

**Holley Vs. Lawrence**

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**Court :** US Supreme Court

**Decided On :** Jan-18-1943

**Appeal No. :** 317 U.S. 518

**Appellant :** Holley

**Respondent :** Lawrence

**Judgement :**

Holley v. Lawrence - 317 U.S. 518 (1943)

U.S. Supreme Court Holley v. Lawrence, 317 U.S. 518 (1943)

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**No. 600**

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*APPEAL FROM THE SUPREME COURT OF GEORGIA*

**SYLLABUS**

The decision of the state court that failure to offer the testimony of a wife at the trial of her husband barred a later claim of the unconstitutionality of a state statute making such testimony incompetent *held* a nonfederal ground adequate to support the judgment.

Appeal dismissed.

PER CURIAM.

The motion for leave to proceed *in forma pauperis* is granted. The Court has examined all the federal questions raised by appellant. Insofar as the appeal challenges the validity of Georgia Code 38-1604, which makes incompetent the testimony of a wife at the trial of her husband, the judgment of the court below rests upon a nonfederal ground adequate to support it -- namely that the failure to tender such testimony at the trial barred any later claim of the alleged constitutional right. *Atlantic Coast Line R. Co. v. Mims*, [242 U. S. 532](#) , [242 U. S. 535](#) . The Court finds that no other federal question presented by the appeal warrants review by this Court. The appeal is accordingly dismissed.

*Dismissed.*

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