

Kusps v Switzer - contempt -

1. Black wanted to file dissent later
2. Brennan said he would withdraw his consent to opinion - showed not have opinions where dissent not ready -
3. FE said - showed come down - opinion circulated about 3 weeks prior to 6/25/58 -
 - (a) old problem - caused in Ullman -
 - (b) not new to Black - could say no more than did in Feldman
 - (c) Brennan view gives veto power to one justice
 - (d) " long been practice here for Justices to reserve their right to file opinions 'without holding up rendering of decisions' "