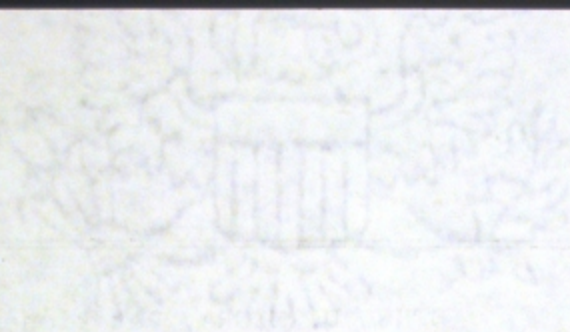


BRENNAN, J.



1891

OFFICE OF THE ATTORNEY GENERAL, DEPARTMENT OF JUSTICE, WASHINGTON, D.C.



The Chief Justice doesn't make
whether bar is also in
federal law - res judicata
does bar

White, J. Didn't look at
state law but are
independent federal
rule - that's enough for
me 1738 doesn't
foreclose federal court
from doing so

Marshall, J. Tentative to
affirm along BFW lines

Blackmun, J. In aben I thought
1983 plaintiff had no
chance of success because
left in criminal case
Does 1738 conflict
with any 1983 policy?
I vote to affirm
if case done narrowly

Powell, J. *Allen v. Kremen*
principles central here
Federal rule was
enacted by 1738.
I'd adopt it.

Rehnquist, J. That it relied on
federal law & would not
have it by reason of
1738. So I affirm

Stevens, J. He applied federal
rule. If follows 1738
apply state rule -
shouldn't we obey it
accept that can't bring
1983 suit ~~without~~
even if done in state
courts. Prior cases
require state law +
rule I'd draft
analyzed state law
So agree with W/B

O'Connor, J. 1738 contemplated
state law & may be
can say I'd rely on
it. If can't I could
vacate & remand for
decision of state law