Dismiss, Dkt. No. 6, and GRANTED the motion. On August 10, 2012, Petitioner Victor Manuel...	Apr. 01, 2013	Case		16 S.Ct.
Cited by	314. Sanchez v. Clinton 2012 WL 208565, *5 , S.D.Tex. The petitioner, David Israel Sanchez, has filed a petition for a writ of mandamus under 28 U.S.C. § 1361. Sanchez challenges the decision of the Secretary of State to deny his...	Jan. 24, 2012	Case		13 16 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	315. U.S. v. Rand 2012 WL 195017, *3 , W.D.Tex. On this day, the Court considered Defendant Ronald Rand's (Defendant) "Motion to Dismiss and Supporting Memorandum" (ECF No. 32) [hereinafter Motion], filed on January 3, 2012...	Jan. 23, 2012	Case		12 13 16 S.Ct.
Cited by	316. United States v. Garrett Allard ¶ 2011 WL 13185794, *5 , W.D.Tex. On this day, the Court considered Defendant Andrew Garrett Allard's "Motion to Dismiss," filed in the above-captioned cause on September 28, 2011. On September 28, 2011, the...	Oct. 05, 2011	Case		12 13 16 S.Ct.
Cited by	317. Nelson v. Clinton 2010 WL 5342822, *8 , S.D.Tex. Esmeralda Nelson has filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241, among other things, seeking relief from an adverse decision on her application for a...	Dec. 21, 2010	Case		16 S.Ct.
Cited by	318. Villegas v. Clinton 2010 WL 5387553, *8 , S.D.Tex. Aurora Rebollozo Villegas has filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241, among other things, seeking relief from an adverse decision on her application...	Dec. 20, 2010	Case		16 S.Ct.
Cited by	319. U.S. v. Reyes 2010 WL 2542030, *3 , W.D.Tex. On this day, the Court considered Defendant Jesus Maria Reyes's (Defendant) "Motion to Dismiss and Supporting Memorandum" (Docket No. 18) [hereinafter Def.'s Mot. to Dismiss],...	June 22, 2010	Case		12 S.Ct.
Cited by	320. United States v. Marrufo ¶ 2009 WL 10703743, *7 , W.D.Tex. On this day, the Court considered Defendant Jesus Marrufo's "Motion to Dismiss and Supporting Memorandum" ("Motion"), filed on February 17, 2009, and the Government's "Response to...	Apr. 27, 2009	Case		12 13 16 S.Ct.
Cited by	321. Penney v. Wolsey ¶ 2008 WL 2704303, *17 , S.D.Tex. Pending before the court is Defendants' Motion for Summary Judgment (Docket Entry No. 49). The court has considered the motion, all relevant filings, and the applicable law. For...	June 03, 2008	Case		12 13 S.Ct.
Cited by	322. Puentes v. Sullivan 425 F.Supp. 249, 251 , W.D.Tex. Former jailer in county sheriff's department brought civil rights action against county officials, alleging that defendants conspired to cause plaintiff's discharge because of his...	Jan. 26, 1977	Case		—
Cited by	323. Moore v. Salt Lake City Corporation ¶ 2017 WL 680395, *3 , D.Utah This matter is before the court on Defendants Salt Lake City Corporation, Salt Lake City Department of Airports, and Salt Lake City Airport Police's Motion to Dismiss or, in the...	Feb. 21, 2017	Case		12 13 16 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	324. Sines v. Kessler 324 F.Supp.3d 765, 781 , W.D.Va. CIVIL RIGHTS — Conspiracy. Residents plausibly alleged that white nationalist group was part of conspiracy to engage in racially motivated violence at white supremacist rallies.	July 09, 2018	Case		—
Cited by	325. Mohamed v. Holder 266 F.Supp.3d 868, 877+ , E.D.Va. TRANSPORTATION — Aviation. “No Fly List,” register of persons who were prohibited from flying on commercial airlines, did not violate citizen's substantive due process rights.	July 20, 2017	Case		13 16 S.Ct.
Cited by	326. Moseley v. Price 300 F.Supp.2d 389, 399 , E.D.Va. GOVERNMENT - Elections. Investigating possible voter registration fraud did not violate applicant's constitutional rights.	Jan. 22, 2004	Case		4 S.Ct.
Cited by	327. Watters v. Parrish 402 F.Supp. 696, 700 , W.D.Va. Automobile owners who had parked their automobiles alongside state road bordering national park and who had returned after overnight camping trip to find that the automobiles had...	May 19, 1975	Case		—
Cited by	328. Canty v. City of Richmond, Virginia, Police Dept. 383 F.Supp. 1396, 1400 , E.D.Va. Passenger on interstate bus brought action against bus driver, bus company, police department and police officers alleging false arrest, false imprisonment, and arbitrary...	Oct. 30, 1974	Case		12 S.Ct.
Cited by	329. Bellamy v. Mason's Stores, Inc. 368 F.Supp. 1025, 1028 , E.D.Va. Former employee who had been discharged from his employment allegedly because he was a member of an organization which was racially exclusive in composition and ideology and...	Dec. 07, 1973	Case		—
Cited by	330. Jenkins v. Miller 983 F.Supp.2d 423, 461+ , D.Vt. FAMILY LAW - Child Custody. Allegations against mother who fled with child stated claim under Vermont law for intentional interference with custody.	Oct. 24, 2013	Case		13 16 18 S.Ct.
Cited by	331. Air Transport Association of America v. Washington Department of Labor & Industries 410 F.Supp.3d 1162, 1171 , W.D.Wash. LABOR AND EMPLOYMENT — Leaves. Washington's Paid Sick Leave Law did not violate Dormant Commerce Clause.	Oct. 11, 2019	Case		12 S.Ct.
Cited by	332. Jamerson v. Greyhound 2009 WL 2235998, *2 , W.D.Wash. The above-entitled Court, having received and reviewed 1. Defendant Greyhound Lines, Inc.'s Motion to Dismiss and for Summary Judgment (Dkt. No. 8) 2. Plaintiff's Rebutal (sic) to...	July 24, 2009	Case		6 8 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	333. Spengler v. U.S. 2013 WL 5431469, *4 , E.D.Wis. This case comes before the court on Andrew Spengler's third amended motion to vacate, set aside, or correct his sentence pursuant to 28 U.S.C. § 2255 as well as his motions to...	Sep. 27, 2013	Case		4 9 S.Ct.
Cited by	334. Flores v. Yeska 372 F.Supp. 35, 39 , E.D.Wis. Action was brought by plaintiffs against defendant operators of agricultural labor camp for declaratory and injunctive relief and for compensatory and punitive damages as a result...	Mar. 08, 1974	Case		—
Cited by	335. Sears v. Kroger Co. 2018 WL 3025954, *2 , S.D.W.Va. Pending are the following motions, all filed on November 29, 2017: a motion to dismiss filed by the Kroger Co. and Kroger Limited Partnership I (ECF No. 3), a motion to dismiss...	June 18, 2018	Case		6 S.Ct.
Cited by	336. Watchtower Bible Tract Soc. of New York, Inc. v. Sanchez-Ramos 647 F.Supp.2d 103, 122 , D.Puerto Rico CIVIL RIGHTS - Association. Puerto Rico Controlled Access law did not violate right of express association.	Aug. 10, 2009	Case		12 13 16 S.Ct.
