

**TOTAL OF COURT CASES THAT WENT TO THE U.S. SUPREME COURT
FOR REVIEW AS OF 1991**

1. **Ex parte Hudgings**, 249 U.S. 378 (Decided Apr. 14, 1919).
"First Jehovah's Witness case decided by the Court." A Catalyst For The Evolution Of Constitutional Law: Jehovah's Witnesses In The Supreme Court, McAnich, p. 1012, n. 96 (1987).

Attorney: Jesse Fuller, Jr.

Facts: June 11, 1918, the witness who was testifying in a trial was held in contempt of court and confined in prison.

SUPREME COURT DECISION (PLENARY): Petitioner is discharged from prison on a writ of habeas corpus. The writ was granted because the witness' testimony, even if false, did not obstruct the court in the performance of its judicial duties.

2. **Coleman v. City of Griffin**, 302 U.S. 636 (Oct. 11, 1937).

Attorney: Olin R. Moyle

Facts: Convicted of violation of a city ordinance prohibiting the distribution of any kind of literature without a permit.
189 S.E. 427.

PER CURIAM - The appeal dismissed for want of a substantial federal question.

3. **Leoles v. Landers**, 302 U.S. 656 (Dec. 13, 1937).

Attorney: Olin R. Moyle

Martin Conboy

Facts: Compulsory flag-salute conviction appeal. 192 S.E. 218.

PER CURIAM - The appeal is dismissed for want of a substantial federal question.

4. **Hering v. State Board of Education**, 303 U.S. 624 (Mar. 14, 1938).

Attorney: Abraham J. Isserman & ACLU

Facts: Compulsory flag-salute regulation held to be valid.
194 A. 177.

PER CURIAM - The appeal is dismissed for want of a substantial federal question.

5. **Lovell v. City of Griffin**, 303 U.S. 444 (Mar. 28, 1938).

Attorney: Olin R. Moyle

Facts: Convicted of violation of a city ordinance prohibiting the distribution of literature without a permit.

SUPREME COURT DECISION (PLENARY): Judgment reversed.

6. **Watch Tower Bible and Tract Society v. Bristol**, 305 U.S. 572 (Dec. 5, 1938).

Attorney: Olin R. Moyle

Facts: Convicted for breach of the peace. 24 F. Supp. 57.

PER CURIAM - The conviction was affirmed.

7. Johnson v. Deerfield, 306 U.S. 621 (Apr. 17, 1939).

Attorney: Olin R. Moyle
William G. Fennell

Facts: Compulsory flag-salute statute upheld. Plaintiff's application for interlocutory injunction denied. 25 F. Supp. 918.
PER CURIAM - Conviction affirmed.

8. Gabrielli v. Knickerbocker, 306 U.S. 621 (Apr. 17, 1939).

Attorney: Olin R. Moyle
R. W. Henderson

Facts: Flag-salute statute upheld. Motion to dismiss the appeal granted. Appeal treated as a petition for writ of certiorari. 25 F. SUPP. 918.

CERT DENIED

9. Schneider v. State, 308 U.S. 147 (Nov. 22, 1939).

Attorneys: Joseph F. Rutherford
Hayden C. Covington

Facts: Convicted of canvassing without a permit.
SUPREME COURT DECISION (PLENARY): Conviction reversed.

10. Stewart v. Pennsylvania, 309 U.S. 674 (Mar. 25, 1940).

Attorneys: Joseph F. Rutherford
Hayden C. Covington

Facts: Appeal dismissed in case involving conviction under ordinance governing canvassing and solicitation. 9 A.2d 179.

CERT. DENIED

11. Cantwell v. Connecticut, 310 U.S. 296 (May 20, 1940).

Attorneys: Hayden C. Covington
Joseph F. Rutherford

Facts: Conviction of solicitation for contributions without approval. Also, convicted for inciting a breach of the peace.
SUPREME COURT DECISION (PLENARY): Solicitation statute as applied held unconstitutional and breach of peace conviction reversed.

12. Minersville School District, Board of Education of Minersville School District v. Gobitis, 310 U.S. 586 (June 3, 1940).

Attorneys: Joseph F. Rutherford, George K. Gardner,
Hayden C. Covington, and ACLU

Facts: Compulsory flag-salute regulation overturned by lower courts.

SUPREME COURT DECISION (PLENARY): Court ruled in favor of flag-salute regulation and reversed lower court.

13. Langston v. South Carolina, 311 U.S. 685 (Oct. 21, 1940).

Attorneys: Joseph F. Rutherford

Hayden C. Covington

Facts: Affirmance of breach of peace. Conviction for use of loud speakers and record players from door-to-door. 11 S.E. 2d 1.
CERT. DENIED

14. **Hussock v. State of New York**, 312 U.S. 659 (Mar. 3, 1941).

