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NO. 9, ORIGINAL  
IN THE  
**SUPREME COURT OF THE UNITED STATES**  
OCTOBER TERM, 1968

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UNITED STATES OF AMERICA,  
*Plaintiff*

v.

STATE OF LOUISIANA, ET AL.,  
*Defendants*

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**MOTION BY THE STATE OF TEXAS TO  
ELIMINATE THE QUESTION OF LATERAL  
BOUNDARIES WITH NEIGHBORING STATES  
FROM THE ISSUES TO BE CONSIDERED ON  
CROSS-MOTIONS FOR THE ENTRY OF A  
SUPPLEMENTAL DECREE AS TO THE STATE  
OF LOUISIANA (NO. 2)**

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CRAWFORD C. MARTIN  
Attorney General of Texas  
NOLA WHITE  
First Assistant Attorney General  
A. J. CARUBBI, JR.  
Executive Assistant Attorney General  
HOUGHTON BROWNLEE, JR.  
J. ARTHUR SANDLIN  
Assistant Attorneys General  
Box "R," Capitol Station  
Austin, Texas 78711

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Cross Motions have been filed by the United States and Louisiana, each seeking entry of its own proposed Supplemental Decree fixing the submerged lands boundary between such litigants. They appear to be in agreement that the lateral boundaries of Louisiana with its neighboring States are not in issue.

In Part II of the "Brief of the State of Louisiana in support of its Motion for Entry of Supplemental Decree No. 2. . . .", etc., it is said at page 89: "The precise locations of the water boundaries between Louisiana and Mississippi on the east side of Louisiana, and Louisiana and Texas on the west side, have

never been completely fixed. We agree with the United States (Motion 66, No. 9) that the introduction of these collateral issues into the present proceedings should be avoided. . . .”

In the “Brief for the United States” concerning said cross-motions, it is said on page 7, footnote 3a: “The problem of defining the lateral limits of Louisiana’s offshore submerged lands primarily concerns Louisiana and its neighbor States, and would be left open by the decree proposed by the United States, U.S. Mot. 9, 66. Louisiana expresses agreement with that approach. . . .” Said footnote, however, adds: “In fact, however, both Louisiana’s primary and alternative coastline descriptions appear to have specific termini. . . .” This creates some uncertainty about the Louisiana position.

In the dispute over the boundary between the United States and Texas (set for oral argument October 14, 1968), Louisiana filed its Motion requesting that resolution of such controversy should have no impact on the issue of lateral boundaries between the States.

Similarly, the State of Texas represents that it is not properly a party to the Louisiana coastline litigation with the United States, and that the Texas lateral eastern boundary should not be involved in this proceeding.

Wherefore, Texas prays that it not be considered a party to such litigation between the United States and Louisiana. Should the issues in such proceeding be expanded so as to call for adjudication of the boundary between Texas and Louisiana, a reasonable delay is requested, giving Texas ample opportunity to be heard on this new issue.

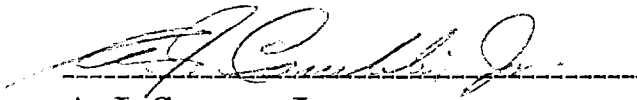
Respectfully submitted

CRAWFORD C. MARTIN

Attorney General of Texas

NOLA WHITE

First Assistant Attorney General

A handwritten signature in dark ink, appearing to read "A. J. Carubbi, Jr.", is written over a horizontal dashed line.

A. J. CARUBBI, JR.

Executive Assistant Attorney General

HOUGHTON BROWNLEE, JR.

J. ARTHUR SANDLIN

Assistant Attorneys General

Box "R," Capitol Station

Austin, Texas 78711

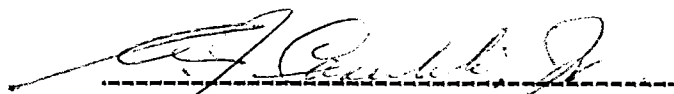
Attorneys for Movant,

The State of Texas

October 19, 1968

## CERTIFICATE

I, A. J. Carubbi, Jr., Executive Assistant Attorney General of Texas, a member in good standing of the Bar of the Supreme Court of the United States, hereby certify that on the 9 day of October, 1968, I served copies of the foregoing Motion either in person or by mail, postage prepaid, to the Office of the Attorney General and of the Solicitor General of the United States, respectively, in the Department of Justice Bldg., Washington, D. C., and to the Attorneys General of the States of Alabama, Florida, Louisiana and Mississippi respectively.



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A. J. CARUBBI, JR.