Cited by	337. Ortiz Rivera v. Black & Decker 1993 WL 52749, *2 , D.Puerto Rico The Court has before it defendant's Motion Requesting the Dismissal of Pendent Claims (docket No. 16), filed on December 4, 1992, and plaintiff's opposition filed on January 11,...	Jan. 28, 1993	Case		—
Cited by	338. De Nieva v. Reyes 1989 WL 158912, *5 , D.N.Mar.I. Plaintiff YOLANDA U. DE NIEVA filed a Complaint alleging that rights guaranteed to her by the Fifth and Fourteenth Amendments to the United States Constitution, and by Article I,...	Oct. 19, 1989	Case		—
Cited by	339. Lopez v. Aran 649 F.Supp. 853, 864 , D.Puerto Rico United States citizen sought declaratory judgment that immigration statute, and its implementing regulation, were unconstitutional on their face and as applied. The District...	July 11, 1986	Case		12 16 S.Ct.
Cited by	340. Gautier Torres v. Mathews 426 F.Supp. 1106, 1110+ , D.Puerto Rico Recipient who qualified for benefits under the Supplemental Security Income program while residing in Connecticut but who was denied benefits after he moved to Puerto Rico brought...	Feb. 14, 1977	Case		12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	341. Kreitzer v. Puerto Rico Cars, Inc. 417 F.Supp. 498, 504+ , D.Puerto Rico Plaintiff, a Maryland resident, brought diversity action against owners of rental car to recover for injuries sustained in collision between such vehicle and vehicle in which...	June 03, 1975	Case		13 16 S.Ct.
Cited by	342. Moro v. Telemundo Incorporado 387 F.Supp. 920, 923 , D.Puerto Rico Prospective guest on television interview program brought action against the television station after the interview, having previously been announced, was canceled, allegedly...	Dec. 16, 1974	Case		8 S.Ct.
Cited by	343. Rodriguez v. Conagra, Inc. 387 F.Supp. 951, 953 , D.Puerto Rico Former supervisory employees of subsidiary corporation brought civil rights action against subsidiary and parent corporations challenging their discharges because of their...	Nov. 14, 1974	Case		8 S.Ct.
Cited by	344. El Mundo, Inc. v. Puerto Rico Newspaper Guild, Local 225 346 F.Supp. 106, 110 , D.Puerto Rico Action by newspaper publisher and individuals against labor organization for injunctive relief and damages. The District Court, Toledo, J., held, inter alia, that complaint...	June 20, 1972	Case		—
Cited by	345. Montanez v. Colegio de Tecnicos de Refrigeracion Y Aire Acondicionado de Puerto Rico 343 F.Supp. 890, 895 , D.Puerto Rico Licensed refrigeration and air conditioning technicians brought action under the Civil Rights Act alleging, inter alia, that professional association had been unlawfully...	Feb. 23, 1972	Case		—
Cited by	346. In re Cox 393 B.R. 681, 688 , Bkrtcy.W.D.Mo. BANKRUPTCY - Plans. Equal protection allowed using objective standards to determine disposable income of above-median-income Chapter 13 debtors.	Sep. 03, 2008	Case		12 S.Ct.
Cited by	347. Williams v. Zobel 619 P.2d 422, 425+ , Alaska Suit was brought by taxpayers for declaration that state income tax statute, which completely exempts from taxation income of those individuals who have filed Alaska income tax...	Sep. 19, 1980	Case		12 16 S.Ct.
Cited by	348. Thomas v. Bailey 595 P.2d 1, 10+ , Alaska Action was brought challenging constitutionality of initiative enacted by state voters. The Superior Court, Third Judicial District, Mark C. Rowland and Victor D. Carlson, JJ.,...	Apr. 10, 1979	Case		12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 349. Hicklin v. Orbeck 565 P.2d 159, 163 , Alaska Action was brought challenging constitutionality of the "Alaska Hire" law which limits petroleum and pipeline jobs to residents of Alaska. The Superior Court, Third Judicial...	June 03, 1977	Case		12 S.Ct.
Cited by	 350. State v. Wylie 516 P.2d 142, 146 , Alaska Applicant for state employment sought declaratory and injunctive relief against enforcement of durational residency requirements for state employment. The Superior Court, First...	Nov. 23, 1973	Case		12 S.Ct.
Cited by	 351. Ganey v. Kawasaki Motors Corp., U.S.A. 234 S.W.3d 838, 848 , Ark. PRODUCTS LIABILITY - Limitations. Louisiana had a more significant relationship to ATV rider and manufacturer such that its statute of limitations applied.	May 04, 2006	Case		3 S.Ct.
Cited by	 352. Jones v. Kmart Corp. 70 Cal.Rptr.2d 844, 850 , Cal. CIVIL RIGHTS - Arrest and Detention. Store employees were not liable to customer for interfering with constitutional right to be free of aggressive search and seizure.	Jan. 29, 1998	Case		12 16 S.Ct.
Cited by	 353. Scherling v. Superior Court 149 Cal.Rptr. 597, 601 , Cal. Defendant charged with burglary brought action for writ of prohibition to restrain trial court from proceeding to trial. The Supreme Court, Mosk, J., held that: (1) statute...	Oct. 20, 1978	Case		13 S.Ct.
Cited by	 354. In re King  90 Cal.Rptr. 15, 20+ , Cal. Petition for habeas corpus. The Supreme Court, Tobriner, J., held that provision of welfare statute punishing as a felon nonsupporting father who remains out of state for 30 days...	Oct. 02, 1970	Case		12 S.Ct.
Cited by	 355. In re D.E.  2012 WL 6004154, *10 , Cal.App. 6 Dist. In this delinquency proceeding (see Welf. & Inst.Code, § 602), the court declared D.E. a ward of the court and placed him on probation for a period of 24 months on certain terms...	Nov. 30, 2012	Case		12 13 16 S.Ct.
Cited by	 356. In re J.B.  2010 WL 4740308, *4 , Cal.App. 6 Dist. Delinquency proceedings (Welf. & Inst.Code, § 602, subd. (a)) were commenced against J.B. after he committed sexual offenses against his four-year-old nephew. He was declared a...	Nov. 23, 2010	Case		12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 357. People v. Flores ¶ 2009 WL 4882656, *6 , Cal.App. 6 Dist. Luis Manuel Flores pleaded no contest to receiving stolen property (Pen.Code, § 496, subd. (a)) as part of a negotiated plea providing for dismissal of another count and a grant...	Dec. 18, 2009	Case		12 16 S.Ct.
Cited by	 358. People v. Morales 2008 WL 5065976, *13 , Cal.App. 6 Dist. Defendant Ricardo Andrade Morales was convicted after a no contest plea of having a concealed weapon in his vehicle (Pen.Code, § 12025, subd. (a)(1)), and actively participating...	Dec. 02, 2008	Case		13 S.Ct.
Cited by	 359. Baltayan v. Estate of Getemyan ¶ 110 Cal.Rptr.2d 72, 86 , Cal.App. 2 Dist. LITIGATION - Dismissal. Dismissal for failure to post undertaking created manifest miscarriage of justice.	July 30, 2001	Case		12 S.Ct.
