

2-24-78

The Chief Justice + but in an 8 Am

Fees - Act gives auth to award
No prob in retro applic.

8 Am

Healey missed up in new order -
estimated 14 days (intermediate) to 30'
with no review. This is basically
wrong & need to get to 8 Am

Decide on + Regal.

R - this is a Court held as applied to a
state prison

Brennan, J. +

+ on fees

8 Am predated on many things. The
interim bus is only a pt of a rem.
Only pt of a rem. St does not deal in
other respects.
Only an able rem. & St has a best
rest of 4 us. All is separate.
this little feature for + not

Stewart, J. + 8 Am

On this we we can decide who 8 Am
and by act by 30 days if it
involves no matters, no fees etc

We do not know. "remand but say
"makes last man move" is only general
prob & in an 8 Am test.

Fees harder issue

1. Retro. N too difficult. Retro - Act applied

2. St is a pt

3. " Am

White, J. —

Fees - ~~not~~ + other way. Can deal in
amend 1983. Rec official may be
shed, also means fees
None suggest St can be amend O 1983.
Let Cany finish the job.

Am 8 Am with +

It is an 8 Am issue

Fees vs officers OK O + not

Marshall, J. +

JSH needs support for us

+
may be remand

Powell, J. +

See fees
W: ARD on '76 Act
Ch agree a Ct rule on 4 parts & Ct will
be inherent power, regardless of Act
+ on dt.

8 Am
W: PS
action & rehab is basic to + less
but is a correct
+ remand.

Rehnquist, J. +

Fees - in ARD & LP
may be set at \$5 but + stat goes
no ind's fees author sa parties
∴ reject '76 stat approach
On B7 there must say fees =
costs, & damo. prepared to
do at this stage - has a 6 brief

8 Am - in LP & PS + remand.
JSH only found no 8 Am &
CA8 reviewed

Stevens, J. +

8 Am - in HAD & say what is a new factor
try hard to + - on mitpichy.
Do a remand, even tho retained

Fees -
Fees like costs
Atty wants "pd by Dept & Congress"
instruction Dept has financed.
Rely on B7.

No party + make + its fee argmt

76-1660

HUTTS

More minutes & \$1983 & atty fees - costs & consent.

DIG? Repts by so moved.

- New Ark state permits sued st official Tres. mlemmi fm + St.
- Kenleys changes open to minutes ed & sent to diff key 200 max

Don DIG

- Intn do n need to SD
- Nelken Ark stat applies to a case alr to on appeal
- Stat relates only to actual fees. R atty fees such?
- If atty fees n allowable bec v 11 Am, st do n make time allow

Ct entered \$20 for atty fees + 6 pt for fines & Destr & Conectus

8 + 2 with 2500 more on t appeal

A. The Attys Fee Act

- ✓ Fact St is a name is irrel. 11 Am may apply, the St n names. Edelman
- ✓ Stat applies to cases pendg - Bradley
- Act do n refer to Sts sued U 1983. ∴ no expansion of class v Is
- R fees a form of damages? If so, prohibited U 1983/Edelman
- ✓ Leyes hint n too eguminal to say here the Act was U XIV-5 + overcome XI

B XI Am

cls + on + basis?

- ✓ We had facts, easier to find etc I hv + join to impose
- Consistent w/ forward thrust of Edelman decr
- & n retroactive barred by Edelman

76-1660 (2)

✓ ∴ feels OK a lot & V base fault direction

Base fault is + easier here

D Isolation = VIII Am

this is in sample - may be in a cell

Ct did in hold indef joints component axes 8 Am

✓ Is in hv + some a rehab purpose is to escape used is 8 Am

∴ + No DIG

2. Cd go off on a feels a lot as V XIV-5 over XI

3. If we follow + XI Am route, cd say D fault direction

✓ + in comment re

rehab purpose in rec

No. 76-1660 - Hutto v. Finney

Argued: February 21, 1978

11²⁰ Mr Taylor Dep Asst AG L - bald, thin sleep eyes.
But faith doc S u b applied to Dept of Corrections in this case. 11⁴⁷

11⁴⁷ Mr Kaplan S young, muscular, loud racist offender
He argues counts which all accept. It admonishes
Jackson v. Bishop - Tucker title & strip 12⁰⁰

10²

11⁷

11¹⁷ Mr Taylor

11⁹