

FILE COPY

FILED

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MICHAEL RODAK, JR., CLERK

IN THE  
SUPREME COURT OF THE UNITED STATES  
OCTOBER TERM, 1972

NO. 58 ORIGINAL

THE AMERICAN PARTY, ET AL,  
Plaintiffs,

V.

STATE OF NEW YORK, ET AL,  
Defendants.

MOTION FOR TEMPORARY RESTRAINING ORDER

CLIFFORD L. DUKE, JR.  
Duke, Altfest and Licker  
625 Broadway  
San Diego, California

GLORIA T. SVANAS  
Svanas and Svanas  
418 West Fourth Street  
Odessa, Texas 79761

ATTORNEY FOR PLAINTIFFS,  
THE AMERICAN PARTY, ET AL

RESPONSE NOT PRINTED



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MOTION FOR TEMPORARY RESTRAINING ORDER

TO THE HONORABLE JUSTICE DOUGLAS,  
Associate Justice of the Supreme Court  
and Circuit Justice for the Ninth  
Judicial Circuit:

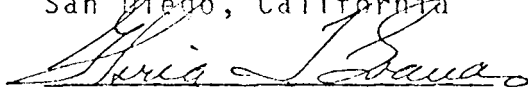
Now comes the Complainant, the AMERICAN PARTY, and respectfully moves the Court and the single Justice to whom this Motion is presented that a Temporary Restraining Order be issued to restrain:

the State of Arkansas, its officers, agents and employees; the State of Florida, its officers, agents and employees; the State of Georgia, its officers, agents and employees; the State of Hawaii, its officers, agents and employees; the State of Illinois, its officers, agents and employees; the State of Indiana, its officers, agents and employees; the Commonwealth of Massachusetts, its officers, agents and employees; the State of Maine, its officers, agents and employees; the State of Missouri, its officers, agents and employees; the State of Nebraska, its officers, agents and employees; the State of Nevada, its officers, agents and employees; the State of New York, its officers, agents and employees; the State of Rhode Island, its officers, agents and employees; the State of South Dakota, its officers, agents and employees; the State of Texas, its officers, agents and employees; the State of West Virginia, its officers, agents and employees; the State of Wyoming, its officers, agents and employees; the District of Columbia, its officers, agents and employees,



from enforcing any acts or statutes of the State concerning or regulating the exclusion of the names of the electors pledged to the AMERICAN PARTY nominees for President of the United States and for Vice-President of the United States from the General Election Ballot of that State for November, 1972, until the Motion now on file with this Honorable Court for leave to file a Bill of Complaint against the State of Arkansas, Florida, Georgia, Hawaii, Illinois, Indiana, Maine, Massachusetts, Missouri, Nebraska, Nevada, New York, Rhode Island, South Dakota, Texas, West Virginia, Wyoming and the District of Columbia has been passed upon by this Honorable Court and the matters set forth in the Bill of Complaint determined and for such additional decree or orders as may be just and proper. This Motion is based upon the Bill of Complaint attached to the Motion for Leave to File said Bill and the Statement in Support of the Motion for Leave to File Complaint and the Brief in Support of the Motion for Leave to File Bill of Complaint.

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Duke, Altfest and Licker  
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Odessa, Texas 79761

ATTORNEYS FOR PLAINTIFFS,  
THE AMERICAN PARTY, ET AL





CERTIFICATE OF SERVICE

I, GLORIA T. SVANAS, one of the attorneys for the AMERICAN PARTY, Plaintiff in the above entitled proceeding, do hereby certify that on the 20th day of September, 1972, I served copies of the Motion For Temporary Restraining Order, by mailing triplicate copies thereof in duly addressed envelopes, with air mail postage prepaid, to each of the following:

Honorable Dale Bumpers, Governor  
Mr. Ray Thornton, Attorney General  
Little Rock, Arkansas

Honorable Reubin Askew, Governor  
Mr. Robert L. Shevin, Attorney General  
Tallahassee, Florida

Honorable Jimmy Carter, Governor  
Mr. Arthur K. Bolton, Attorney General  
Atlanta, Georgia

Honorable John A. Burns, Governor  
Mr. George Pai, Attorney General  
Honolulu, Hawaii

Honorable Richard Ogilvie, Governor  
Mr. William J. Scott, Attorney General  
Springfield, Illinois

Honorable Edgar D. Whitcomb, Governor  
Mr. Theodore Sendak, Attorney General  
Indianapolis, Indiana



Honorable Kenneth Curtis, Governor  
Mr. James S. Erwin, Attorney General  
Augusta, Maine

Honorable Francis Sargent, Governor  
Mr. Robert H. Quinn, Attorney General  
Boston, Massachusetts

Honorable Warren E. Hearnes, Governor  
Mr. John Danforth, Attorney General  
Jefferson City, Missouri

Honorable J. James Exon, Governor  
Mr. Clarence Meyer, Attorney General  
Lincoln, Nebraska

Honorable Mike O'Callaghan, Governor  
Mr. Robert List, Attorney General  
Carson City, Nevada

Honorable Nelson A. Rockefeller,  
Governor  
Mr. Louis J. Lefkowitz, Attorney General  
Albany, New York

Honorable Frank Licht, Governor  
Mr. Richard J. Israel, Attorney General  
Providence, Rhode Island

Honorable Richard F. Kneip, Governor  
Mr. Gordon Mydland, Attorney General  
Pierre, South Dakota

Honorable Preston Smith, Governor  
Mr. Crawford C. Martin, Attorney General  
Austin, Texas

Honorable Arch A. Moore, Jr., Governor  
Mr. Chauncey Browning, Jr., Attorney  
General  
Charleston, West Virginia

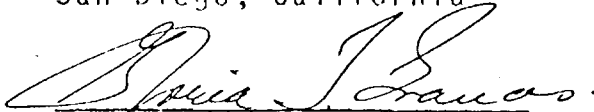


Honorable Stanley K. Hathaway, Governor  
Mr. Clarence Brimmer, Attorney General  
Cheyenne, Wyoming

Honorable Walter E. Washington,  
Commissioner  
Mr. C. Francis Murphy, Corp. Counsel  
District of Columbia

All parties required to be served  
have been served.

CLIFFORD L. DUKE, JR.  
Duke, Altfest and Licker  
625 Broadway  
San Diego, California

A handwritten signature in cursive script, appearing to read "Gloria T. Svanas", written over a horizontal line.

GLORIA T. SVANAS  
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