Cited by	 360. Jones v. Kmart Corp. 58 Cal.Rptr.2d 576, 583 , Cal.App. 1 Dist. CIVIL RIGHTS - State Action. Statute allowing recovery for violation of rights only allows claim against state actor where violation depends on state action.	Nov. 22, 1996	Case		—
Cited by	 361. People v. Lashley 2 Cal.Rptr.2d 629, 636 , Cal.App. 2 Dist. Defendant was convicted in the Superior Court, Los Angeles County, No. A924343, John P. Shook, J., of attempted murder, assault with firearm, civil rights violations, and...	Dec. 16, 1991	Case		—
Cited by	 362. In re Marriage of Alarcon 196 Cal.Rptr. 887, 893 , Cal.App. 4 Dist. In a divorce action, the Judges' Retirement System appealed a judgment of the Superior Court, San Diego County, Paul Eugene Overton, J., declaring provisions of Judges' Retirement...	Dec. 06, 1983	Case		12 S.Ct.
Cited by	363. Stevens v. Watson 94 Cal.Rptr. 190, 196 , Cal.App. 2 Dist. Action wherein taxpayers challenged constitutionality of state constitutional provision relating to property taxation of nonprofit golf courses. The Superior Court, Los Angeles...	Apr. 13, 1971	Case		9 S.Ct.
Cited by	 364. Robertson v. City and County of Denver ¶ 874 P.2d 325, 341 , Colo. Assault Weapons Ban. Ban on manufacture, sale, and possession of assault weapons is constitutional.	May 02, 1994	Case		12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 365. Mayo v. National Farmers Union Property and Cas. Co. 833 P.2d 54, 58+ , Colo. Insurer brought declaratory judgment action against insureds under automobile policy containing household exclusion to determine whether policy covered one insured's negligence...	July 20, 1992	Case		12 S.Ct.
Cited by	 366. Archer Daniels Midland Co. v. State 690 P.2d 177, 182 , Colo. Corporate seller of fuel-grade alcohol to Colorado gasohol producers sought a declaratory judgment as to constitutionality of gasohol tax reduction statute. The District Court...	Aug. 20, 1984	Case		6 S.Ct.
Cited by	 367. People v. Allman 321 P.3d 557, 562+ , Colo.App. CRIMINAL JUSTICE - Sex Offenders. Car in which defendant was living was a residence under Sex Offender Registration Act, as required for conviction.	Dec. 06, 2012	Case		13 16 S.Ct.
Cited by	 368. Cologne v. Westfarms Associates 469 A.2d 1201, 1208 , Conn. Women's political advocacy group brought action to enjoin owners of large regional shopping mall from denying access to common area of the shopping mall to distribute literature...	Jan. 17, 1984	Case		—
Cited by	 369. Leech v. Veterans' Bonus Division Appeals Bd. 426 A.2d 289, 292 , Conn. Appeal was taken from denial by Veterans' Bonus Division Appeals Board of application for veterans' bonus for Vietnam era veteran. The Court of Common Pleas, Hartford County,...	Dec. 11, 1979	Case		12 S.Ct.
Cited by	370. Racsko v. Racsko 881 A.2d 460, 464 , Conn.App. FAMILY LAW - Child Custody. Trial court did not abuse its discretion by denying wife's request to relocation with children to Tennessee.	Sep. 13, 2005	Case		16 S.Ct.
Cited by	371. LaPaglia v. Connecticut Valley Hospital 2018 WL 5099732, *6+ , Conn.Super. On October 10, 2017, the plaintiff, John Angelo LaPaglia, who is self-represented, commenced this action by service of writ, summons and complaint against the defendants, the...	Oct. 02, 2018	Case		12 13 16 S.Ct.
Cited by	372. McDaniel v. McDaniel  2001 WL 1132148, *9 , Conn.Super. By complaint dated October 29, 1999, the plaintiff wife, Robin J. McDaniel, commenced this action seeking a dissolution of marriage on the ground of irretrievable breakdown,...	Aug. 16, 2001	Case		12 16 S.Ct.



Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	373. Alex S. A. v. Julia A. 419 A.2d 965, 969 , Del.Fam.Ct. Attorneys requested court decision in advance of a hearing on applicability of domicile statute to husband's claim that he had acquired domicile in Delaware by living two...	May 22, 1980	Case		—
Cited by	374. State v. J.P. ¶¶ 907 So.2d 1101, 1112 , Fla. FAMILY LAW - Juvenile Justice. Juvenile curfew ordinances violated juveniles' constitutional rights to privacy and to travel.	Nov. 18, 2004	Case		12 S.Ct.
Cited by	375. State v. Daniels 389 So.2d 631, 635 , Fla. Defendant was convicted in the Circuit Court, Duval County, Clifford B. Sheppard, J., of three counts of conspiracy to commit felony, and second defendant entered plea of nolo...	Oct. 16, 1980	Case		—
Cited by	376. Davis v. State ¶¶ 286 S.E.2d 430, 431+ , Ga. The Superior Court, Richmond County, Albert M. Pickett, J., denied motion to dismiss indictment charging defendant with issuance of bad checks, and application for interlocutory...	Jan. 20, 1982	Case		12 S.Ct.
Cited by	377. Garren v. State ¶¶ 264 S.E.2d 876, 877+ , Ga. Defendant was convicted in Thomas Superior Court, Lilly, J., of abandoning his legitimate minor children, then leaving Georgia and he appealed. The Supreme Court, Nichols, C. J.,...	Feb. 26, 1980	Case		12 S.Ct.
Cited by	378. State v. Doe 231 P.3d 1016, 1031 , Idaho FAMILY LAW - Juvenile Justice. City juvenile curfew ordinance was not unconstitutionally overbroad on its face.	Mar. 26, 2010	Case		—
Cited by	379. Miller v. Stauffer Chemical Co. 581 P.2d 345, 348 , Idaho A judgment of the District Court, Fourth Judicial District, Ada County, Gerald F. Schroeder, J., dismissed an action as barred by the borrowing statute. Plaintiffs appealed. The...	July 12, 1978	Case		12 16 S.Ct.
Cited by	380. Cheaney v. State 285 N.E.2d 265, 273 , Ind. The Vanderburgh Circuit Court, Addison M. Beavers, Special Judge, found defendant guilty of abortion and she appealed. The Supreme Court, Hunter, J., held that statute prohibiting...	July 24, 1972	Case		16 S.Ct.
Cited by	381. Sturrup v. Mahan 290 N.E.2d 64, 71+ , Ind.App. 3 Dist. Proceeding for injunction restraining Indiana high school athletic association and principal of high school from declaring plaintiff ineligible to participate in varsity athletics,...	Dec. 13, 1972	Case		16 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	382. Formaro v. Polk County 773 N.W.2d 834, 838 , Iowa CRIMINAL JUSTICE - Sex Offenders. Statute that prohibited registered sex offender from residing with 2,000 feet of certain locations did not violate sex offender's right to...	Sep. 04, 2009	Case		12 S.Ct.
Cited by	383. State v. Stansbury 405 P.3d 1246, 1246 , Kan.App. Corey Stansbury appeals his conviction for violation of a protective order, claiming his fundamental right to parent his children was violated by his conviction. Because the...	Nov. 22, 2017	Case		16 S.Ct.
