

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE
DISTRICT OF ALABAMA, NORTHERN DIVISION

FILED

JAN 17 1969

CALIPH WASHINGTON, ET AL.,
Plaintiffs,

vs.

FRANK LEE as Commissioner
of Corrections of Alabama,
ET AL.,
Defendants.

R. C. DOBSON, CLERK
BY.....
DEPUTY CLERK

CIVIL ACTION NO. 2350-W

Washington v. Lee



PC-AL-020-023

Q R R R

This action for declaratory and injunctive relief concerning the rights of Negro citizens, male and female, not to be segregated, classified, or otherwise subjected to racial distinctions in confinement in the state penal system and in the county, city and town jails of the State of Alabama, was filed February 18, 1966. Further, plaintiffs asserted that various statutes enacted by the State of Alabama requiring segregation by race in the state, county and city penal facilities of Alabama were unconstitutional. As required by 28 U.S.C. § 2281, § 2284, a three-judge district court was requested and constituted to hear and determine the issues presented.

In December 1966, the three-judge court, by formal order, determined all constitutional and interrelated issues. Washington v. Lee, 263 F. Supp. 327. These determinations were, in all respects, affirmed by the Supreme Court of the United States on March 11, 1968. Lee v. Washington, 390 U.S. 333. It now appears that the three-judge court has performed its statutory function and that all matters remaining in this case at this time are cognizable by a single judge; thus it appears that there is no further necessity at this time for the three-judge court constituted March 21, 1966, by the Honorable Elbert F. Tuttle, Chief Judge, United States Court of Appeals for the Fifth Circuit, and that said court should be dissolved. Accordingly, it is

ORDERED that the three-judge court constituted in this case March 21, 1966, by order of the Chief Judge of the Fifth Circuit, be and the same is hereby dissolved.

Done, this the 16th day of January, 1969.

/s/ Richard T. Rives
UNITED STATES CIRCUIT JUDGE

/s/ Seybourn H. Lunne
UNITED STATES DISTRICT JUDGE

Frank M. Johnson, Jr.
UNITED STATES DISTRICT JUDGE

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DISTRICT OF ALABAMA, NORTHERN DIVISION

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APR 11 1968

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CALIPH WASHINGTON, ET AL.,)

Plaintiffs,)

vs.)

CIVIL ACTION NO. 2350-N

FRANK LEE as Commissioner of Corrections)
of Alabama; JOHN F. BRITTON, CHARLIE)
CASHION, HERSCHELL LUTTRELL, DR. MAX)
McLAUGHLIN and WILLIAM MITCH, as members)
of the Board of Corrections of Alabama;)
A. MELVIN BAILEY, as Sheriff of Jefferson)
County, Alabama, and all other sheriffs)
of Alabama, jointly and severally, who are)
similarly situated; ROBERT K. AUSTIN as)
Warden of the City Jail of Birmingham,)
Alabama, and all other wardens and jailers)
of city and town jails of Alabama, jointly)
and severally, who are similarly situated,)

Defendants.)

O R D E R

The order of this Court made and entered herein on December 12, 1966, having been affirmed by the United States Supreme Court and the mandate of that Court reflecting said affirmance having been received by the Clerk of this Court this date, is ORDERED to be and is hereby placed in full force and effect.

Done, this the 11th day of April, 1968.


UNITED STATES DISTRICT JUDGE