

UNITED STATES *v.* THOMAS, REGISTRAR OF
VOTERS OF WASHINGTON PARISH,
LOUISIANA, ET AL.

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT.

No. 667. Argued February 23-24, 1960.—Decided February 29, 1960.

Under authority of R. S. § 2004, as amended by the Civil Rights Act of 1957, the Attorney General brought a civil action on behalf of the United States in a United States District Court to enjoin certain individuals from challenging, on a racially discriminatory basis, the right of certain Negro citizens to remain on the registration rolls of a Louisiana parish as qualified voters and to enjoin respondent, the official Registrar of Voters, from giving effect to such racially discriminatory challenges and removing their names from the rolls. The District Court denied defendants' motion to dismiss the complaint; found that the challenges were "massively discriminatory in purpose and effect" and in violation of the Fifteenth Amendment and of 42 U. S. C. § 1971 (a); enjoined the individual defendants from making further racially discriminatory challenges; enjoined respondent from giving legal effect to any of said challenges; and ordered respondent to restore to the registration rolls those so illegally removed. Upon appeal by respondent, the Court of Appeals granted a stay of the injunction pending appeal. The Solicitor General then applied to this Court to vacate the stay and for a writ of certiorari to review the judgment of the District Court. *Held*: Certiorari is granted, and, upon the opinion, findings of fact and conclusions of law of the District Court and the decision of this Court today in *United States v. Raines*, *ante*, p. 17, the stay is vacated and the judgment of the District Court as to respondent is affirmed. P. 59.

Stay vacated and District Court's judgment affirmed as to respondent. Reported below: 180 F. Supp. 10.

Solicitor General Rankin argued the cause and filed a brief for the United States.

Weldon A. Cousins and *Henry J. Roberts, Jr.*, Assistant Attorneys General of Louisiana, argued the cause for

respondent Thomas. With them on the brief were *Jack P. F. Gremillion*, Attorney General of Louisiana, and *M. E. Culligan*, Assistant Attorney General.

PER CURIAM.

Pursuant to its order of January 26, 1960, 361 U. S. 950, the Court has before it (1) the application of the United States for an order vacating the order of the Court of Appeals, dated January 21, 1960, staying the judgment of the District Court for the Eastern District of Louisiana, New Orleans Division, dated January 11, 1960; and (2) the petition of the United States for a writ of certiorari to the Court of Appeals to review the judgment of the District Court as to the respondent, Curtis M. Thomas, Registrar of Voters, Washington Parish, Louisiana. Having considered the briefs and oral arguments submitted by both sides, the Court makes the following disposition of these matters:

The petition for certiorari is granted. Upon the opinion, findings of fact, and conclusions of law of the District Court and the decision of this Court rendered today in No. 64, *United States v. Raines*, ante, p. 17, the aforesaid stay order of the Court of Appeals is vacated, and the judgment of the District Court as to the respondent Thomas is affirmed.

It is so ordered.