Attorneys: Hayden C. Covington
Joseph F. Rutherford

Facts: Affirmance of disorderly conduct conviction for failure to stop magazine selling when ordered to do so. 23 N.Y.S.2d 520.
PER CURIAM - Appeal is dismissed for want of jurisdiction.

15. **Cox v. New Hampshire**, 312 U.S. 569 (Mar. 31, 1941).

Attorneys: Hayden C. Covington
Joseph F. Rutherford

Facts: Violation of "parade or procession" statute without a special license.

SUPREME COURT DECISION (PLENARY): Statute upheld, conviction affirmed.

16. **Leiby v. City of Manchester**, 313 U.S. 562 (Apr. 7, 1941).

Attorney: Hayden C. Covington
Joseph F. Rutherford

Facts: Reversal of decision that held that the purchase of a badge before dissemination of religious magazines was unconstitutional. 117 F.2d 661.

CERT. DENIED

17. **Pascone v. Massachusetts**, 314 U.S. 641 (Oct. 13, 1941).

Attorneys: Hayden C. Covington
Joseph F. Rutherford

Facts: Ordinance requiring purchase of permit before displaying placards is unconstitutional on its face. The statute governing distribution of licenses is constitutionally sound. 33 N.E.2d 522.

CERT. DENIED

18. **Hannan v. City of Haverhill**, 314 U.S. 641 (Oct. 13, 1941).

Attorney: Hayden C. Covington

Facts: Affirmance of denial of interlocutory or injunctive relief in case involving city's application of ordinance to restrict witnessing activity. 38 F. Supp. 234; 120 F.2d 87.

CERT. DENIED

19. **Trent v. Hunt**, 314 U.S. 573 (Oct. 13, 1941).

Attorneys: Hayden C. Covington
Joseph F. Rutherford

Facts: Lower court dismissed civil rights complaint.

39 F. Supp. 373.

PER CURIAM - Affirmance of dismissal of civil rights complaint in case involving criminal charges against those in the witnessing work.

20. **Bevins v. Prindable**, 314 U.S. 573 (Oct. 13, 1941).

Attorneys: Hayden C. Covington
Joseph F. Rutherford

Facts: Application denied for an injunction against the enforcement of a statute restricting the witnessing work.

39 F. Supp. 708.

PER CURIAM - Affirmance of lower court's denial of application.

21. **Morante v. People**, 315 U.S. 803 (Feb. 9, 1942).

Attorneys: Joseph F. Rutherford
Hayden C. Covington

Facts: Convicted of violation of Sabbath statute for offering a pamphlet for sale on Sunday.

CERT. DENIED

22. **Chaplinsky v. New Hampshire**, 315 U.S. 568 (Mar. 9, 1942).

Attorneys: Hayden C. Covington, Joseph F. Rutherford,
Albert A. Albert

Facts: Conviction under statute prohibiting offensive speech.

SUPREME COURT DECISION (PLENARY): Affirmance of constitutionality of statute on its face & as applied.

23. **Bohnke v. State of New York**, 316 U.S. 667 (Apr. 13, 1942).

Attorney: Hayden C. Covington

Facts: Ordinance restricting distribution of literature on private property held constitutionally valid. 27 N.Y.S.2d 241.

CERT. DENIED

24. **Jones v. Opelika**, 316 U.S. 584 (June 8, 1942).

25. **Jobin v. Arizona**

26. **Bowden v. Fort Smith**

Attorneys: Hayden C. Covington and Joseph F. Rutherford
for Jones. Hayden C. Covington for Jobin.
Hayden C. Covington & Osmond K. Fraenkel on behalf
of American Civil Liberties Union, as amicus
curiae for Bowden.

Facts: Licence tax ordinance held to be valid as applied.

SUPREME COURT DECISION (PLENARY): Court affirms license tax ordinance.

27. **Derr v. Derr**, 317 U.S. 631 (Oct. 12, 1942).

Attorney: Hayden C. Covington

Facts: Child custody award to unbelieving mate affirmed.
25 A.2d 769.
CERT. DENIED

28. **Largent v. Reeves**, 317 U.S. 668 (Oct. 19, 1942).

Attorney: Hayden C. Covington

Facts: Affirmance of conviction under city ordinance restricting sale of literature on the streets and plaza. 162 S.W.2d 419.
CERT. DENIED

29. **Killam v. Floresville**, 317 U.S. 668 (Oct. 19, 1942).

Attorney: Hayden C. Covington

Facts: Convicted for violation of city ordinance regulating peddling within corporate limits. 162 S.W.2d 426.
CERT DENIED

30. **Hilley v. Spivey**, 317 U.S. 668 (Oct. 19, 1942).

