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TEXAS

Court Pleadings and Briefs

3. That the testimony warrants the granting of a temporary injunction pending trial of this case on its merits, to preserve the subject matter of this suit and to prevent said plaintiff and interveners being

deprived or rights secured to them by the Constitution and laws of the United States.

4. That a temporary injunction should issue in terms as set forth in the order of the Court this day signed.

Judge, United States District Court
Northern District of Texas

In the Supreme Court of the United States

October Term, 1948

Lyndon B. Johnson, in his individual capacity and V. F. Striegler, County Judge of Blanco County, Texas, and Frank Shelly, Sheriff of said County, and C. H. Stevenson, County Clerk of said County, in their official capacity as members of and constituting the Election Board of said County and as representatives of the Election Boards of the other Counties of Texas as a class, petitioners, versus Coke R. Stevenson, respondent.

ORDER

This cause come on to be heard before me on the petitioners' motion for a stay of a temporary injunction issued by the U. S. Court for the Northern District of Texas, Fort Worth Division, and for a stay of other proceedings in the said District Court and after hearing argument by Counsel for the petitioners and respondent, it is ORDERED that the temporary injunction by the U. S. District Court for the Northern District, Fort Worth Division, on September 23, 1948, in the case entitled

Coke R. Stevenson v Lyndon B. Johnson et al

be and the same hereby is stayed, and that the said temporary injunction is and shall be of no force in effect, until further ordered of the Supreme Court.

/signed/ (Hugo L. Black)
Associate Justice of
the Supreme Court of the U. S.

Sept. 29, 1948

Approved as to form: /signed/ (Alvin L. Wirths) Counsel for the petitioners
/signed/ (Dan Moody) Counsel for the respondent

UNITED STATES SENATE

Memorandum

Mr. Wittington, the Press Officer for the Supreme Court gave me this information:

Mr. Samuel H. Horne, a Washington attorney, presented a motion to the Supreme Court on October 4, 1948, to vacate the stay order submitted to the Court.

Mr. Abe Fortas, a Washington attorney, submitted a motion to supplement and enlarge the stay order on the same date.

signed Grace E. Johnson

OTHER DOCUMENTS IN FILE:

In the Supreme Court of the United States, October Term, 1948, Lyndon B. Johnson, et al. v. Coke R. Stevenson, Supplemental Motion for Stay, Alvin J. Wirtz, Thurman Arnold, and Abe Fortas.

In the United States Court of Appeals for the Fifth Circuit, Lyndon B. Johnson, et al., Appellants vs. Coke R. Stevenson et al., Appellees, Brief for the Appellees.

In the Supreme Court of the United States, October Term, 1948, Coke R. Stevenson, Movant, vs. Lyndon B. Johnson et al, Respondents, Motion to Vacate Stay Order and Dismiss the proceedings, and Memorandum of Authorities, C. C. Renfro, Josh H. Groce, Henry H. Brooks, and Dan Moody.

In the United States Court of Appeals for the Fifth Circuit, No. 12529, Lyndon B. Johnson et al, Appellants, vs. Coke R. Stevenson et al, Appellees, Supplemental Brief for Appellees.

In the United States Circuit Court of Appeals, Fifth Circuit, No. 12529, Lyndon B. Johnson et al v. Coke R. Stevenson et al, Interlocutory appeal from the District Court of the United States for the Northern District of Texas, Fort Worth Division, Brief for the Appellants, Raymond Buck, Dallas Scarborough, etc.

Plaintiff's Bond, Filed September 17, 1948, signed by Coke R. Stevenson

Answer of Paul H. Brown, Secretary of State of the State of Texas, filed September 21, 1948.

Motion of Defendant Vann M. Kennedy to dismiss and answer to show cause order filed September 21, 1948

Motion of Defendant Tom L. Tyson to dismiss and answer to show cause order, subject to motion to dismiss, filed September 21, 1948.

Defendant Lyndon B. Johnson's motion to dismiss for want of jurisdiction filed September 21, 1948.

Certificate of election for Democratic nominees signed by Tom L. Tyson on September 14, 1948.

Motion of Applicants V. E. Striegler, Frank Shelley, C. H. Stevenson, to intervene as defendants.

Order Granting Leave to Intervene, Entered September 21, 1948

Motion of Interveners V. E. Striegler, Frank Shelley, C. H. Stevenson to dismiss for want of jurisdiction, filed September 21, 1948

Defendant Lyndon B. Johnson's opposition to granting of Temporary Injunction, Filed September 21, 1948.

Order Overruling defendant Lyndon B. Johnson's motion to dismiss for want of jurisdiction, filed September 22, 1948.

Order overruling interveners' motion to dismiss for want of jurisdiction.

The Court's Pronouncement on Motion to Dismiss Filed 9-29-48.

In the District Court of the United States for the Northern District of Texas, Fort Worth Division, Coke R. Stevenson v. Lyndon B. Johnson et al, Civil No. 1640, Answer of Defendants Lyndon B. Johnson V. E. Striegler, Frank Shelley, and C. H. Stevenson.

Original Complaint, In the District Court of the United States for the Northern District of Texas, Fort Worth Division, Civil No. 1640, Coke R. Stevenson v. Tom L. Tyson et al.

In the United States Circuit Court of Appeals for the Fifth Circuit, Lyndon B. Johnson et al v Coke R. Stevenson, Motion for Stay of Temporary Injunction.

In the Supreme Court of the United States, October Term, 1948, Lyndon B. Johnson et al v. Coke R. Stevenson, Motion for Stay