

February 24, 1970

397 U.S.

BURRUSS ET AL. v. WILKERSON ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF VIRGINIA

No. 864. Decided February 24, 1970

Affirmed.

Carl Rachlin, Melvin L. Wulf, and Eleanor Holmes Norton for appellants.

Robert Y. Button, Attorney General of Virginia, *Richard N. Harris*, Assistant Attorney General, *John S. Davenport III*, and *Henry T. Wickham* for appellees.

Briefs of *amici curiae* in support of appellants were filed by *Ramsey Clark, David Rubin*, and *John W. Douglas* for the National Education Association et al., and by *Joseph L. Rauh, Jr., John Silard, J. Albert Woll, Thomas E. Harris, Stephen I. Schlossberg*, and *David A. Binder* for the American Federation of Labor—Congress of Industrial Organizations et al.

PER CURIAM.

The motion to affirm is granted and the judgment is affirmed.

MR. JUSTICE DOUGLAS and MR. JUSTICE WHITE are of the opinion that probable jurisdiction should be noted and the case set for oral argument.