Attorney: Hayden C. Covington

Facts: Conviction under city ordinance regulating witnessing work. 162 S.W.2d 428.
CERT. DENIED

31. **McSparran v. City of Portland**, 318 U.S. 768 (Mar. 1, 1943).

Attorney: Hayden C. Covington

Facts: Appeal dismissed in case involving violation of municipal ordinance affecting witnessing work. 129 P.2d 65.
CERT. DENIED

32. **Jamison v. Texas**, 318 U.S. 413 (Mar. 8, 1943).

Attorney: Hayden C. Covington

Facts: Convicted of distributing handbills in violation of city ordinance.
SUPREME COURT DECISION (PLENARY): Reversal of conviction as ordinance held unconstitutional.

33. **Largent v. Texas**, 318 U.S. 418 (Mar. 8, 1943).

Attorneys: Hayden C. Covington

Facts: Convicted for selling books without a permit under city ordinance.
SUPREME COURT DECISION (PLENARY): Reversal of conviction as ordinance found to be unconstitutional as applied.

34. **Murdock v. Pennsylvania**, 319 U.S. 105 (May 3, 1943).

"[T]he four cases (*Murdock*, *Jones*, *Douglas*, and *Martin*) decided on May 3, 1943 resolved thirteen separate cases that had been

consolidated for argument." McAnich, A Catalyst for the Evolution of Constitutional Law: Jehovah's Witnesses in the Supreme Court, 55 Cincinnati L. Rev. 997, 1027 n. 209 (1987)

The thirteen cases are:

Martin v. City of Struthers, 319 U.S. 141 (May 3, 1943).

Jones v. Opelika, 319 U.S. 103 (May 3, 1943).

Bowden v. Fort Smith

Jobin v. Arizona

Murdock v. Pennsylvania

Perisich v. Pennsylvania

Mowder v. Pennsylvania

Seders v. Pennsylvania

Lamborn v. Pennsylvania

Maltezos v. Pennsylvania

Tzanes v. Pennsylvania

Tzanes v. Pennsylvania

Douglas v. City of Jeanette, 319 U.S. 157 (May 3, 1943)

34. Murdock v. Pennsylvania, 319 U.S. 105 (May 3, 1943)

35. Perisich v. Pennsylvania

36. Mowder v. Pennsylvania

37. Seders v. Pennsylvania

38. Lamborn v. Pennsylvania

39. Maltezos v. Pennsylvania

40. Tzanes v. Pennsylvania

41. Tzanes v. Pennsylvania

Attorney: Hayden C. Covington

Facts: Conviction for failure to pay a license tax before engaging in door-to-door literature distribution.

SUPREME COURT DECISION (PLENARY): Reversal of conviction as ordinance held unconstitutional.

42. Jones v. Opelika, 319 U.S. 103 (May 3, 1943).

43. Bowden v. Fort Smith

44. Jobin v. Arizona

Attorney: Hayden C. Covington

General Conference of Seventh Day Adventists and Osmond K. Fraenkel, on behalf of the American Civil Liberties Union filed an amicus curiae brief on reargument.

Jones, Bowden and Jobin have been counted as case #24, #25, and #26.

PER CURIAM - Reversal on rehearing. Ordinance invalid as applied.

45. Douglas v. City of Jeannette, 319 U.S. 157 (May 3, 1943).

Attorney: Hayden C. Covington

Facts: Reversal of injunction against the enforcement of license tax law as applied to witnessing work.

SUPREME COURT DECISION (PLENARY): Jehovah's Witnesses did not have the right to enjoin by federal injunction, but the remedy of defense from the Murdock case was sufficient.

46. Martin v. City of Struthers, 319 U.S. 141 (May 3, 1943).

Attorneys: Hayden C. Covington & Victor F. Schmidt

Facts: Violation of ordinance restricting the distribution of handbills.

SUPREME COURT DECISION (PLENARY): Ordinance found constitutionally invalid.

✓ 47. Taylor v. Mississippi, 319 U.S. 583 (June 14, 1943).

✓ 48. Benoit v. Mississippi

✓ 49. Cummings v. Mississippi

Attorney: Hayden C. Covington

Facts: Conviction for dissemination of anti-flag salute teachings and leaflets.

SUPREME COURT DECISION (PLENARY): Convictions set aside.

50. Busey v. District of Columbia, 319 U.S. 579 (June 14, 1943).

Attorney: Hayden C. Covington

Facts: Convicted for failure to pay a license tax before distribution of literature.

PER CURIAM - Conviction vacated and remanded to lower court in light of Murdock.