Cited by	384. Stone By and Through Stone v. Kansas State High School Activities Ass'n, Inc. ¶¶ 761 P.2d 1255, 1258 , Kan.App. High school student challenged constitutionality of interscholastic athletic association's eligibility rule. The District Court, Leavenworth County, Maurice P. O'Keefe, Jr., J.,...	Sep. 30, 1988	Case		—
Cited by	385. Craig v. Com., Dept. of Public Safety 471 S.W.2d 11, 18 , Ky. The Circuit Court, Lincoln County, Delbert Eagle, J., upheld department of public safety's revocation of operator's license of motorist who refused to consent to chemical testing...	Sep. 24, 1971	Case		12 S.Ct.
Cited by	386. Ellis v. Anderson 901 S.W.2d 46, 47 , Ky.App. After motor vehicle accident in Ohio, Kentucky resident brought personal injury action against other driver, who was also Kentucky resident. The Kenton Circuit Court, Douglas M....	June 30, 1995	Case		12 16 S.Ct.
Cited by	387. Com. v. Weston W. ¶¶ 913 N.E.2d 832, 839 , Mass. CRIMINAL JUSTICE - Curfews. Six-hour curfew on persons under seventeen years of age was unconstitutional in part.	Sep. 25, 2009	Case		12 S.Ct.
Cited by	388. O'Connell v. Chasdi 511 N.E.2d 349, 352+ , Mass. Employee brought action against fellow employee for assault and battery and intentional infliction of emotional distress arising out of his alleged sexual harassment of her during...	Aug. 12, 1987	Case		8 S.Ct.
Cited by	389. Bell v. Mazza ¶¶ 474 N.E.2d 1111, 1115 , Mass. Landowners brought action against several neighbors under state and federal civil rights statutes alleging that neighbors had conspired to prevent landowners from constructing...	Mar. 04, 1985	Case		15 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 390. American Motorcyclist Ass'n v. Park Com'n of City of Brockton ¶ 575 N.E.2d 754, 758 , Mass.App.Ct. Association of motorcyclists sought declaratory and injunctive relief from regulation by park commission which prohibited operation of motorcycles and mopeds in city park. The...	Aug. 05, 1991	Case		12 S.Ct.
Cited by	 391. Phelps v. President and Trustees of Colby College 595 A.2d 403, 405+ , Me. College students who were members or pledges of unauthorized fraternity brought action against private college under Civil Rights Act for legal and equitable relief for discipline...	July 09, 1991	Case		—
Cited by	392. Brown v. Department of Inland Fisheries and Wildlife 577 A.2d 1184, 1185 , Me. Action was brought seeking a declaration that a provision of the whitewater rafting law requiring all noncommercial rafters to file a registration statement prior to engaging in...	July 23, 1990	Case		12 S.Ct.
Cited by	 393. Gagnon v. Glowacki ¶ 815 N.W.2d 141, 153 , Mich.App. FAMILY LAW - Child Custody. Mother met her burden of establishing by a preponderance of the evidence that moving the child from Michigan to Canada was warranted.	Mar. 06, 2012	Case		16 S.Ct.
Cited by	394. People v. Grainger 324 N.W.2d 762, 769 , Mich.App. Defendant was convicted in Circuit Court, Wayne County, Patrick J. Duggan, J., of carrying a concealed weapon, and he appealed. The Court of Appeals held that: (1) defendant did...	July 13, 1982	Case		—
Cited by	 395. Mitchell v. Steffen 504 N.W.2d 198, 200 , Minn. Welfare recipients eligible for general assistance work readiness benefits who had resided in state less than six months brought class action challenging constitutionality of...	Aug. 06, 1993	Case		12 16 S.Ct.
Cited by	396. State v. Hunt 2020 WL 132754, *2 , Minn.App. In this direct appeal from final judgment, appellant argues that his conviction for driving after cancelation as inimical to public safety violates his constitutional right to...	Jan. 13, 2020	Case		13 16 S.Ct.
Cited by	397. State v. Cuypers 559 N.W.2d 435, 436 , Minn.App. Driver was cited for driving after revocation of license and failing to provide proof of insurance. He moved for dismissal challenging constitutionality of No-Fault Automobile...	Feb. 11, 1997	Case		12 16 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	398. State v. Smith 1996 WL 310329, *2, Minn.App. Appellant challenges his conviction for driving without automobile insurance, contending the Minnesota No-Fault Automobile Insurance Act is unconstitutional. The law has not...	June 11, 1996	Case		12 16 S.Ct.
Cited by	399. State v. Palkovich 1995 WL 673022, *1, Minn.App. Appellant Lawrence Palkovich challenges his conviction for failure to provide proof of auto insurance under Minn.Stat. § 169.791 (1994). He asserts that the compulsory insurance...	Nov. 14, 1995	Case		12 16 S.Ct.
Cited by	400. Matter of Custody of D.M.G. ¶¶ 951 P.2d 1377, 1381+, Mont. Father filed petition for custody and visitation with children. The First Judicial District Court, Lewis and Clark County, Dorothy McCarter, J., awarded parties joint custody and...	Jan. 05, 1998	Case		12 S.Ct.
Cited by	401. Northwest Airlines Inc. v. Joint City-County Airport Bd. ¶¶ 463 P.2d 470, 473, Mont. Action seeking permanent injunction restraining imposition of tax authorized by statute and declaratory judgment that statute was unconstitutional. The First District Court, Lewis...	Jan. 05, 1970	Case		—
Cited by	402. Standley v. Town of Woodfin ¶¶ 661 S.E.2d 728, 730, N.C. GOVERNMENT - Public Safety. Ordinance prohibiting sex offenders from knowingly entering any public park owned, operated, or maintained by town did not violate right to intrastate...	June 12, 2008	Case		12 S.Ct.
Cited by	403. Nielsen v. Social Service Bd. of North Dakota 216 N.W.2d 708, 713, N.D. Appeal by the Social Service Board of North Dakota from a judgment of the Cass County District Court, Ralph B. Maxwell, J., holding plaintiff eligible to receive medical assistance...	Mar. 27, 1974	Case		12 S.Ct.
Cited by	404. Riley v. New Jersey State Parole Bd. ¶¶ 98 A.3d 544, 559, N.J. HEALTH - Mental Health. Retroactive application of SOMA to convicted sex offender violated Ex Post Facto Clauses.	Sep. 22, 2014	Case		13 S.Ct.
Cited by	405. Hrycak v. Hrycak 2014 WL 4843949, *3, N.J.Super.A.D. Plaintiff Michael P. Hrycak is the father of two sons who now live with their mother, defendant Rita Hrycak, in California. The mother and the sons relocated to that state from New...	Oct. 01, 2014	Case		16 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	406. Hill v. New Jersey Motor Vehicle Com'n 2005 WL 2924832, *3 , N.J.Super.A.D. Appellant is a member of the Church of the Living God Pillar and Ground of the Truth (Church). He appeals the New Jersey Motor Vehicle Commission's (MVC) denial of an exemption...	Nov. 07, 2005	Case		12 S.Ct.
