

Naacp Vs. Bennett

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Court : US Supreme Court

Decided On : Jun-22-1959

Appeal No. : 360 U.S. 471

Appellant : Naacp

Respondent : Bennett

Judgement :

NAACP v. Bennett - 360 U.S. 471 (1959)

U.S. Supreme Court NAACP v. Bennett, 360 U.S. 471 (1959)

National Association for the Advancement of

Colored People, Inc. v. Bennett

No. 757

Decided June 22, 1959

360 U.S. 471

APPEAL FROM THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF ARKANSAS

SYLLABUS

Case challenging constitutionality of state statute should not automatically be referred by federal district court to state courts for construction of statute.

PER CURIAM.

When the validity of a state statute, challenged under the United States Constitution, is properly for adjudication before a United States District Court, reference to the state courts for construction of the statute should not automatically be made. The judgment is vacated, and the case is remanded to the United States District Court for the Eastern District of Arkansas for consideration in light of *Harrison v. NAACP*, [360 U. S. 167](#) .

Judgment vacated and case remanded.

MR. JUSTICE DOUGLAS, with whom THE CHIEF JUSTICE and MR. JUSTICE BRENNAN concurs, dissenting.

While I agree that the case should be remanded to the District Court, I think that court should be directed to pass on the constitutional issues presented without prior reference to the state courts. My reasons are stated in my dissent in *Harrison v. NAACP*, [360 U. S. 167](#) , [360 U. S. 179](#) .

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