51. West Virginia State Board of Education v. Barnette, 319 U.S. 624 (June 14, 1943).

Attorney: Hayden C. Covington

Also: Briefs of Amicus Curiae from Committee on the Bill of Rights of the American Bar Association, and American Civil Liberties Union.

Facts: West Virginia State Board of Education appealed lower court ruling reversing compulsory flag-salute.

SUPREME COURT DECISION (PLENARY): Compulsory flag-salute regulation held unconstitutional, thereby reversing its Gobitis decision and earlier per curiam flag-salute dispositions Leoles, Hering, and Johnson.

52. Davis v. State of Arizona, 319 U.S. 775 (June 14, 1943).

Attorney: Hayden C. Covington

Facts: Parents convicted for contributing to the delinquency of a minor for teaching their children to refuse to salute the flag. 120 P.2d 808.

CERT. DENIED

53. Mathews v. West Virginia ex rel. Hamilton, 320 U.S. 707 (Oct. 18, 1943).

Attorney: Hayden C. Covington

Facts: Injunction permanently restraining distribution of literature within the county.

PER CURIAM - Judgment vacated in light of Taylor, Benoit, Cummings & Barnette.

54. Bennett v. City of Dalton, 320 U.S. 712 (Nov. 15, 1943).

Attorneys: Hayden C. Covington
Grover C. Powell

Facts: Conviction for disorderly conduct in witnessing activity affirmed.

PER CURIAM - Appeal dismissed for want of a substantial federal question.

55. Falbo v. United States, 320 U.S. 549 (Jan. 3, 1944).

Attorney: Hayden C. Covington & Victor F. Schmidt
On the brief, National Committee on Conscientious Objectors of the American Civil Liberties Union as amicus curiae

Facts: Failure to report for induction.

SUPREME COURT DECISION (PLENARY): Conviction affirmed.

56. Prince v. Massachusetts, 321 U.S. 158 (Jan. 31, 1944).

Attorney: Hayden C. Covington

Facts: Child-labor law violated by the child's distribution of magazines.

SUPREME COURT DECISION (PLENARY): Conviction affirmed.

57. Follett v. Town of McCormick, 321 U.S. 573 (Mar. 27, 1944).

Attorney: Hayden C. Covington
Grover C. Powell, on the brief

Facts: Convicted of violating flat license tax ordinance.

SUPREME COURT DECISION (PLENARY): Conviction under ordinance reversed. License tax as applied was found unconstitutional.

58. Clayton v. United States, 322 U.S. 745 (May 22, 1944).

Attorney: Hayden C. Covington

FACTS: Induction case. Conviction upheld on the authority of Falbo. 141 F.2d 494.

CERT. DENIED

59. Grieme v. United States, 322 U.S. 744 (May 22, 1944).

Attorneys: Hayden C. Covington

Facts: Induction case. Conviction upheld on the authority of Falbo. 141 F.2d 495.

CERT. DENIED

60. United States ex rel. Lohrberg v. Nicholson, 322 U.S. 744 (May 22, 1944).

Attorney: Hayden C. Covington

Facts: Affirmance of orders denying writs of habeas corpus in induction case. 141 F.2d 689.

CERT. DENIED

61. Stull v. United States, 322 U.S. 745 (May 22, 1944).

Attorney: Hayden C. Covington

FACTS: Induction case. Conviction upheld on the authority of Falbo. 141 F.2d 494.

CERT. DENIED

62. United States ex rel. Falbo v. Kennedy, 322 U.S. 745 (May 23, 1944).

Attorney: Hayden C. Covington

Facts: Affirmance of orders denying writs of habeas corpus in induction case. 141 F.2d 689.

CERT. DENIED

63. Rinko v. United States, 325 U.S. 851 (Apr. 30, 1945).

Attorney: Hayden C. Covington

Facts: Affirmance of conviction for failure to submit to induction. 147 F.2d 1.

CERT. DENIED

64. Marsh v. Alabama, 326 U.S. 501 (Jan. 7, 1946).

Attorney: Hayden C. Covington

Grover C. Powell, on the brief.

Facts: Conviction for trespassing on company-owned sidewalk in company-owned town.

SUPREME COURT DECISION (PLENARY): Trespass conviction reversed.

65. Tucker v. Texas, 326 U.S. 517 (Jan. 7, 1946).

Attorney: Hayden C. Covington

Grover C. Powell, on the brief.

Facts: Convicted for trespassing a government-owned village.

SUPREME COURT DECISION (PLENARY): Trespass conviction set aside.

66. Estep v. United States, 327 U.S. 114 (Feb. 4, 1946).

67. Smith v. United States

Attorney: Hayden C. Covington

Grover C. Powell &

Curran E. Cooley, on the brief.

