

Forty-fourth General Assembly Vs. Lucas

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Court : US Supreme Court

Decided On : Feb-01-1965

Appeal No. : 379 U.S. 693

Appellant : Forty-fourth General Assembly

Respondent : Lucas

Judgement :

Forty-fourth General Assembly v. Lucas - 379 U.S. 693 (1965)

U.S. Supreme Court Forty-fourth General Assembly v. Lucas, 379 U.S. 693 (1965)

Forty-fourth General Assembly of Colorado v. Lucas

No. 661

Decided February 1, 1965

379 U.S. 693

APPEAL FROM THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF COLORADO

Judgment with respect to federal questions affirmed; judgment with respect to other questions vacated, and cause remanded.

Reported below: 232 F.Supp. 797.

PER CURIAM.

Insofar as the judgment of the District Court decides federal questions, it is affirmed. Insofar as the judgment decides other questions, it is vacated, and the cause is remanded for further consideration in light of the supervening decision of the Colorado Supreme Court in *White v. Anderson*, ___ Colo. ___, 394 P.2d 333 (1964).

MR. JUSTICE CLARK, MR. JUSTICE HARLAN, MR. JUSTICE STEWART, and MR. JUSTICE GOLDBERG, concurring.

It is our understanding that the Court's disposition of this case leaves it open to the District Court to abstain on the question as to the severability of the various provisions of Amendment No. 7, pending resolution of that issue with reasonable promptitude in further state court proceedings. We deem it appropriate explicitly to state our view that this is the course which the District Court should follow. On this basis, we join the Court's opinion.

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