
NO. 22, ORIGINAL

In The

Supreme Court of the United States

October Term, 1965

STATE OF SOUTH CAROLINA,

Plaintiff,

v.

NICHOLAS DEB. KATZENBACH,

ATTORNEY GENERAL OF THE UNITED STATES,

Defendant.

MOTION OF THE COMMONWEALTH OF VIRGINIA
REQUESTING PERMISSION TO PARTICIPATE IN
ORAL ARGUMENT AS AMICUS CURIAE.

ROBERT Y. BUTTON

Attorney General of Virginia

R. D. McILWAINE, III

Assistant Attorney General

Supreme Court—State Library Building
Richmond, Virginia 23219

HENRY T. WICKHAM

Special Counsel

*Attorneys for the Commonwealth of
Virginia*

TUCKER, MAYS, MOORE & REED
1407 State-Planters Bank Building
Richmond, Virginia 23219

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Now comes the Commonwealth of Virginia, by its Attorney General, and moves the Court for permission to participate in the oral argument of the above-styled case, as *amicus curiae*, and in support of such motion respectfully represents:

1. On November 5, 1965, this Court entered its order providing that any State might submit a brief, *amicus curiae*, in this case on or before December 20, 1965, and that any State desiring to participate in the oral argument, as *amicus curiae*, should file with the Clerk of the Court a request for permission to do so on or before the same date.

2. Pursuant to the permission conferred by the above-mentioned order, the Commonwealth of Virginia has timely submitted its Brief on Behalf of the Commonwealth of Virginia, *amicus curiae*, and its appendix to such brief.

3. As stated in its brief, the Commonwealth of Virginia falls within the scope of the Voting Rights Act of 1965, which Act deprives the Commonwealth of Virginia of the right to require each of her citizens—without regard to race, color or previous condition of servitude—to make application to register to vote in his own handwriting as prescribed by Section 20 of the Constitution of Virginia.

4. Since the effective date of the Act, the Commonwealth of Virginia has been compelled to register citizens in the manner required by the Act and regulations issued pursuant thereto, which Act and regulations are antagonistic to the provisions of Section 20 of the Virginia Constitution.

WHEREFORE, the Commonwealth of Virginia respectfully moves the Court for permission to participate in the oral argument of this case, as *amicus curiae*.

COMMONWEALTH OF VIRGINIA

ROBERT Y. BUTTON

Attorney General of Virginia

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CERTIFICATE OF SERVICE

I, R. D. McIlwaine, III, an Assistant Attorney General of Virginia, a member of the Bar of the Supreme Court of the United States and one of counsel for the Commonwealth of Virginia, as *amicus curiae*, in the above-captioned matter, hereby certify that copies of this Motion of the Commonwealth of Virginia Requesting Permission To Participate In Oral Argument, As *Amicus Curiae*, have been served upon each of counsel of record for the parties herein by depositing the same in the United States Post Office, with first class postage prepaid, this 17th day of December, 1965, pursuant to the provisions of Rule 33(1) of the Rules of the Supreme Court of the United States, as follows: Daniel R. McLeod, Esq., Attorney General of South Carolina, Wade Hampton Building, Columbia, South Carolina, and David W. Robinson, Esq. and David W. Robinson, II, Esq., Special Counsel, P. O. Box 1942, Columbia, South Carolina, counsel for plaintiff State of South Carolina; and upon Nicholas deB. Katzenbach, Esq., Attorney General of the United States, and Thurgood Marshall, Esq., Solicitor General of the United States, Department of Justice, Washington, D. C., 20530, defendant and counsel for defendant respectively.

Assistant Attorney General