Cited by	407. Sanchez v. Department of Human Services 713 A.2d 1056, 1060+ , N.J.Super.A.D. GOVERNMENT - Public Assistance. Work First New Jersey Program was unconstitutional.	July 08, 1998	Case		12 16 S.Ct.
Cited by	408. State v. Pohle 390 A.2d 692, 698 , N.J.Super.L. In prosecution for possession and possession with intent to distribute, defendants moved to suppress contents of package containing controlled dangerous substances. The Superior...	June 29, 1978	Case		9 S.Ct.
Cited by	409. Under 21 v. City of New York 492 N.Y.S.2d 522, 529 , N.Y. Three actions were brought challenging validity of mayor's executive order forbidding those who secure contracts with city from refusing to hire people simply on the basis of...	June 28, 1985	Case		6 S.Ct.
Cited by	410. People v. Coleman ¶ 812 N.Y.S.2d 857, 859+ , N.Y.Sup. CRIMINAL JUSTICE - Sentencing. Provision of conditional discharge prohibiting defendant from entering city did not violate defendant's right to travel.	Mar. 08, 2006	Case		12 S.Ct.
Cited by	411. City of New York v. Andrews 719 N.Y.S.2d 442, 451 , N.Y.Sup. CRIMINAL JUSTICE - Prostitution. Court would not enjoin prostitutes and suspected pimps from appearing in neighborhood.	June 16, 2000	Case		16 S.Ct.
Cited by	412. Salla v. County of Monroe ¶ 395 N.Y.S.2d 366, 367 , N.Y.Sup. Action was brought for declaratory judgment challenging constitutionality of Labor Law section providing that in public works construction preference in employment must be given...	May 31, 1977	Case		12 S.Ct.
Cited by	413. Firestone v. First Dist. Dental Soc. ¶ 299 N.Y.S.2d 551, 555+ , N.Y.Sup. Action by dentist against the dental society for declaratory and injunctive relief on allegations that society code of ethics requiring society's prior approval of articles and...	Apr. 07, 1969	Case		9 S.Ct.
Cited by	414. Leggio v. Leggio 737 N.Y.S.2d 259, 262 , N.Y.Fam.Ct. FAMILY LAW - Protection Orders. Mistake of fact defense against element of willfulness could not be based on subjective belief.	Jan. 11, 2002	Case		—


Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 415. People v. Luther 970 N.Y.S.2d 674, 678 , N.Y.Just.Ct. CRIMINAL JUSTICE - Postconviction Relief. Retroactive application of change to driving while intoxicated regulations violated defendant's right to due process.	June 30, 2013	Case		12 13 16 S.Ct.
Cited by	416. In re Harrison's Estate 366 N.Y.S.2d 755, 757 , N.Y.Sur. Proceeding was brought to judicially settle account of ancillary executors of the decedent who died a resident of Florida. The Surrogate's Court, Bronx County, Bertram Gelfand,...	Dec. 18, 1974	Case		12 S.Ct.
Cited by	417. Associated Adjusters of Ohio, Inc. v. Ohio Dept. of Ins. ¶¶ 363 N.E.2d 730, 734 , Ohio Appeal was taken from an order of the Court of Common Pleas, Franklin County, overruling a corporation's assignments of error to a decision of the superintendent of insurance which...	June 08, 1977	Case		12 S.Ct.
Cited by	 418. Fraternal Order of Police, Youngstown Lodge No. 28 v. Hunter 303 N.E.2d 103, 106 , Ohio Com.Pl. Action for determination of rights under Youngstown civil service commission regulation providing that officers and employees not residing within city are subject to dismissal. ...	May 02, 1973	Case		3 S.Ct.
Cited by	 419. Edmondson v. Pearce 91 P.3d 605, 625 , Okla. CRIMINAL JUSTICE - Animals. Statute outlawing cockfighting did not amount to an uncompensated regulatory takings.	Mar. 30, 2004	Case		12 16 S.Ct.
Cited by	420. Davis v. Oklahoma Dept. of Corrections 370 P.3d 1231, 1237 , Okla.Civ.App. Div. 4 HEALTH - Mental Health. Requirement of lifetime sex offender registration was not unconstitutional as applied to offender who had an out-of-state conviction.	Mar. 14, 2016	Case		16 S.Ct.
Cited by	421. Brookes v. Tri-County Metropolitan Transp. Dist. of Oregon ("Tri-Met") 526 P.2d 590, 598 , Or.App. Bus driver, who was suspended for violating employer-municipal corporation's appearance regulation by wearing a beard, brought action for declaratory and injunctive relief and...	Sep. 23, 1974	Case		16 S.Ct.
Cited by	422. Stottlemeyer v. Stottlemeyer 329 A.2d 892, 894 , Pa. Wife brought action for divorce against husband who, as was case with wife, had not resided in Pennsylvania for one full year immediately prior to commencement of the action. The...	Dec. 05, 1974	Case		16 S.Ct.









Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	423. Stottlemeyer v. Stottlemeyer ¶ 302 A.2d 830, 833+ , Pa.Super. Divorce action was brought in which neither party met one-year statutory residency requirement. The Court of Common Pleas of York County, Civil Action, Law, at No. 231, January...	Apr. 04, 1973	Case		12 S.Ct.
Cited by	424. Com. v. Mills 269 A.2d 322, 328 , Pa.Super. Defendant was convicted in the Common Pleas Court of Philadelphia County, Criminal Trial Division, as of March Sessions, 1969 Indictment Nos. 476 and 477, BRADLEY, J., of carrying...	Sep. 18, 1970	Case		—
Cited by	425. State v. Naylor ¶ 466 S.W.3d 783, 819 , Tex. GLBT — Divorce. State lacked third-party standing to appeal judgment of divorce involving same-sex parties.	June 19, 2015	Case		13 16 S.Ct.
Cited by	426. State v. Moreno 807 S.W.2d 327, 333 , Tex.Crim.App. In prosecution for prostitution, the County Court At Law No. 1, Nueces County, Robert J. Vargas, J., entered order quashing complaint and information and State appealed. The...	Apr. 10, 1991	Case		2 S.Ct.
Cited by	427. Naff v. State 946 S.W.2d 529, 532 , Tex.App.-Fort Worth CRIMINAL JUSTICE - Indictment and Information. Complaints were not invalid on ground that they were sworn to by municipal court prosecutor's secretary.	May 15, 1997	Case		12 S.Ct.
Cited by	428. State v. Lee 957 P.2d 741, 752+ , Wash. CRIMINAL JUSTICE - Stalking. Statute defining the offense of stalking was not unconstitutionally vague or overbroad.	June 18, 1998	Case		13 S.Ct.
Cited by	429. Southcenter Joint Venture v. National Democratic Policy Committee ¶ 780 P.2d 1282, 1287 , Wash. Shopping center owner sought declaratory judgment that political organization and certain of its members or affiliates had no right to solicit contributions and sell literature at...	Oct. 19, 1989	Case		—
Cited by	430. Alderwood Associates v. Washington Environmental Council ¶ 635 P.2d 108, 118 , Wash. Environmentalists appealed from a temporary restraining order of the Superior Court, Snohomish County, Thomas G. McCrea, J., enjoining them from soliciting signatures or...	Oct. 15, 1981	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	431. In re Reitz ¶¶ 191 N.W.2d 913, 918 , Wis. Proceedings were instituted pursuant to statute authorizing removal of a dependent person, who is receiving relief elsewhere than at his place of settlement, if return to place of...	Nov. 30, 1971	Case		12 S.Ct.
