



IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
TALLAHASSEE, FLORIDA

FILED

OCT 9 1969

OFFICE OF CLERK
U. S. DISTRICT COURT
NORTH, DIST. FLA.

WILLIE CARL SINGLETON, a minor by
NEVA SINGLETON, his mother and next
friend, et al.,

Plaintiffs,

vs.

CIVIL ACTION
NO. 963

BOARD OF COMMISSIONERS OF STATE
INSTITUTIONS, ET AL.,

Defendants.

MEMORANDUM OF LAW

TO ACCOMPANY MOTION FOR FINAL JUDGMENT

This cause was remanded to this Court after it was determined that the plan submitted should be tested and proven and full reports of the actual operation of the plan previously approved be submitted on a periodic basis.

This Court, in its Order of September 6, 1967, provided as follows:

This cause came on to be heard on pending motions, and counsel for the respective parties were present and heard. Counsel appearing in behalf of the defendants were Messrs. Turnbull and Schwartz, and for the plaintiffs, Mr. Johnson.

After conference with counsel it was the consensus of all that the defendants should submit a full report of the actual operation of the plan previously approved on a periodic basis. Upon the submission of the first report it is thought that most, if not all, of the interrogatories propounded by plaintiffs would have been answered. Therefore there seems no present necessity to make specific rulings on these interrogatories at this time, although plaintiff is not to be prejudiced in any way in insisting on specific answers to any interrogatories which are not thought to have been covered by the report. Considering the foregoing, it is, upon consideration, hereby

ORDERED:

1. The defendants, through counsel, shall file with the Clerk of this Court a full report on the progress of the plan as promulgated and approved, to be effective as of July 1, 1967. The data contained in this report should reflect, as nearly as practicable, the situation as of September 15, 1967 with two copies being served by mail upon opposing counsel.

2. On April 1, 1968 a similar report shall be made,

and thereafter on each October 1 and April 1
pending further order of the Court.

DONE AND ORDERED in Chambers at Tallahassee this
6th day of September 1967.

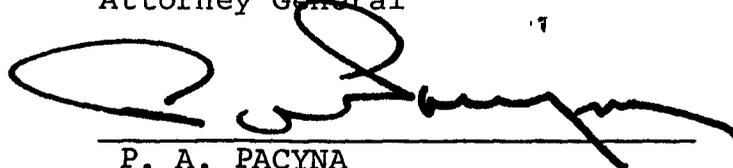
/s/ G. Harrold Carswell
United States District Judge

Since that Order progress reports have been submitted
to your Court on the following dates:

October 12, 1967
March 26, 1968
September 23, 1968
March 21, 1969
September 18, 1969.

During the submission period no objection was made by
Plaintiffs to the activity relating to integration status. It
is respectfully submitted the State of Florida, Department of
Health and Rehabilitative Services, having submitted its approved
plan and tested same and having submitted reports on the periodic
progress of same and having heard no objection throughout the
course of the reports to this Court, is now entitled to a
judgment in its favor and a dismissal of this litigation with
prejudice against these Plaintiffs and a dissolution of any
injunctive Order which may have been promulgated either directly
or by implication.

EARL FAIRCLOTH
Attorney General

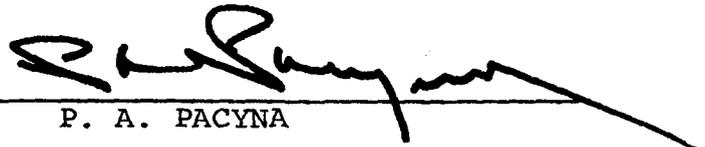


P. A. PACYNA
Assistant Attorney General

ATTORNEYS FOR DEFENDANTS
The Capitol
Tallahassee, Florida 32304

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a copy of the foregoing and attached Memorandum of Law to Accompany Motion for Final Judgment has been furnished by mail to the Honorable Earl M. Johnson, 625 West Union Street, Jacksonville, Florida; and to The Honorable Jack Greenburg, The Honorable LeRoy D. Clark and The Honorable Shelia Rush Jones, 10 Columbus Circle, New York, New York, 10019, this 8th day of October, 1969.


P. A. PACYNA