

Means Vs. Dowd

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Court : US Supreme Court

Decided On : Dec-17-1888

Appeal No. : 128 U.S. 583

Appellant : Means

Respondent : Dowd

Judgement :

Means v. Dowd - 128 U.S. 583 (1888)

U.S. Supreme Court Means v. Dowd, 128 U.S. 583 (1888)

Means v. Dowd

No. 47

Submitted and decided December 17, 1888

128 U.S. 583

APPEAL FROM THE CIRCUIT COURT OF THE UNITED

STATES FOR THE WESTERN DISTRICT OF NORTH CAROLINA

SYLLABUS

The Court denies a motion for an order for a mandate, no notice of it having been given to the other party.

It has been the custom with the Court to make a general order, immediately before the commencement of the February recess, for the issue of mandates in every case disposed of prior to the 1st of January if application therefor should be made, except in cases in which a petition for rehearing might be pending, and cases docketed and dismissed under the 9th rule. In this case, which is reported *ante*, page [128 U. S. 273](#) , application was made to the Court for the immediate issue of a mandate without giving the other party notice of the intention to make such a motion.

PER CURIAM.

No notice having been given to the other side, and there being no agreement of the parties that the mandate may issue, the motion is

Denied.