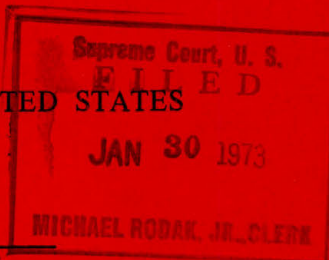


IN THE  
SUPREME COURT OF THE UNITED STATES  
October Term 1972

No. 60 Original



COMMONWEALTH OF PENNSYLVANIA,  
Plaintiff

-vs-

STATE OF NEW YORK, STATE OF KANSAS,  
COMMONWEALTH OF MASSACHUSETTS,  
STATE OF NEW MEXICO, STATE OF  
SOUTH CAROLINA, STATE OF GEORGIA,  
STATE OF NEW JERSEY, STATE OF OKLAHOMA,  
STATE OF ALABAMA, STATE OF IDAHO,  
STATE OF IOWA, STATE OF MAINE, STATE OF  
MICHIGAN, STATE OF MISSISSIPPI, STATE OF  
MONTANA, STATE OF NEW HAMPSHIRE, STATE  
OF NORTH CAROLINA, STATE OF OHIO,  
STATE OF OREGON, STATE OF UTAH,  
STATE OF VERMONT, COMMONWEALTH OF  
VIRGINIA, STATE OF WASHINGTON,  
STATE OF WEST VIRGINIA, and  
STATE OF WYOMING,  
Defendants

BRIEF OF THE STATE OF NORTH CAROLINA-  
OPPOSING MOTION FOR LEAVE TO FILE COMPLAINT

ROBERT MORGAN  
Attorney General of  
North Carolina

CHRISTINE Y. DENSON  
Assistant Attorney General  
Department of Justice  
P. O. Box 629  
Raleigh, North Carolina 27602  
Telephone: (919) 829-4618

Attorneys for Defendant  
State of North Carolina



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COMMONWEALTH OF PENNSYLVANIA,  
Plaintiff

-vs-

STATE OF NEW YORK, STATE OF KANSAS,  
COMMONWEALTH OF MASSACHUSETTS,  
STATE OF NEW MEXICO, STATE OF  
SOUTH CAROLINA, STATE OF GEORGIA,  
STATE OF NEW JERSEY, STATE OF OKLAHOMA,  
STATE OF ALABAMA, STATE OF IDAHO,  
STATE OF IOWA, STATE OF MAINE, STATE OF  
MICHIGAN, STATE OF MISSISSIPPI, STATE OF  
MONTANA, STATE OF NEW HAMPSHIRE, STATE  
OF NORTH CAROLINA, STATE OF OHIO,  
STATE OF OREGON, STATE OF UTAH,  
STATE OF VERMONT, COMMONWEALTH OF  
VIRGINIA, STATE OF WASHINGTON,  
STATE OF WEST VIRGINIA, and  
STATE OF WYOMING,  
Defendants

---

BRIEF OF THE STATE OF NORTH CAROLINA-  
OPPOSING MOTION FOR LEAVE TO FILE COMPLAINT

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Without responding to the factual allegations contained in the Motion for Leave to File Complaint and Complaint filed by the Commonwealth of Pennsylvania, herein, the State of North Carolina respectfully submits this Brief Opposing the Motion for Leave to File Complaint.



The case of *Seagram & Sons v. Hostetter*, 384 U.S. 35 (1966), cited by the plaintiff in its Motion is still viable and apropos in the instant case.

The rationale that the Twenty-First Amendment gives the States broad power to regulate intoxicating liquor within their respective borders was recently reaffirmed by this Court in *California v. LaRue*, 40 U.S.L.W. 4139 (Decided December 5, 1972).

It is respectfully submitted that plaintiff's Motion should be denied.

Respectfully submitted,

ROBERT MORGAN  
Attorney General of  
North Carolina

CHRISTINE Y. DENSON  
Assistant Attorney General

Department of Justice  
P. O. Box 629  
Raleigh, North Carolina 27602  
Telephone: (919) 829-4618

Attorneys for Defendant  
State of North Carolina



STATE OF NORTH CAROLINA  
COUNTY OF WAKE

CERTIFICATE OF SERVICE

I, Christine Y. Denson, Assistant Attorney General for the State of North Carolina, and a member of the Bar of this Court, hereby certify that copies of the Brief of the State of North Carolina—Opposing Motion for Leave to File Complaint were sent by first class, postage prepaid mail, to the following:

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Albany, New York

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Albany, New York

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State Capitol  
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State Capitol  
Trenton, New Jersey

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State Capitol  
Oklahoma City, Oklahoma



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Attorney General of the State of Oklahoma  
State Capitol  
Oklahoma City, Oklahoma

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State Capitol  
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State Capitol  
Jackson, Mississippi

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Attorney General of the State of Mississippi  
State Capitol  
Jackson, Mississippi

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Governor of the State of Montana  
State Capitol  
Helena, Montana

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Attorney General of the State of Montana  
State Capitol  
Helena, Montana

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State Capitol  
Concord, New Hampshire

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Attorney General of the State of New Hampshire  
State Capitol  
Concord, New Hampshire



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Governor of the State of Ohio  
State Capitol  
Columbus, Ohio

Hon. William J. Brown  
Attorney General of the State of Ohio  
State Capitol  
Columbus, Ohio

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Governor of the State of Oregon  
State Capitol  
Salem, Oregon

Hon. Lee Johnson  
Attorney General of the State of Oregon  
State Capitol  
Salem, Oregon

Hon. Milton J. Shapp  
Governor of the Commonwealth of Pennsylvania  
State Capitol  
Harrisburg, Pennsylvania

Hon. Israel Packel  
Attorney General of the Commonwealth of Pennsylvania  
Capitol Annex  
Harrisburg, Pennsylvania  
Attn. Lawrence Silver

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State Capitol  
Salt Lake City, Utah

Hon. Vernon B. Romney  
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State Capitol  
Salt Lake City, Utah

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Montpelier, Vermont

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State Capitol  
Richmond, Virginia

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State Capitol  
Olympia, Washington

Hon. Slade Gorton  
Attorney General of the State of Washington  
State Capitol  
Olympia, Washington

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Governor of the State of West Virginia  
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Attorney General of the State of West Virginia  
State Capitol  
Charleston, West Virginia

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State Capitol  
Cheyenne, Wyoming



Hon. Clarence A. Brimmer  
Attorney General of the State of Wyoming  
State Capitol  
Cheyenne, Wyoming

This the \_\_\_\_\_ of January, 1973.

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Christine Y. Denson  
Assistant Attorney General







