

9 called for record.
It has been filed,
aml 08/07/84 + New memo
supplements orig.
Pool memo by
David Charney

Grant
(Square
conflict)

9/22

Presents an important Q
as to application of Morell:
Whether a single incident (in
this case a policeman negligently
killed an ~~innocent~~ innocent person)
can be viewed as ^{sufficient} evidence of
a "policy or custom" of violating
const. rights.

CA10, declined to follow
other circuits, held one incident
was sufficient.

SUPPLEMENTAL MEMORANDUM to JUSTICE POWELL

From: Annmarie

September 24, 1984 Conference
Summer List 5, Sheet 2

No. 83-1919-CFX

Cert to CA 10
(Barrett, Doyle, Seymour)

City of Oklahoma City

v. Tuttle
Federal/Civil Timely

1. SUMMARY: This memorandum supplements David's original pool memo in light of the record which you requested. The