

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

CHAMBERS OF
JUSTICE W. J. BRENNAN, JR.

CHAMBERS OF
THE CHIEF JUSTICE

December 29, 1988

December 30, 1988

86-1088 - City of Canton v. Harris

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

Dear Byron:

I would prefer Sandra's suggested outright reversal to the remand for retrial prescribed in your draft; but if there is not a majority for that view, I will probably join your revised opinion (after I have seen it).

insufficient as a matter of law and the plaintiff's proof was insufficient without remand is the proper disposition. I very much doubt that I could join. I also agree with you that a plaintiff need not identify the relevant policymakers in section 1983 suits, and that there is no reason to lay down that requirement here.

Sincerely,

Sincerely,

WJB
/ER

Justice White

cc: The Conference

Justice White

Copies to the Conference