

HA
Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

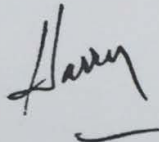
June 3, 1981

Re: No. 80-332 - Rhodes v. Chapman

Dear Bill:

Please join me in your separate concurring opinion.

Sincerely,



Respectfully,

Mr. Justice Brennan

cc: The Conference

Justice Brennan

Copies to the Conference

HAB

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE JOHN PAUL STEVENS

June 1, 1981

Re: 80-332 - Rhodes v. Chapman

Dear Bill:

Please join me in your separate concurring
opinion.

Respectfully,



Justice Brennan

Copies to the Conference

HAB
Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

May 18, 1981

Re: No. 80-332 - Rhodes v. Chapman

Dear Lewis:

As you surmise, I am waiting to see what Bill Brennan has to say.

Sincerely,



Mr. Justice Powell

cc: The Conference

HAB

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
THE CHIEF JUSTICE

May 13, 1981

Re: 80-332 - Rhodes v. Chapman

Dear Lewis:

I join.

Regards,

A handwritten signature in black ink, appearing to be 'WBP', written in a cursive style.

Justice Powell

Copies to the Conference

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE POTTER STEWART

April 28, 1981

Re: No. 80-332, Rhodes v. Chapman

Dear Lewis,

This will confirm that I join your opinion
for the Court.

Sincerely yours,

A handwritten signature in dark ink, appearing to be 'P.S.' with a long horizontal stroke underneath.

Justice Powell

Copies to the Conference

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Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE JOHN PAUL STEVENS

April 23, 1981

Re: 80-332 - Rhodes v. Chapman

Dear Lewis:

It seems to me that there may be a danger in relying on the absence of evidence of rioting to support the conclusion that confinement of two persons in a small cell is not cruel and unusual punishment. It is at least theoretically possible that prisoners in a truly barbarous concentration camp might be too intimidated to riot. Moreover, I would hesitate to send out a signal to a community of prison litigants that a few good riots would improve their litigation posture. In all events, I shall wait to see what Bill Brennan writes before coming to rest.

Respectfully,



Justice Powell

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Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE BYRON R. WHITE

April 23, 1981

Re: 80-332 - Rhodes v. Chapman

Dear Lewis,

Please join me.

Sincerely yours,

A handwritten signature in black ink, appearing to be "Byron", written in a cursive style.

Mr. Justice Powell

Copies to the Conference

Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE WM. J. BRENNAN, JR.

April 23, 1981

Re: Rhodes v. Chapman, No. 80-332

Dear Lewis:

Although I agree with your conclusion that the District Court was in error in this case, I am concerned that your opinion might be viewed as discouraging other District Courts from conducting the rigorous examination of prison conditions that I believe the Eighth Amendment requires. I think I can best reveal my concerns by writing separately, and will do so in due course.

Sincerely,

A handwritten signature in dark ink, appearing to be "J. Powell", written in a cursive style.

Justice Powell
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Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE WILLIAM H. REHNQUIST

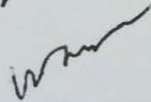
April 22, 1981

Re: No. 80-382 Rhodes, et al. v. Chapman, et al.

Dear Lewis:

Please join me.

Sincerely,



Dear Lewis,

Assuming your willingness to make the verbal changes we discussed on the telephone, I am glad to join your opinion for the Court.

Sincerely yours,

Justice Powell

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Supreme Court of the United States
Washington, D. C. 20543

CHAMBERS OF
JUSTICE POTTER STEWART

April 22, 1982

Re: No. 80-382, Rhodes v. Chapman

Dear Lewis,

Assuming your willingness to make the verbal changes we discussed on the telephone, I am glad to join your opinion for the Court.

Sincerely yours,

A handwritten signature in dark ink, appearing to be the initials 'P.S.' with a long horizontal stroke underneath.

Justice Powell

Copies to the Conference