

5 Rapp no. 3 (1951)

TERRA V. NEW YORK

HEADNOTE

by Ross E. Davies

Source: Papers of Robert Houghwout Jackson, Box 171, Manuscript Division, Library of Congress, Washington, DC

Opinion by: Robert H. Jackson (collection in which source was found).

Opinion date: September 30, 1950 (noted in source).

Citation: *Terra v. New York*, 5 Rapp no. 3 (1951) (Jackson, J., in chambers), 1 J. In-Chambers Practice 42 (2016).

Additional information: This opinion was typed on a sheet of plain paper, with no signature on the signature line at the bottom. See also *Terra v. New York*, 342 U.S. 938 (1952).

OPINION

William Terra and Joseph Terra,

v.

The People of the State of New York.

I grant this appeal, as is my custom when a case is technically appealable, in order that the decision as to whether it has substance may be made by the full Court.

I deny a stay and bail pending action by this Court, because, while appealable on the ground that it presents a federal question, I think the case does not present a substantial one. The opinion of the Court of Appeals, in my view, is so clearly right, under our authorities, that I would favor dismissal of the appeal for want of a substantial federal question. Therefore, I should not grant bail. If the Court disagrees and notes probable jurisdiction, application for bail may be renewed to the full Court.

Associate Justice of the Supreme

Court of the United States

December 15, 1951.