

HAB

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

October 17, 1983

Dear Chief:

You have assigned to me No. 82-738, Migra v. Warren City School District. You may recall that I was in dissent in both Allen and Kramer, but that I voted to affirm in this case for reasons that I felt distinguished the fact situation from those in Allen and Kramer. Thus, my approach is far narrower than I would expect the Court's approach would be if someone else were writing the opinion.

I therefore wonder whether Migra is properly assigned to me. I had anticipated that I would have to write separately in concurrence.

If you would agree, I would be glad to exchange Migra with someone else who has not yet started on his assignment.

Sincerely,



The Chief Justice

cc: The Conference