

**Barton Vs. Sentner**

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**Court :** US Supreme Court

**Decided On :** 1957

**Appeal No. :** 353 U.S. 963

**Appellant :** Barton

**Respondent :** Sentner

**Judgement :**

BARTON v. SENTNER - 353 U.S. 963 (1957)

U.S. Supreme Court BARTON v. SENTNER , 353 U.S. 963 (1957)

353 U.S. 963

Lewis D. BARTON, District Director, United States Immigration and Naturalization Service, District No. 11, appellant,

v.

Antonia SENTNER.

No. 728.

Antonia SENTNER, appellant,

v.

Lewis D. BARTON, District Director, United States Immigration and Naturalization Service, District No. 11.

No. 784.

Supreme Court of the United States

May 20, 1957

Solicitor General Rankin, Assistant Attorney General Olney, and Beatrice Rosenberg, for Barton.

Mr. Sydney L. Berger, for Sentner.

PER CURIAM.

The judgment is affirmed. See *United States v. Witkovich*, [353 U.S. 194](#) . They would note jurisdiction of this appeal and afford the Attorney General an opportunity to present the Government's side of this important internal security problem. *United States v. Witkovich*, *supra*, in which they dissented, limited 242(d)(3) of the Immigration and Nationality Act of 1952, 66 Stat. 211, as amended, 8 U.S.C. (Supp. IV) 1252(d)(3), 8 U.S. C.A. 1252(d)(3), 'to authorizing all questions reasonably calculated to keep the Attorney General Advised regarding the continued availability for departure of aliens ....' It passed on clause (3) and no other. This appeal involves other clauses of 242(d), namely, clauses (1) and (4), neither of which was passed on in *Witkovich*. The Court, by summary affirmance of this appeal, without argument, enlarges its holding in *Witkovich* and strikes down two more clauses of 242(d). These two clauses are vital to the effectuation of the purpose of the Congress in controlling subversives whose ordered deportation has been forestalled by technical difficulties. For a more detailed discussion see their dissent in *Witkovich*. Mr. Justice BURTON and Mr. Justice CLARK dissent.[ *Barton v. Sentner* [353 U.S. 963](#) (1957) ]

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