Facts: Conviction for refusing to submit to induction.

SUPREME COURT DECISION (PLENARY): Conviction reversed.

68. Rea v. McDonald, 327 U.S. 794 (Mar. 25, 1946).

Attorney: Hayden C. Covington

Facts: Affirmance of dismissal of defendant's habeas corpus petition in induction case. 153 F.2d 190.

CERT. DENIED

69. Cahoon v. United States, 329 U.S. 739 (Oct. 14, 1946).
Attorney: Hayden C. Covington
Facts: Conviction for violation under selective service act affirmed. 152 F.2d 752.
CERT. DENIED

70. Gibso v. United States, 329 U.S. 338 (Dec. 23, 1946).
71. Dodez v. United States
Attorney: Hayden C. Covington
Facts: Convictions for failure to report for work of national importance and desertion from the public service camp.
SUPREME COURT DECISION (PLENARY): Convictions were reversed.

72. Balogh v. United States, 331 U.S. 837 (June 2, 1947).
Attorney: Hayden C. Covington
Facts: Convicted for failure to report for induction.
160 F.2d 999.
PER CURIAM - Conviction affirmed.

73. Sunal v. Large, 332 U.S. 174 (June 23, 1947).
74. Alexander v. United States ex rel. Kulick
Attorney: Hayden C. Covington
Facts: Conviction for failure to submit to induction.
SUPREME COURT DECISION (PLENARY): Conviction affirmed.

75. Klopp v. Overlade, 332 U.S. 771 (Oct. 13, 1947).
Attorney: Hayden C. Covington
Facts: Affirmance of conviction under selective service act.
162 F.2d 343.
CERT. DENIED

76. Peel v. Michigan, 332 U.S. 758 (Oct. 13, 1947).
Attorney: Hayden C. Covington
Facts: Affirmance of conviction under city ordinance prohibiting the participation of children in distribution of literature.
26 N.W.2d 904.
CERT. DENIED

77. Fox v. People, 332 U.S. 758 (Oct. 13, 1947).
Attorney: Hayden C. Covington
Facts: Affirmance of conviction under city ordinance prohibiting the participation of children in distribution of literature.
26 N.W.2d 904.
CERT. DENIED

78. Ciocarlan v. Michigan, 332 U.S. 758 (Oct. 13, 1947).

Attorney: Hayden C. Covington

Facts: Affirmance of conviction under city ordinance prohibiting the participation of children in distribution of literature.

26 N.W.2d 904.

CERT. DENIED

79. Watchtower Bible & Tract Society, Inc. v. County of Los Angeles, 332 U.S. 811 (Oct. 27, 1947).

Attorney: Hayden C. Covington

Facts: Property tax assessment of Watchtower's real property used for storage of literature found constitutionally valid.

182 P.2d 178.

CERT. DENIED

80. Cox v. United States, 332 U.S. 442 (Nov. 24, 1947).

81. Thompson v. United States

82. Roisum v. United States

Attorney: Hayden C. Covington

Facts: Convictions for absence without leave from a civilian public service camp.

SUPREME COURT DECISION (PLENARY): Conviction affirmed.

83. Saia v. New York, 334 U.S. 558 (June 7, 1948).

Attorney: Hayden C. Covington

Facts: Convicted of violating municipal ordinance prohibiting use of sound trucks.

SUPREME COURT DECISION (PLENARY): Ordinance held unconstitutional.

84. Hall v. Virginia, 335 U.S. 875 (Dec. 6, 1948).

Attorneys: Hayden C. Covington

Thomas H. Stone

Facts: Witness convicted under trespass statute for distribution of handbills in apartment building. 49 S.E.2d 369.

PER CURIAM - Appeal is dismissed.

85. Watchtower Bible & Tract Society, Inc. v. Metropolitan Life Insurance Company, 335 U.S. 886 (Dec. 6, 1948).

Attorneys: Hayden C. Covington

Grover C. Powell

Facts: Affirmance of judgment for Metropolitan Life. Plaintiffs sought injunctive relief against a written regulation restricting witnessing work in apartment buildings. 69 N.Y.S.2d 385.

CERT. DENIED

86. Niznik v. United States, 337 U.S. 925 (June 6, 1949).

Attorneys: Hayden C. Covington
Victor F. Schmidt
Grover C. Powell

Facts: Conviction for willfully leaving civilian public service camp in violation of selective service act. Reversed and remanded. 173 F.2d 328.

CERT. DENIED

87. Comodor v. United States, 337 U.S. 925 (June 6, 1949).

Attorneys: Hayden C. Covington
Victor F. Schmidt
Grover C. Powell

Facts: Conviction for willfully leaving civilian public service camp in violation of selective service act. Reversed and remanded. 173 F.2d 328.

