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Supreme Court, U.S.  
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No. 79 Original

ALEXANDER L. STEVAS  
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IN THE  
SUPREME COURT OF THE UNITED STATES

October Term, 1984

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STATE OF OKLAHOMA,

Plaintiff,

-vs-

STATE OF ARKANSAS,

Defendant.

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MOTION TO DISMISS BILL  
OF COMPLAINT AND COMPLAINT

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ATTORNEYS FOR PLAINTIFF

November, 1984



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IN THE  
SUPREME COURT OF THE UNITED STATES

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STATE OF OKLAHOMA,

Plaintiff,

vs.

STATE OF ARKANSAS,

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**MOTION TO DISMISS BILL  
OF COMPLAINT AND COMPLAINT**

Pursuant to Rule 53.2 of the Rules of the Supreme Court of the United States, Oklahoma hereby moves to dismiss the Bill of Complaint which this Court granted on October 2, 1978. Oklahoma v. Arkansas, 439 U.S. 812, 99 S. Ct. 71, 58 L. Ed. 2d 104 (1978). All fees and



costs due to the Clerk have been tendered to the Clerk. The remaining costs due the Special Master and the State of Arkansas are still being determined.

From the inception of this action, Oklahoma has conceded that if this Court's decisions pertaining to the doctrine of acquiescence applied to the case at bar, "Oklahoma's claim must fail." (Amended Prehearing Brief of Plaintiff, 43-44). Oklahoma, however, argued that the doctrine was inapplicable in the case at bar because, unlike the prior cases decided by the Court, the instant action involved the changing of an established indentifiable boundary by the unilateral action of Congress "in derogation [sic] of existing rights established by law. . . ." Id. at 44.

This Court's decision in California v. Nevada, 447 U.S. 125 (1980), which



held that there is not a relationship between the origins of a boundary and the legal consequences of acquiescence in that boundary, addresses and defeats the distinction argued by Oklahoma.

For the foregoing reason, Oklahoma submits that it is in the best interest of all parties that this action be dismissed.

Respectfully submitted,

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