

Dexter Vs. Schrunk

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Court : US Supreme Court

Decided On : Aug-29-1970

Appeal No. : 400 U.S. 1207

Appellant : Dexter

Respondent : Schrunk

Judgement :

Dexter v. Schrunk - 400 U.S. 1207 (1970)

U.S. Supreme Court Dexter v. Schrunk, 400 U.S. 1207 (1970)

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Decided August 29, 1970

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ON APPLICATION FOR RESTRAINING ORDER

SYLLABUS

Restraining order requested by applicants, who rely on *Dombrowski v. Pfister*, [380 U. S. 479](http://sooperkanoon.com/102510) , denied, since reexamination of holding in that case is involved in cases to be argued in fall.

MR. JUSTICE DOUGLAS, Circuit Justice.

Under *Dombrowski v. Pfister*, [380 U. S. 479](#) , applicants make out a strong case for federal protection of their First Amendment rights. But *Dombrowski*, a five-to-two decision rendered in 1965, is up for reexamination in cases set for reargument this fall. If the present case were before the Conference of this Court, I am confident it would be held pending the cases to be reargued. Hence, as Circuit Justice, I do not feel warranted in taking action contrary to what I feel the Conference would do . Accordingly, I deny the restraining order requested.

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