

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

CHAMBERS OF
JUSTICE HARRY A. BLACKMUN

January 18, 1972

Dear Chief:

This is in response to your memorandum of January 17 concerning rearguments.

I nominate for reargument the two abortion cases, No. 70-18, Roe v. Wade, and No. 70-40, Doe v. Bolton. It seems to me that the importance of the issues is such that the cases merit full bench treatment.

I think another candidate is No. 70-58, Fein v. Selective Service System.

So far as your nominations are concerned, my reaction is that No. 70-45, United States v. Brewster, because of its fundamental importance and precedent, deserves reargument, and that No. 70-5061, Kirby v. Illinois, should also be reconsidered. Justice White's separate concurrence certainly so indicates.

In summary, I vote to set down for reargument Nos. 70-18 and 70-40, No. 70-45 and No. 70-5061. I shall abide by the Conference's reaction as to No. 70-58.

Sincerely,

A.A.A.
—

The Chief Justice

cc: The Conference