Cited by	432. State v. Baron 754 N.W.2d 175, 178 , Wis.App. CRIMINAL JUSTICE - False Personation. Identity theft statute did not criminalize defendant's exercise of constitutional right to defame public official.	May 29, 2008	Case		—
Cited by	433. Brandmiller v. Arreola 525 N.W.2d 353, 356 , Wis.App. Automobiles. Municipal ordinances prohibiting cruising were constitutional.	Nov. 08, 1994	Case		—
Cited by	434. Kessel v. Leavitt ¶¶ 511 S.E.2d 720, 746 , W.Va. TORTS - Fraud. Father could maintain action for fraud in concealment of information regarding location and adoption of child.	July 22, 1998	Case		12 S.Ct.
Cited by	435. Caribbean Carriage Company, Inc. v. Cruz Soto ¶¶ 2016 WL 1358053, *4 , TCA Comparecen ante nos mediante recurso de apelación Caribbean Carriage Company, Inc., el señor Eladio Dávila y la señora Zauda Ayala Cardona (en adelante Caribbean Carriage, señor...	Feb. 29, 2016	Case		12 13 16 S.Ct.
Cited by	436. Darlington Mfg. Co. 165 NLRB 1074, 1125 , N.L.R.B. On October 17, 1956, the stockholders of Darlington Manufacturing Company voted to liquidate the cotton mill operated by the Company in Darlington, South Carolina. This action...	1967	Administrative Decision		—
Cited by	437. LEGAL GUIDANCE ON THE IMPLICATIONS OF THE SUPREME COURT'S DECISION IN ADARAND CONSTRUCTORS, INC. v. PENA 19 U.S. Op. Off. Legal Counsel 171, 171 This memorandum sets forth preliminary legal guidance on the implications of the Supreme Court's recent decision in Adarand Constructors, Inc. v. Pena, 63 U.S.L.W. 4523 (U.S. June...	June 28, 1995	Administrative Decision		6 S.Ct.
Cited by	438. The Honorable Tim Wooldridge Ark. Op. Atty. Gen. No. 95-045 This is in response to your request for an opinion on whether the Executive Committee of the Northeast Arkansas (NEA) invitational basketball tournament unlawfully discriminates...	Apr. 26, 1995	Administrative Decision		6 S.Ct.
Cited by	439. The Honorable Samuel I. Rosenberg Mr. Michael S. Glushakow 77 Md. Op. Atty. Gen. 23, 23 You have each asked for our opinion concerning the effect of the decision of the United States Supreme Court in R.A.V. v. City of St. Paul, 505 U.S. 377, 112 S.Ct. 2538 (1992), on...	Dec. 03, 1992	Administrative Decision		15 S.Ct.

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Cited by	440. Jonathan F. Sweet Neb. Op. Atty. Gen. No. 94058 This opinion is written in response to the Department of Veterans' Affairs request for our interpretation of the two-year residency requirement contained within Neb. Rev. Stat. §...	July 19, 1994	Administrative Decision		—
Cited by	441. Mr. James Wittenberg ¶¶ 1979 Nev. Op. Atty. Gen. 53 State Employment, Right to Travel, Durational Residential Preference.—Governor's policy and NRS 284.253 which allow a preference to Nevada residents in qualifying for appointment...	June 18, 1979	Administrative Decision		12 S.Ct.
Cited by	442. Okl. A.G. Opin. No. 01-44, 01-44 Okl. A.G. Opin. No. 01-44, 01-44 This office has received your request for an official Attorney General Opinion in which you ask, in effect, the following questions: 1. Can the movement of people be restricted...	Oct. 19, 2001	Administrative Decision		16 S.Ct.
Cited by	443. CITY OF BLOOMINGTON 13 PERI P 4007	Oct. 28, 1996	Administrative Decision		—
Cited by	444. JOSEPH P. MCCOOL, Plaintiff, v. CITY OF PHILADELPHIA, ET AL., Defendants 38 PPER P 95	June 27, 2007	Administrative Decision		16 S.Ct.
Cited by	445. TO: The Honorable Robert H. Burnside 1977 S.C. Op. Atty. Gen. 121+ Whether the disparity in automobile liability insurance premiums charged males under the age of 25 as opposed to females under said age is violative of the equal protection clause...	May 09, 1977	Administrative Decision		8 9 S.Ct.
Cited by	446. The Honorable Antonio Parkinson Tenn. Op. Atty. Gen. No. 14-52, 14-52+ 1. Do the drug-free-workplace programs established by Tenn. Code Ann. §§ 50-9-101 to -114 violate either the Tennessee Constitution or the United States Constitution? 2. If the...	Apr. 24, 2014	Administrative Decision		12 13 S.Ct.
Cited by	447. The Honorable Robert Rochelle Tenn. Op. Atty. Gen. No. 96-066+ 1. A proposed act would authorize Wilson County to impose an "Adequate Facilities Tax" on new construction and development in the County. Section 6(i) of the Act provides a...	Apr. 09, 1996	Administrative Decision		12 S.Ct.
Cited by	448. The Honorable Robert Rochelle The Honorable Mae Beavers Tenn. Op. Atty. Gen. No. 96-067+ 1. A proposed act would authorize Wilson County to impose an "Adequate Facilities Tax" on new construction and development in the County. Section 6(i) of the Act provides a...	Apr. 09, 1996	Administrative Decision		12 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	449. Honorable A. Ludlow Kramer ATTN: Donald F. Whiting Wash. AGLO 1972 NO. 24, 1972 NO. 24 This is in response to your recent request for our opinion as to the legal rules regarding the impact upon voting residence which results from a voter's absence from his home, and...	Apr. 19, 1972	Administrative Decision		—
Cited by	450. STAFF REPORT ON ADVERTISING OF VETERINARY GOODS AND SERVICES 1979 WL 463441 (F.T.C.), *85 This report recommends the issuance of a proposed Trade Regulation Rule concerning the Advertising of Veterinary Goods and Services. It was drafted in the latter part of 1977 and...	Jan. 22, 1979	Administrative Decision		—
Cited by	451. Passenger Screening Using Advanced Imaging Technology 81 FR 11364-01 The Transportation Security Administration (TSA) is amending its civil aviation security regulations to specify that TSA may use advanced imaging technology (AIT) to screen...	Mar. 03, 2016	Federal Register		—
—	452. Miller v TCN Channel Nine Pty Ltd 1986 WL 590282, *1 , HCA The facts of this case and the relevant provisions of the Wireless Telegraphy Act 1905 (Cth) as amended (the Act) are set out in the judgment of Wilson J., which I have had the...	Oct. 21, 1986	Case	—	—
—	453. McGraw-Hinds (Aust) Pty Ltd v Smith 1979 WL 156729, *1 , HCA This is an appeal from a judgment of the Full Court of the Supreme Court of Queensland which allowed an appeal from a decision of a stipendiary magistrate dismissing a complaint...	Apr. 05, 1979	Case	—	—
—	454. Ansett Transport Industries (Operations) Pty Ltd v Commonwealth 1977 WL 166114, *1 , HCA In the resolution of these demurrers I have had the advantage of reading and considering the reasons for judgment prepared by my brother Aickin. My brother there sets out the...	Dec. 23, 1977	Case	—	—
Declined to Extend by NEGATIVE	455. People v. Contreras 188 Cal.Rptr.3d 698, 709 , Cal.App. 6 Dist. CRIMINAL JUSTICE — Sentencing. Defendant's contention that sentence reduction statutes applied retroactively to him was not reviewable on direct appeal.	June 16, 2015	Case		16 S.Ct.
