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December 20, 1980

The Honorable Harry A. Blackmun
The Supreme Court of the United States
Washington, D.C.

Dear Mr. Justice:

A news story of several days ago carried the report that in a case before the high Court (Allen v. McCurry) you filed a dissent to an opinion that held that the federal courts are not open to all those asserting their rights, specifically to those to whom a state court had previously denied their assertion.

It is of course hard to glean the essence of a complex dispute in constitutional law from a newspaper story, but I would like to applaud your action. Times are hard now, the right wing is ascendant, the gap between rich and poor is widening, the political mood of the country is chilling, the poor and the outcast have few allies. I agree with you that the balance between state and federal courts should be maintained and also that precarious balance between individual rights and state power.

God bless you.

Sincerely,

Walter Miale

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1/7/81