

HAB

Supreme Court of the United States

Washington, D. C. 20543

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CHAMBERS OF
JUSTICE BYRON R. WHITE

THE CHIEF JUSTICE

January 5, 1989

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86-1088 - City of Canton v. Harris

Re: 86-1088 - City of Canton v. Harris

Dear Bill,

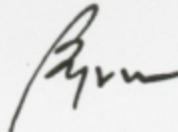
Dear Byron: I made a doubtful fifth vote at Conference to reverse outright, but soon thought better of it, preferring to have the Court of Appeals deal with the question whether a new trial is to be had, an issue that is not all that open and shut since four Justices would still reverse rather than remand.

As presently advised, I shall leave the draft as it is and await Sandra's writing.

Sincerely yours,

Justice White

cc: The Conference



Justice Brennan

Copies to the Conference