Distinguished by NEGATIVE	456. Peterson v. Martinez 707 F.3d 1197, 1213 , 10th Cir.(Colo.) CIVIL RIGHTS - Right to Bear Arms. Second Amendment did not confer right to carry concealed weapons.	Feb. 22, 2013	Case		12 13 S.Ct.







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Modification Recognized by NEGATIVE	 457. City of Boerne v. Flores 117 S.Ct. 2157, 2166 , U.S.Tex. CIVIL RIGHTS - Free Exercise. Religious Freedom Restoration Act exceeds Congress' power under § 5 of Fourteenth Amendment.	June 25, 1997	Case		—
Mentioned by	 458. U.S. Term Limits, Inc. v. Thornton 115 S.Ct. 1842, 1874 , U.S.Ark. Term Limits. States may not impose qualifications for United States Congress in addition to those set forth in the Constitution.	May 22, 1995	Case		—
Mentioned by	 459. Attorney General of New York v. Soto-Lopez 106 S.Ct. 2317, 2320+ , U.S.N.Y. Applicants for state employment, who were denied additional points for service in armed forces by reason that their entry into armed forces was from another state, brought action...	June 17, 1986	Case		12 S.Ct.
Mentioned by	 460. United Broth. of Carpenters and Joiners of America, Local 610, AFL-CIO v. Scott  103 S.Ct. 3352, 3358 , U.S.Tex. Construction company and two of its employees brought action against trades council, its unions and individual union members, alleging that they conspired to deprive plaintiffs of...	July 05, 1983	Case		—
Mentioned by	 461. Zobel v. Williams 102 S.Ct. 2309, 2313+ , U.S.Alaska Suit was brought by Alaska residents challenging dividend distribution plan as violative of their right to equal protection guarantees and their constitutional right to migrate to...	June 14, 1982	Case		12 16 S.Ct.
Mentioned by	 462. Zablocki v. Redhail 98 S.Ct. 673, 684 , U.S.Wis. Class action was brought challenging Wisconsin statute, which provides that any resident having minor issue not in his custody that he is under obligation to support by any court...	Jan. 18, 1978	Case		4 S.Ct.
Mentioned by	463. Johnson v. Mississippi 95 S.Ct. 1591, 1599 , U.S.Miss. Accused who were charged with unlawfully conspiring to bring about a boycott filed petition to remove prosecution from state to federal court. The United States District Court for...	May 12, 1975	Case		—
Mentioned by	 464. Memorial Hospital v. Maricopa County 94 S.Ct. 1076, 1081 , U.S.Ariz. Appeal from a decision of the Arizona Supreme Court, 108 Ariz. 373, 498 P.2d 461, vacating a judgment of trial court compelling county board of supervisors to accept an indigent...	Feb. 26, 1974	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	 465. O'Shea v. Littleton 94 S.Ct. 669, 679 , U.S.Ill. Seventeen black and two white residents of Cairo, Illinois, brought a civil rights class action charging county magistrate and associate judge of county circuit court with...	Jan. 15, 1974	Case		2 S.Ct.
Mentioned by	 466. Roe v. Wade 93 S.Ct. 705, 734 , U.S.Tex. Action was brought for a declaratory and injunctive relief respecting Texas criminal abortion laws which were claimed to be unconstitutional. A three-judge United States District...	Jan. 22, 1973	Case		4 S.Ct.
Mentioned by	 467. Graham v. Richardson 91 S.Ct. 1848, 1854 , U.S.Ariz. Two cases involving application of equal protection clause to state welfare laws discriminating against aliens were consolidated on appeal. In one case, alien resident of Arizona...	June 14, 1971	Case		—
Mentioned by	 468. Bach v. Pataki 408 F.3d 75, 87 , 2nd Cir.(N.Y.) GOVERNMENT - Weapons. State's prohibition on allowing nonresidents to obtain firearms license did not violate Privileges and Immunities Clause.	May 06, 2005	Case		13 S.Ct.
Mentioned by	469. Soto-Lopez v. New York City Civil Service Com'n 755 F.2d 266, 278 , 2nd Cir.(N.Y.) Applicants for state employment, who were denied additional points for service in armed forces by reason that their entry into armed forces was from another state, brought action...	Feb. 15, 1985	Case		—
Mentioned by	 470. U.S. v. DeLaurentis 491 F.2d 208, 214 , 2nd Cir.(N.Y.) Appeal by union officials from their conviction in the United States District Court for the Eastern District of New York, John F. Dooling, Jr., J., of conspiring to threaten or...	Jan. 21, 1974	Case		—
Mentioned by	 471. U.S. v. City of Philadelphia 644 F.2d 187, 197 , 3rd Cir.(Pa.) Suit was brought by the United States, through its Attorney General, for broad declaratory and equitable relief against allegedly unconstitutional practices and policies of the...	Dec. 29, 1980	Case		4 S.Ct.
Mentioned by	472. Harris v. Hahn 827 F.3d 359, 369+ , 5th Cir.(Tex.) VETERANS — Educational Benefits. Residency requirement of Texas statute providing veterans with tuition waivers at public universities did not violate Equal Protection Clause.	June 23, 2016	Case		12 13 S.Ct.

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Mentioned by	 473. Johnson v. City of Opelousas 658 F.2d 1065, 1072 , 5th Cir.(La.) Action was brought by a mother and her son to challenge constitutionality of a nocturnal juvenile curfew ordinance of a city. The United States District Court for the Western...	Oct. 13, 1981	Case		—
Mentioned by	 474. Helms v. Jones 621 F.2d 211, 212 , 5th Cir.(Ga.) Georgia prisoner, convicted of felony child abandonment, filed a petition for a writ of habeas corpus. The United States District Court for the Middle District of Georgia, J....	July 11, 1980	Case		—
Mentioned by	 475. Greco v. Orange Memorial Hospital Corp. 513 F.2d 873, 878 , 5th Cir.(Tex.) Physician brought an action for a judgment declaring that a hospital policy prohibiting performance of elective abortions was unconstitutional. The United States District Court...	May 29, 1975	Case		14 S.Ct.