CERT. DENIED

88. Gibson v. Reynolds, 337 U.S. 925 (June 6, 1949)

Attorneys: Hayden C. Covington
Grover C. Powell

Facts: Affirmance of dismissal of complaint seeking damages for improper classification under selective service. 149 F.2d 751.

CERT. DENIED

89. Peterson v. United States, 337 U.S. 925 (June 6, 1949)

Attorneys: Hayden C. Covington
Victor F. Schmidt
Grover C. Powell

Facts: Affirmance of conviction for willfully leaving civilian public service camp in violation of selective service act. 173 F.2d 111.

CERT. DENIED

90. Niemotko v. Maryland, 340 U.S. 268 (Jan. 15, 1951)

91. Kelley v. Maryland

Attorney: Hayden C. Covington

Facts: Disorderly conduct for holding Bible talks in public park without a permit.

SUPREME COURT DECISION (PLENARY): Convictions reversed.

92. Labrenz v. Illinois ex rel. Wallace, 344 U.S. 824 (Oct. 13, 1952)

Attorney: Hayden C. Covington

Facts: Blood transfusion of child. 104 N.E.2d 769.

CERT. DENIED

93. Salvaggio v. Barnett, 344 U.S. 879 (Nov. 10, 1952).
Attorney: Hayden C. Covington
Facts: Child Custody. 248 S.W.2d 244.
CERT. DENIED

94. Fowler v. Rhode Island, 345 U.S. 67 (Mar. 9, 1953).
Attorney: Hayden C. Covington
Facts: Conviction for holding a religious meeting in a park in violation of ordinance.
SUPREME COURT DECISION (PLENARY): Reversal of conviction.

95. Poulos v. New Hampshire, 345 U.S. 395 (Apr. 27, 1953).
Attorney: Hayden C. Covington
Facts: Conviction under ordinance requiring religious speakers to apply for a license before conducting services in a park.
SUPREME COURT DECISION (PLENARY): Conviction upheld.

96. Dickinson v. United States, 346 U.S. 389 (Nov. 30, 1953).
Attorney: Hayden C. Covington
Facts: Pioneer denied ministerial exemption under military training and services act.
SUPREME COURT DECISION (PLENARY): Denial of exemption reversed.

97. United States v. Nugent, 346 U.S. 1 (June 8, 1953).
Attorney: Hayden C. Covington
Herman Alderstein, on the brief.
Facts: Registrants rights were violated in not being able to investigate FBI reports in induction case.
SUPREME COURT DECISION (PLENARY): Decision reversed. Registrant's rights not violated.

98. Gonzales v. United States, 348 U.S. 407 (Mar. 14, 1955)..
Attorney: Hayden C. Covington
Facts: Conviction for refusal to submit to induction.
SUPREME COURT DECISION (PLENARY): Conviction reversed.

99. Witmer v. United States, 348 U.S. 375 (Mar. 14, 1955).
Attorney: Hayden C. Covington
Facts: Conviction for willfully refusing to submit to induction.
SUPREME COURT DECISION (PLENARY): Conviction affirmed.

100. Sicurella v. United States, 348 U.S. 385 (Mar. 14, 1955).
Attorney: Hayden C. Covington
Facts: Conviction for willfully refusing to submit to induction.
SUPREME COURT DECISION (PLENARY): Conviction reversed.

101. Simmons v. United States, 348 U.S. 397 (Mar. 14, 1955).

Attorney: Hayden C. Covington

Facts: Conscientious objector claim denied.

SUPREME COURT DECISION (PLENARY): Conviction reversed because of due process violations in withholding unfavorable evidence.

102. Bates v. United States, 348 U.S. 966 (Mar. 28, 1955).

Attorney: Hayden C. Covington

Facts: Conscientious objector exemption denied.

PER CURIAM - Conviction reversed.

103. Simon v. United States, 348 U.S. 967 (Mar. 28, 1955).

Attorney: Hayden C. Covington

Facts: Conviction for refusal to submit to induction.

218 F.2d 127.

PER CURIAM - Conviction reversed.

104. Bradley v. United States, 348 U.S. 967 (Mar. 28, 1955).

Attorney: Hayden C. Covington

Facts: Conviction for refusal to submit to induction.

218 F.2d 657.

PER CURIAM - Conviction reversed.

105. DeMoss v. United States, 349 U.S. 918 (May 9, 1955).

Attorney: Hayden C. Covington

Facts: Conscientious objector exemption denied.

PER CURIAM - Conviction reversed.

