

SCHOOL BOARD OF CITY OF RICHMOND,  
VIRGINIA, ET AL. v. STATE BOARD OF  
EDUCATION OF VIRGINIA ET AL.

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR  
THE FOURTH CIRCUIT

No. 72-549. Argued April 23, 1973—Decided May 21, 1973\*

462 F. 2d 1058, affirmed by an equally divided Court.

*George B. Little* argued the cause for petitioners in No. 72-549. With him on the briefs was *Conrad B. Mattox, Jr.* *William T. Coleman, Jr.*, argued the cause for petitioners in No. 72-550. With him on the briefs were *Jack Greenberg*, *James M. Nabrit III*, *Norman J. Chachkin*, *Louis R. Lucas*, *William L. Taylor*, and *Anthony G. Amsterdam*.

*Philip B. Kurland* argued the cause for respondents in both cases. With him on the brief were *Edward I. Rothschild*, *Andrew P. Miller*, Attorney General of Virginia, *William G. Broaddus* and *D. Patrick Lacy, Jr.*, Assistant Attorneys General, *Frederick T. Gray*, *Walter E. Rogers*, *J. Segar Gravatt*, *R. D. McIlwaine III*, *L. Paul Byrne*, and *J. Mercer White, Jr.*

*Solicitor General Griswold* argued the cause for the United States as *amicus curiae* urging affirmance in both cases. With him on the brief were *Assistant Attorney General Pottinger*, *A. Raymond Randolph, Jr.*, *Brian K. Landsberg*, and *John C. Hoyle*.†

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\*Together with No. 72-550, *Bradley et al. v. State Board of Education of Virginia et al.*, also on certiorari to the same court.

†Briefs of *amici curiae* urging reversal in both cases were filed by *Stephen J. Pollak*, *Richard M. Sharp*, and *David Rubin* for the National Education Association, and by *Melvin L. Wulf*, *Sanford Jay Rosen*, and *Philip Hirschkop* for the American Civil Liberties Union

PER CURIAM.

The judgment is affirmed by an equally divided Court.

MR. JUSTICE POWELL took no part in the consideration or decision of these cases.

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et al. *Margie Pitts Hames* filed a brief for the Black Parents of Atlanta, Georgia, as *amicus curiae* urging reversal in No. 72-550.

Briefs of *amici curiae* urging affirmance in both cases were filed by *David I. Caplan* for the Jewish Rights Council, and by *Harold H. Fuhrman* for the National Suburban League, Ltd. *Charles S. Conley* and *Floyd B. McKissick* filed a brief for the Congress of Racial Equality as *amicus curiae* urging affirmance in No. 72-549.