

No. 82-738, Migra v. Warren City School District Board of Education

This case comes to us by way of certiorari to the United States Court of Appeals for the Sixth Circuit.

The case does not lend itself well to announcement from the Bench. It suffices to say, I think, that it concerns the Full Faith and Credit Clause of the United States Constitution and the implementing statute known as 28 U.S.C. § 1738. This is a federal action brought under 42 U.S.C. § 1983 after a judgment favorable to the plaintiff in the state courts of Ohio. It concerns the legal concepts of issue preclusion and claim preclusion.

We hold that, with respect to plaintiff's claim that was not litigated in the state court, the state court judgment has the same preclusive effects that it would have in the Ohio state courts. Because the Federal District Court by its opinion has not interpreted Ohio preclusion law and applied it, we vacate

the Sixth Circuit judgment and remand the case for such further proceedings as are required by, and are consistent with, the opinion we file today.

Mr. Justice White, while joining the Court's opinion, has filed a separate concurring opinion. <sup>the C.J.</sup> Justice Powell has <sup>he</sup> joined Justice White's opinion.

H.A.B.  
1/23/84