

5 Rapp no. 1 (1934)

KNAUER V. HUGHES

HEADNOTE

by Ross E. Davies

Source: RG 267, Entry 30, Box 1, Records of the Supreme Court of the United States, National Archives and Records Administration, Washington, DC.

Opinion by: Owen J. Roberts (noted in source).

Opinion date: June 27, 1934 (noted in source).

Citation: Knauer v. Hughes, 5 Rapp no. 1 (1934) (Roberts, J., in chambers), 1 J. In-Chambers Practice 38 (2016).

Additional information: This opinion, issued in response to an application for a writ of habeas corpus, is in letter form, typed on Supreme Court stationery. It appears to have been written at Justice Roberts's home in Kimberton, Pennsylvania.

OPINION

Kimberton, Pa.,
June 27, 1934.

A. Bert Polonsky, Esq.,
9 East Forty-First Street,
New York, N.Y.

My dear Sir:

I acknowledge receipt of your letter of June 23. I have reconsidered the Knauer application in the light of the correspondence you submit. I am still of the opinion that the issuance of a writ is not justified.

If I were of a different view as respects the merits of the application, I would still feel compelled to refuse a writ as I understand Knauer's term will expire in September. The writ would be returnable at the session of the Court in October and at that time the question would be moot.

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You are of course at liberty to apply to any of the Justices of the court as my action in declining to issue a writ is in no sense an adjudication.

Yours sincerely,
/s/ Owen J. Roberts