

NO. 78-610-CFX | TITLE Columbus Board of Education, et al., Petitioners,
v.
Gary L. PENICK, et al.

DOCKETED	COURT
October 11, 1979	U. S. Court of Appeals for the Sixth Circuit.

DATE	PROCEEDINGS AND ORDERS
	Counsel for petitioners: Samuel H. Porter
	Counsel for respondents: Mark O'Neill, Edward J. Cox, Sr. Gary E. Brown, Robert K. Hammersmith, Jr., Nathaniel R. Jones, Leo P. Ross, Paul R. Dimond, Louis R. Lucas, Norman J. Chachkin.
Aug. 1, 1978	Application for stay filed.
Aug. 2, 1978	Order denying application by Stewart, J., filed.
Aug. 10, 1978	Response thereto filed.
Aug. 11, 1978	Order granting same by Rehnquist, J., with memorandum opinion filed.
Aug. 14, 1978	Motion to Vacate Stay filed.
Aug. 14, 1978	Order denying same by Stewart, J.
Aug. 21, 1978	Motion to Vacate Stay by full Court filed.
Aug. 21, 1978	Memorandum, amicus curiae, on behalf of U. S. filed.
Aug. 24, 1978	Opposition to motion to convene special term filed.
Aug. 25, 1978	Motion to convene Special Term denied by Burger, CJ.
Oct. 11, 1978	Petition for writ of certiorari filed.
Oct. 11, 1978	Appendix filed.
Nov. 11, 1978	Brief of Respondents, The Ohio State Board of Education and Superintendent of Public Instruction filed.
Nov. 14, 1978	Brief of Respondents, Gary L. Penick, et al., in opposition filed.
Nov. 21, 1978	Petitioner's reply memorandum filed.
Nov. 30, 1978	DISTRIBUTED. 1-5.
Jan. 8, 1979	Petition GRANTED. The case is set for oral argument in tandem with No. 78-627. Dayton Board of Education v. Brinkman.

Feb. 21, 1979	Appendix filed. (Vols. 1 & 11).
Feb. 21, 1979	Merits brief of Respondents, The Ohio State Board of Education and Superintendent of Public Instruction filed. (Respondents in support of petitioners.)
Feb. 21, 1979	Motion of Neighborhood School Coordinating Committee et al. for leave to file a brief, as amici curiae, filed.
Feb. 22, 1979	Brief for the Petitioners filed.
Feb. 22, 1979	Motion of Delaware State Board of Education, et al., for leave to file a brief, as amici curiae, filed.
Feb. 23, 1979	Brief, amicus curiae, of Special School District No. 1, Minneapolis, Minnesota, filed. (Vide: 78-627).
March 19, 1979	The motion of Neighborhood School Coordinating Committee, et al., for leave to file a brief, as amici curiae, is GRANTED. The motion of Delaware State Board of (Over).

Title

No.

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	Education, et al., for leave to file a brief, as amici 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: 78-627) (D).
March 26, 1979	Brief, amici curiae, of the NAACP Legal Defense and Educational Fund, Inc., et al., filed. (Vide: 78-627) (D).
March 26, 1979	Brief, amicus curiae, of the Fair Housing Council of Bergen County, New Jersey filed. (D). (Vide: 78-627).
March 26, 1979	Brief, amici curiae, of the American Civil Liberties Union, et al., filed. (D). (Vide: 78-627).
March 26, 1979	Brief, amici curiae, of the National Education Association et al., filed. (D). (Vide: 78-627).
March 30, 1979	Motion of Cleveland Board of Education for leave to file a brief, as amicus curiae, filed.
Apr. 5, 1979	Opposition to above motion filed. (NP).
Apr. 6, 1979	Brief, amicus curiae, for the U. S. filed. (Vide: 78-627). (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. 17, 1979	Petitioners' reply brief filed. (D).
Apr. 24, 1979	ARGUED.
July 2, 1979	Adjudged to be AFFIRMED. Opinion by the Chief Justice concurring in the judgment. Opinion by Stewart, J., concurring in the result, with whom the Chief Justice joins. Dissenting opinion by Powell, J. Dissenting opinion by Rehnquist, J., with whom Powell, J., joins.
July 26, 1979	Petition for rehearing filed.
July 27, 1979	Application for issuance of judgment forthwith or in alternative vacate stay filed.
July 27, 1979	Oppositon thereto filed. (Referred to Court By White, J).
July 28, 1979	Issue judgment forthwith granted by order of the Court.
July 28, 1979	Judgment issued. (Blackmun and Rehnquist, JJ., OUT).
Aug. 8, 1979	DISTRIBUTED. SL19P4. (Rehearing).
Oct. 1, 1979	Rehearing DENIED.