

Supreme Court of the United States

No. 75 --- , October Term, 19 67

Frank Lee, Commissioner of Corrections of Alabama, et al.,

Appellants,

v.

Caliph Washington, et al.

FILED

APR 11 1968

R. C. DOBSON, CLERK
BY  DEPUTY CLERK

APPEAL from the United States District Court for the Middle
District of Alabama.

THIS CAUSE came on to be heard on the transcript of the record from the
United States District Court for the Middle ----- District of
Alabama, and was argued by counsel.

ON CONSIDERATION WHEREOF, it is ordered and adjudged by this Court
that the judgment of the said United States District Court in this cause be,
and the same is hereby, **affirmed**.

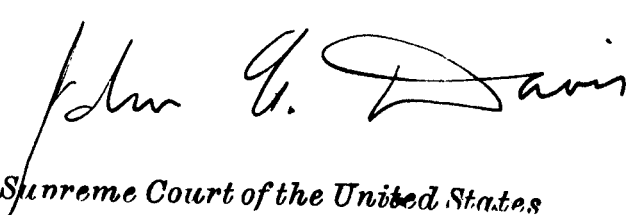
March 11, 1968

Washington v. Lee



PC-AL-020-022

A true copy
Test:


Clerk of the Supreme Court of the United States

OFFICE OF THE CLERK
SUPREME COURT OF THE UNITED STATES
WASHINGTON, D. C., 20543

RECEIVED

March 12, 1968

*Here for
Mandate*

MAR 14 1968

CLERK
U. S. DISTRICT COURT:
MIDDLE DIST. OF ALA.
MONTGOMERY, ALA.

LEE, COMM'R. OF CORRECTIONS OF ALA.,
ET AL. v. WASHINGTON, ET AL., No.
75, Oct. Term, 1967
(Your Civil #2350-N)

Dear Sir:

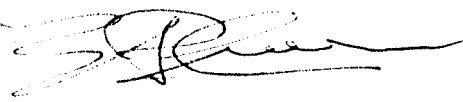
The enclosed opinion of this Court in the
above case was announced on the date indicated.

The judgment or mandate will issue after
the expiration of ~~25 days~~ from the date of the
opinion, or if a timely petition for rehearing is
filed, from the date of the order thereon. When
the 25-day period expires in vacation, the filing
of a petition for rehearing will not stay the is-
suanace of the judgment or mandate. (See Rule 59).

Very truly yours,

JOHN F. DAVIS, Clerk

By



Encl.

Chief Deputy.

Clerk
U.S. District Court for the
Middle District of Alabama
Montgomery, Ala.

AIRMAIL

SUPREME COURT OF THE UNITED STATES

No. 75.—OCTOBER TERM, 1967.

Frank Lee, Commissioner of Corrections of Alabama, et al., Appellants, v. Caliph Washington et al.	} On Appeal From the United States District Court for the Middle District of Alabama.
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[March 11, 1968.]

PER CURIAM.

This appeal challenges a decree of a three-judge District Court declaring that certain Alabama statutes violate the Fourteenth Amendment to the extent that they require segregation of the races in prisons and jails, and establishing a schedule for desegregation of these institutions. The State's contentions that Rule 23 of the Federal Rules of Civil Procedure, which relates to class actions, was violated in this case and that the challenged statutes are not unconstitutional are without merit. The remaining contention of the State is that the specific orders directing desegregation of prisons and jails make no allowance for the necessities of prison security and discipline, but we do not so read the "Order Judgment and Decree" of the District Court, which when read as a whole we find unexceptionable.

The judgment is affirmed.

FILED

MAR 14 1968

R. C. DOBSON, CLERK

BY.....
DEPUTY CLERK