106. Johnston v. United States, 351 U.S. 215 (May 21, 1956).

107. United States v. Patteson

Attorney: Hayden C. Covington

Facts: Johnston was convicted for failure to report for civilian work. Patteson was not convicted, so United States appealed.

SUPREME COURT DECISION (PLENARY): Johnston's conviction was upheld. In the Patteson case, the lower court's decision was reversed and he was convicted.

108. Swift v. Borough of Bethel, 355 U.S. 40 (Nov. 12, 1957).

Attorney: Hayden C. Covington

Facts: Challenge of zoning regulation restricting building of church building.

PER CURIAM - Dismissal for want of a substantial federal question.

109. Korte v. United States, 358 U.S. 928 (Jan. 12, 1959).

Attorney: Hayden C. Covington

Facts: Affirmance of conviction for failure to submit to induction. 260 F.2d 633.

CERT. DENIED

110. United States v. Wiggins, 359 U.S. 942 (Mar. 23, 1959).

Attorneys: Victor V. Blackwell
Hayden C. Covington

Facts: Reversal of conviction for failure to perform civilian duties. 261 F.2d 113.

CERT. DENIED

111. Rogers v. United States, 359 U.S. 967 (Apr. 20, 1959).

Attorney: Hayden C. Covington

Facts: Affirmance of conviction for failure to submit to induction. 263 F.2d 283.

CERT. DENIED

112. Milwaukie Company of Jehovah's Witnesses v. Mullen, 359 U.S. 436 (May 4, 1959)

Attorney: Hayden C. Covington

Facts: Challenge of zoning ordinance restricting church building. 330 P.2d 5.

PER CURIAM - Appeal dismissed.

113. Allendale Congregation of Jehovah's Witnesses v. Grosman, 361 U.S. 536 (Feb. 23, 1960)

Attorney: Hayden C. Covington

Facts: Challenge of denial of permit to build Kingdom Hall. 152 A.2d 569.

PER CURIAM - Dismissal for want of a substantial federal question.

114. Bjorson v. United States, 362 U.S. 949 (Apr. 18, 1960).

Attorney: Hayden C. Covington

Facts: Affirmance of convictions of conscientious objectors who failed to report for civilian work. 272 F.2d 244.

CERT. DENIED

115. Corliss v. United States, 364 U.S. 884 (Nov. 7, 1960).

Attorneys: Herman Alderstein
Hayden C. Covington

Facts: Affirmance of conviction for failure to submit to induction. 280 F.2d 808.

CERT. DENIED

116. Venus v. United States, 368 U.S. 345 (Dec. 18, 1961).

Attorney: Hayden C. Covington

Facts: Convicted for failing to keep local draft board advised of address where mail would reach him.

PER CURIAM - Judgment reversed and indictment dismissed.

117. Perricone v. New Jersey, 371 U.S. 890 (Nov. 5, 1962).

Attorney: Hayden C. Covington

Facts: Blood transfusion. 181 A.2d 751.

CERT. DENIED

118. Beaver v. United States, 371 U.S. 951 (Jan. 7, 1963).

Attorneys: Hayden C. Covington

Richard M. Welling

Facts: Affirmance of conviction for failure to submit to induction. 309 F.2d 273.

CERT. DENIED

119. Willard v. United States, 372 U.S. 960 (Apr. 1, 1963).

Attorney: Hayden C. Covington

Facts: Conviction for failure to submit to induction affirmed. 312 F.2d 605.

CERT. DENIED

120. Donats v. United States, 374 U.S. 828 (June 17, 1963).

Attorney: J. B. Tietz

Facts: Conviction for failure to submit to induction affirmed. 314 F.2d 67.

CERT. DENIED

121. Jones v. President & Directors of Georgetown College, Inc., 377 U.S. 978 (June 15, 1964).

Attorneys: Bernard Margolius

Ralph H. Deckelbaum

Facts: Blood transfusion. 331 F.2d 1000.

CERT. DENIED

122. Anderson v. Raleigh Fitkin-Paul Morgan Memorial Hospital, 377 U.S. 985 (June 19, 1964).

Attorney: Bernard Margolius

Ralph H. Deckelbaum

Facts: Blood transfusion. 201 A.2d 537.

CERT. DENIED

123. Jehovah's Witnesses in the State of Washington v. King County Hospital Unit No. 1 (Harboniew), 390 U.S. 598 (Apr. 8, 1968).

Attorneys: Victor V. Blackwell
Daniel Brink
Kenneth S. Jacobs

Facts: Blood transfusion. 278 F. Supp. 488.

PER CURIAM - Affirmance of dismissal of class action challenging constitutionality of state statute.

124. Hart v. United States, 391 U.S. 956 (May 27, 1968).

Attorney: Mercer D. Tate

Facts: Affirmance of indictment for failure to report to Draft Board. 382 F.2d 1020.

