

ORIGINAL

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FILED

DEC 10 1963

WM. B. LUCK, CLERK

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7

8 UNITED STATES COURT OF APPEALS

9 FOR THE NINTH CIRCUIT

10 ROBERT CHARLES JORDAN, JR.,  
11 Plaintiff-Appellee,  
12 vs.  
13 CLETUS J. FITZHARRIS, ET AL,  
14 Defendants-Appellants.

No. 21445

15  
16 STATEMENT OF POINTS AND DESIGNATION  
17 OF RECORD ON APPEAL

18 Cletus J. Fitzharris, et al, defendants and  
19 appellants, hereby designate the following points to be  
20 urged on the appeal of the above-entitled case.

21 I

22 The evidence adduced at trial was insufficient  
23 to support the trial court's findings.

24 II

25 The evidence adduced at trial does not show a  
26 violation of a Federally protected right redressable

1 under Title 42, United States Code sections 1981 and 1983.

2

III

3

4 The court was without jurisdiction to render a  
decision because the proper parties were not before it.

5

IV

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7 The issuance of an injunction was an inappropriate  
remedy.

8

V

9

10 The trial court erred in the conduct of post  
trial proceedings.

11

Dated: December 9, 1966

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