Mentioned by	 476. U.S. v. McLeod 385 F.2d 734, 747 , 5th Cir.(Ala.) Actions by United States against county and officials thereof for injunctive and other relief. From adverse judgments of the United States District Court for the Southern District...	Oct. 16, 1967	Case		—
Mentioned by	 477. Clark v. Boynton 362 F.2d 992, 997 , 5th Cir.(Ala.) Contempt proceeding against sheriff. The United States District Court for the Southern District of Alabama, Daniel Holcombe Thomas, J., entered an order from which sheriff...	July 01, 1966	Case		—
Mentioned by	 478. U.S. v. Lanier 73 F.3d 1380, 1408 , 6th Cir.(Tenn.) State judge was convicted in the United States District Court for the Western District of Tennessee, Jerome Turner, J., under a federal statute criminalizing the willful...	Jan. 23, 1996	Case		—
Mentioned by	 479. U.S. v. Ebens 800 F.2d 1422, 1429 , 6th Cir.(Mich.) Defendant was convicted in the United States District Court for the Eastern District of Michigan, Anna Diggs Taylor, J., of interfering with civil rights of another, and he...	Sep. 11, 1986	Case		—
Mentioned by	 480. Phillips v. Money 503 F.2d 990, 993 , 7th Cir.(Ind.) Action for damages and injunctive relief, brought under civil rights statute, claiming that certain lien laws of Indiana denied due process and were unconstitutional. The United...	Sep. 13, 1974	Case		11 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	 481. Howlett v. Salish and Kootenai Tribes of Flathead Reservation, Montana 529 F.2d 233, 243 , 9th Cir.(Mont.) Two members of the Salish and Kootenai Tribes of the Flathead Reservation, Montana, brought suit alleging that the refusal of their tribes to declare them eligible candidates for...	Jan. 22, 1976	Case		—
Mentioned by	 482. Adams v. Southern California First Nat. Bank 492 F.2d 324, 337+ , 9th Cir.(Cal.) Debtors whose respective motor vehicles were, without notice or hearing, repossessed by creditors for failure to make installment payments brought separate suits seeking...	Oct. 04, 1973	Case		—
Mentioned by	483. Smith v. Paulk 705 F.2d 1279, 1283 , 10th Cir.(Okla.) Appeal was taken from a judgment of the United States District Court for the Western District of Oklahoma, Lee R. West, J., holding state statute requiring private employment...	Apr. 22, 1983	Case		12 S.Ct.
Mentioned by	484. U.S. v. Liddy 542 F.2d 76, 81 , D.C.Cir. Defendant was convicted in the United States District Court for the District of Columbia, Gerhard A. Gesell, J., of conspiracy to violate citizen's Fourth Amendment rights and he...	May 17, 1976	Case		—
Mentioned by	 485. Berrigan v. Sigler 499 F.2d 514, 520 , D.C.Cir. Two parolees filed complaint seeking judicial review of the administrative action of members of the United States Board of Parole denying permission to the parolees to travel to...	May 01, 1974	Case		16 S.Ct.
Mentioned by	 486. Mayers v. Ridley 465 F.2d 630, 660 , D.C.Cir. Homeowners whose deeds contained racially restrictive covenants brought class action seeking to enjoin recorder of deeds from accepting for filing any instrument containing such a...	June 30, 1972	Case		14 S.Ct.
Mentioned by	487. Trawinski v. United Technologies Carrier Corp. 201 F.Supp.2d 1168, 1172 , N.D.Ala. CIVIL RIGHTS - Conspiracy. Consumer's could not base civil rights conspiracy claim on faulty heating system.	May 09, 2002	Case		16 S.Ct.
Mentioned by	488. Wallace v. Brewer 315 F.Supp. 431, 442 , M.D.Ala. Action was brought by various plaintiffs for injunctive relief against state officials and for declarations as to alleged unconstitutionality of certain Alabama statutes. A...	June 09, 1970	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	 489. Broughton v. Brewer 298 F.Supp. 260, 270 , S.D.Ala. Actions challenging constitutionality of vagrancy statute of State of Alabama. A three-judge court, Rives, Circuit Judge, held that Alabama vagrancy statute, when considered with...	Mar. 13, 1969	Case		16 S.Ct.
Mentioned by	490. U.S. v. Maybee 2011 WL 2784446, *4 , W.D.Ark. NOW on this 15th day of July 2011, comes on for consideration defendant's Motion for Judgment of Acquittal Under FRCrP Rule 29, or in the Alternative For a New Trial Under FRCrP...	July 15, 2011	Case		—
Mentioned by	491. Six v. Newsom 2020 WL 2896543, *4 , C.D.Cal. GOVERNMENT — Public Safety. Executive order issued in response to COVID-19 had real and substantial relation to public health, as supported upholding order.	May 22, 2020	Case		12 13 16 S.Ct.
Mentioned by	492. Corona v. City of Los Angeles 2017 WL 3701225, *3 , C.D.Cal. This Final Report and Recommendation is submitted to the Honorable Valerie Baker Fairbank, Senior United States District Judge, pursuant to 28 U.S.C. § 636 and General Order 05-07...	Aug. 10, 2017	Case		16 S.Ct.
Mentioned by	493. Corona v. City of Los Angeles 2017 WL 1903101, *3 , C.D.Cal. Plaintiff Vicki Corona ("Plaintiff"), proceeding pro se and in forma pauperis, filed a Complaint ("Complaint") pursuant to 42 U.S.C. § 1983 ("Section 1983") alleging defendants...	May 09, 2017	Case		16 S.Ct.
Mentioned by	 494. Cooper v. Molko 512 F.Supp. 563, 571 , N.D.Cal. Member of religious group sued police officer, his parents, and seven deprogrammers, alleging that his civil rights were violated in the course of his abduction and deprogramming. ...	Feb. 03, 1981	Case		6 S.Ct.
Mentioned by	 495. Construction Industry Ass'n of Sonoma County v. City of Petaluma 375 F.Supp. 574, 581 , N.D.Cal. Action by construction association against city, challenging constitutionality of city's plan for limiting its growth by limiting number of people who would henceforth be permitted...	Apr. 26, 1974	Case		12 S.Ct.
Mentioned by	 496. Maehr v. United States Department of State 2020 WL 967754, *6 , D.Colo. This matter is before the Court on the magistrate judge's Report and Recommendation on Defendant's Motion to Dismiss Plaintiff's Amended Complaint [Docket No. 55] entered on...	Feb. 28, 2020	Case		13 16 S.Ct.

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	<p> 497. Kirksey v. Theilig 351 F.Supp. 727, 730 , D.Colo.</p> <p>Actions brought by buyers of automobiles, which were repossessed by defendants without prior notice or an opportunity for a hearing, for deprivation of rights under color of state...</p>	Nov. 30, 1972	Case		—
Mentioned by	<p>498. Maddox v. Williams 855 F.Supp. 406, 415 , D.D.C.</p> <p>Subpoenas were issued at request of tobacco company, as intervening plaintiff in state tort action, for testimony of two members of Congress and for production of documents...</p>	June 06, 1994	Case		—
Mentioned by	<p> 499. Harrell v. Tobriner 279 F.Supp. 22, 26 , D.D.C</p> <p>Actions by public assistance applicants for relief by declaratory judgments and injunctions against enforcement by defendants of residence requirements. The Three-Judge District...</p>	Nov. 08, 1967	Case		—
Mentioned by	<p>500. State of Fla., Dept. of Health and Rehabilitative Services v. Friends of Children, Inc. 653 F.Supp. 1221, 1227 , N.D.Fla.</p> <p>Florida Department of Health and Rehabilitative Services sought declaratory judgment against Georgia adoption agency to prohibit certain activities. Adoption agency filed...</p>	Dec. 24, 1986	Case		<p>12 S.Ct.</p>