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NO. 78-627-CFX

TITLE Dayton Board of Education, et al., Petitioners
v.
Mark BRINKMAN, et al.

DOCKETED

October 13, 1978

COURT

U. S. Court of Appeals for the Sixth Circuit

DATE

PROCEEDINGS AND ORDERS

DATE	PROCEEDINGS AND ORDERS
	Counsel for petitioners: David C. Greer
	Counsel for respondents: Gary E. Brown, Paul R. Dimond, Louis R. Lucas, Norman J. Chachkin,
August 24, 1978	Application for stay of execution filed, and order denying same by (Stewart, J. 8/28/78).
August 30, 1978	Reapplication for stay filed and order denying same by (Rehnquist, J. 8/30/78).
October 13, 1978	Petition for writ of certiorari filed. (Record filed.)
Nov. 14, 1978	Brief of Respondent, Mark Brinkman, et al., in opposition filed.
Nov. 30, 1978	DISTRIBUTED. 1-5.
Jan. 8, 1979	Petition GRANTED. The case is set for oral argument in tandem with No. 78-610, Columbus Board of Education v. Penick.

Feb. 22, 1979	Brief of Respondents Ohio State Board of Education and State Superintendent of Public Instruction filed. (Respondents in support of petitioners).
Feb. 22, 1979	Motion of Delaware State Board of Education et al. for leave to file a brief, as amici curiae, filed.
Feb. 21, 1979	Motion of Pacific Legal Foundation for leave to file a brief, as amicus curiae, filed.
Feb. 23, 1979	Brief, amicus curiae, of Special School District No. 1, Minneapolis, Minnesota, filed. (Vide: 78-610).
March 3, 1979	Brief of petitioners filed.
March 3, 1979	Appendix filed. (Volumes I, II, III).
March 19, 1979	The motion of Delaware State Board of Education, et a. for leave to file a brief, as amici curiae, is GRANTED. The motion of Pacific Legal Foundation for leave to file a brief, as amicus curiae, is GRANTED.
March 19, 1979	CIRCULATED.
March 26, 1979	Brief for respondents filed. (D).
March 26, 1979	Brief, amicus curiae, of the American Jewish Congress filed. (Vide: 78-610) (D). (Over)

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March 26, 1979	Brief, amici curiae, of the NAACP Legal Defense Fund and Educational Fund, Inc., et al. filed. (Vide: 78-610) (D)
March 26, 1979	Brief, amicus curiae, of the Fair Housing Council of Bergen County, New Jersey filed. (Vide: 78-610). (D).
March 26, 1979	Brief, amici curiae, of the American Civil Liberties Union, et al. filed. (D). (Vide: 78-610)
March 26, 1979	Brief, amici curiae, for the National Education Association et al. filed. (D). (Vide: 78-610)
March 30, 1979	Motion of Cleveland Board of Education for leave to file a brief, as amicus curiae, filed.
Apr. 5, 1979	Oppositor to above motion filed. (NP).
Apr. 6, 1979	Brief, amici curiae, for the U. S. filed. (Vide: 78-610) (D).
Apr. 7, 1979	Motion of Solicitor General for divided argument, as amicus curiae, filed.
Apr. 16, 1979	The motion of Cleveland Board of Education for leave to file a brief, as amicus curiae, is DENIED. The motion of Solicitor General for divided argument, as amicus curiae, is GRANTED. Powell, J., OUT.
Apr. 24, 1979	ARGUED.
July 2, 1979	Adjudged to be AFFIRMED. Dissenting opinion by Stewart, J., with whom The Chief Justice joins (see opinion in 78-610). Dissenting opinion by Powell, J., (See opinion in 78-610).
July 26, 1979	Petition for rehearing filed.
August 8, 1979	DISTRIBUTED. SL19P4.
Oct. 1, 1979	Rehearing DENIED.
Oct. 2, 1979	Judgment issued.