

421 F.2d 1407
United States Court of Appeals, Fifth Circuit.

Joyce Marie MOORE et al., Plaintiffs-Appellees,
v.
TANGIPAHOA PARISH SCHOOL BOARD et al.,
Defendants-Appellants, Joseph Durham, a minor,
by Max Durham, Jr., his father and next friend, et
al., Intervenors-Appellants.

No. 28574.
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Dec. 30, 1969.

Synopsis

School desegregation case. From an order of the United States District Court for the Eastern District of Louisiana at New Orleans, Alvin B. Rubin, J., 304 F.Supp. 244, the school board appealed. Thereafter the board, the intervenor-appellants and the private plaintiffs joined in motion to dismiss the appeal. The Court of Appeals held that the motion would be granted without passing on whether the plan implemented by the district court in fact met requirements of the Supreme Court.

Motion granted.

Attorneys and Law Firms

*1407 John D. Kopfler, Trial Atty., Hammond, La., Jack P. F. Gremillion, Atty. Gen. of La., Baton Rouge, La., Leonard E. Yokum, Asst. Dist. Atty., Parish of

Tangipahoa, Amite, La., for defendants-appellants.

A. P. Tureaud, New Orleans, La., Norman J. Chachkin, New York City, for plaintiffs-appellees.

Before BROWN, Chief Judge, and MORGAN and CLARK, Circuit Judges.

Opinion

PER CURIAM:

In this school desegregation case the school board appellant has moved to dismiss the appeal. The private intervenor-appellants have joined in this motion. The private plaintiffs also join stating their belief that the District Court's order has established a unitary school system. On these motions and without passing on whether the plan implemented by the District Court does in fact meet the requirements of *Alexander v. Holmes County Board of Education*, 1969, 396 U.S. 19, 90 S.Ct. 29, 24 L.Ed.2d 19 and *Singleton v. Jackson Municipal Separate School District* (and consolidated cases en banc), 419 F.2d 1211 (December 1, 1969) we grant the motion to dismiss the appeal.

All Citations

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