

Rosenberg Vs. United States

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Court : US Supreme Court

Decided On : 1958

Appeal No. : 358 U.S. 904

Appellant : Rosenberg

Respondent : United States

Judgement :

ROSENBERG v. UNITED STATES - 358 U.S. 904 (1958)

U.S. Supreme Court ROSENBERG v. UNITED STATES , 358 U.S. 904 (1958)

358 U.S. 904

Joel ROSENBERG, petitioner,

v.

UNITED STATES of America.

No. 451.

Supreme Court of the United States

December 8, 1958

Mr. Bernard Tompkins, for petitioner.

Solicitor General Rankin, Assistant Attorney General Anderson, Beatrice Rosenberg and Mr. Kirby W. Patterson, for the United States.

Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted limited to question 1 presented by the petition for the writ which reads as follows:

'I. Is the rule of this Court in *Jencks v. United States*, 1957, [353 U.S. 657](#) , a rule of mere procedure, or does it involve a defendant's constitutional rights? May a clear violation of this rule be harmless error? May the conceded error of a trial court in withholding from defense counsel prior statements of principal Government witnesses be excused because a Circuit Court finds that the defense was not hampered in cross-examination of those witnesses? Is it proper for a Circuit Court to determine what use defense counsel might have made of statements erroneously withheld?'

Case transferred to the summary calendar and assigned for argument immediately following No. 471.[*Rosenberg v. United States* [358 U.S. 904](#) (1958)]

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