CERT. DENIED

125. Chacon v. United States, 404 U.S. 874 (Oct. 12, 1971).

Attorney: Not reported

Facts: Conviction for failure to report to civilian work affirmed. 443 F.2d 411.

CERT. DENIED

126. Lyzun v. United States, 404 U.S. 948 (Nov. 9, 1971).

Attorney: Not reported

Facts: Affirmance of conviction for failure to submit to induction. 444 F.2d 1043.

CERT. DENIED

127. Manning v. United States, 414 U.S. 913 (Oct. 15, 1973).

Attorney: Not reported

Facts: Conviction for failure to perform civilian work affirmed. 478 F.2d 1380.

CERT. DENIED

128. Harmon v. United States, 414 U.S. 913 (Oct. 14, 1973).

Attorney: Not reported

Facts: Affirmance of conviction for failure to submit to induction. 486 F.2d 363.

CERT. DENIED

129. Wooley v. Maynard, 430 U.S. 705 (Apr. 20, 1977).

Attorney: Richard S. Kohn

Jack B. Middleton, R. David DePuy, Melvin L. Wulf & Joel M. Gore, on the brief.

Facts: Declaratory and injunctive relief against enforcement of statute making it a crime to obscure words "Live Free or Die" on license tag.

SUPREME COURT DECISION (PLENARY): Affirmance. State cannot

enforce statute that infringes respondent's first amendment rights.

130. Johnson v. Johnson, 434 U.S. 1048 (Jan. 23, 1978).

Attorney: Not reported

Facts: Child custody. 564 P.2d 71.

CERT. DENIED

131. Palmer v. Board of Education of the City of Chicago, 444 U.S. 1026 (Jan. 7, 1980).

Attorney: Not reported

Facts: Affirmance of dismissal of kindergarten school teacher for refusal to engage in patriotic activities. 603 F.2d 1271.

CERT DENIED

132. Thomas v. Review Board 450 U.S. 707 (Apr. 6, 1981).

Attorney: Blanca Bianchi de la Torre

Seymour H. Moskowitz, Michael Martin Mulder, on the briefs.

Facts: Denial of unemployment compensation to employee who terminated job because of religious convictions.

SUPREME COURT DECISION (PLENARY): Conviction reversed. Denial of unemployment benefits violated petitioner's first amendment rights.

133. Lakewood, Ohio Congregation of Jehovah's Witnesses, Inc. v. City of Lakewood Ohio, 464 U.S. 815 (Oct. 3, 1983).

Attorney: Not reported

Facts: Ordinance prohibiting construction of place of worship found constitutional. 699 F.2d 303.

CERT. DENIED

134. Shorter v. Drury, 474 U.S. 827 (Oct. 7, 1985).

Attorney: Not reported

Facts: Blood transfusion. 695 P.2d 116.

CERT. DENIED

135. Tauvar v. Bar Harbor Congregation of Jehovah's Witnesses, Inc., 479 U.S. 1038 (Jan 12, 1987).

Attorney: Not reported

Facts: Civil rights suit by disfellowshipped person. 787 F.2d 579.

CERT. DENIED

**136. Paul v. Watchtower Bible & Tract Society of New York, Inc.,
484 U.S. 926 (Nov. 2, 1987).**

Attorney: Not reported

Facts: Disfellowshipped person challenging "shunning" practice.
819 F.2d 875.

CERT. DENIED

137. Mendez v. Mendez, 108 S. Ct. 1122 (Mar. 7, 1988).

Attorney: Not reported

Facts: Child custody. 527 So. 2d 820.

CERT. DENIED

138. Chaisson v. Rutland, 109 S. Ct. 58 (Oct. 3, 1988).

Attorney: Donald T. Ridley

Michael Sloan

Facts: Child custody. 729 S.W. 2d 923.

CERT. DENIED

DEFINITIONS:

CERT. DENIED is the shortened term for "petition for writ of certiorari is denied." This is the name of a writ of review or inquiry. This writ is issued from a superior court calling up the record of a proceeding in an inferior court for review. *Black's Law Dictionary* states: Certiorari is an appellate proceeding for re-examination of action of inferior tribunal or as auxiliary process to enable appellate court to obtain further information in pending cause. It lies as a substitute for an appeal.

PER CURIAM: A phrase used in the reports to distinguish an opinion of the whole court from an opinion written by any one judge. These were usually very brief, unanimous decisions made without lengthy discussions and could be without oral argument by attorneys. Per curiam dismissal for want of a substantial federal question is the procedural equivalent of a denial of a petition for writ of certiorari.

PLENARY: A full, complete consideration of the merits of the case by all the justices.