

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

CHAMBERS OF
JUSTICE SANDRA DAY O'CONNOR

December 16, 1983

No. 82-738 Migra v. Warren City School District

Dear Harry,

I have read your opinion in this case and am sure I can join it. I would like to raise one question before sending my formal joinder, however.

The opinion, at pages 7 and 9, discusses the preclusive effects of a plaintiff's prior state court litigation. FN 7 discusses your dissent in Allen. Do you think that defendants as well as plaintiffs are bound by state law of claim preclusion? Section 1738 does not limit full faith and credit to plaintiff's actions. Should this be clarified in your view?

Sincerely,

Sandra

Justice Blackmun

We have to be concerned only with it's preclusive
+ issue is in here & I hesitate
to too much, this as it is
why I no cover that's pt.
But if a may want to, I have an
altered draft ready to use at
least refer to it