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In The

UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

In Re APPLICATION OF LAWRENCE GUYOT
FOR THE APPOINTMENT OF ADDITIONAL FEDERAL
JUDGES FOR THE STATE OF MISSISSIPPI DURING
THE MONTHS OF JUNE, JULY, AUGUST & SEPTEMBER
OF 1964

TO THE HONORABLE ELBERT P. TUTTLE, CHIEF JUDGE OF
THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT:

Now comes your petitioner, Lawrence Guyot, through his
attorneys and asks leave of the Chief Judge to file ^{the attached} ~~this~~ application
and petition for the appointment of at least five additional
United States District Judges, each accompanied by at least five
United States Marshalls, to serve during the months of June, July,
August and September of 1964.

Respectfully,

Lawrence Guyot, by counsel

Counsel:

J. A. Jordan, Esq.
1228 E. Virginia Beach Blvd.
Norfolk 4, Virginia

Len. W. Holt, Esq.
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Washington 11, D. C.

Simon L. Cain, Esq.
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IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

In Re Petition of Lawrence Guyot
For Additional Federal Judges in Mississippi
During the Summer of 1964

To the Honorable Elbert P. Tuttle, Chief Judge of the
United States Court of Appeals for the Fifth Circuit:

Now comes the petitioner, Lawrence Guyot, through his attorneys and petitions the Chief Judge to appoint an additional five United States District Judges --each accompanied by at least five United States Marshalls--to serve the State of Mississippi during the months of June, July, August and September of 1964.

The Chief Judge is petitioned to exercise this power of appointment pursuant to the provisions of 28 U.S.C. Sections 292 (a) and 292 (b).

Petitioner further requests that the Chief Judge seek the aid of the Chief Justice of the Supreme Court of the United State pursuant to 28 U.S.C. 292 (c) and 294 should the aid of the Chief Justice be needed to secure the five additional judges.

Petitioner also asks that the assistance of the Attorney General of the United State be sought should such assistance be needed in providing each of the federal judges with marshalls to carry out the mandates and orders of the judges and to protect the person of the judges should such protection become necessary

FACTUAL BASIS OF THE PETITION

The Petitioner

1. Your petitioner is a 24 year old Negro who resides in Hattiesburg, Mississippi and who is employed by the Student Non-violent Coordinating Committee (SNCC) and the Council of Federated Organizations of Mississippi (COFO).

2. Both of these organizations are civil rights organizations working diligently to eliminate racial segregation and racial discrimination in Mississippi and to secure the vote for the Negro citizens of Mississippi in accordance with the provisions of the Fifteenth Amendment to the United States Constitution.

3. The petitioner, as an employee of COFO and SNCC, has been given the responsibility for directing and supervising the voter registration and political education activities throughout the Fifth Congressional District of Mississippi. In this capacity the petitioner is presently supervising the efforts of a score of voter registration worker. During the summer months the number of voter registration workers supervised by the petitioner shall exceed 200 persons.

The 1964 Summer Program of COFO

4. A copy of one of the several types of brochures of COFO announcing its summer program for activities in Mississippi is attached hereto and specifically incorporated and made a part of this petition.

5. Through public announcements, mailings, newspapers, and other means of mass communication COFO has announced to the national community that COFO is conducting ten (10) daytime Freedom Schools and three (3) resident schools throughout the State of Mississippi which will be the base from which several thousand volunteer voter registration workers will operate. There has been

nationwide appeal for both funds and personnel to carry out the summer program in Mississippi. One of the more recent ones appearing in the Washington Post, May 16, 1964, p. A4. This appeal and the other made previously through news stories carried in the New York Times, the Afro-American and similar newspapers, has resulted in there already being more than 800 applications being processed in the COFO office in Jackson, Mississippi. These persons, mostly northern students, will be in Mississippi during the summer months engaged exclusively in voter education and voter registration.

6. The officials of the state and local governments of Mississippi are aware of the large scale program being implemented by COFO in the Fifth Congressional District and other congressional districts in the State. They know that the program will train and register hundreds of Negro voters unless the officials are successful in their desire to prevent the carrying out of the program. The officials have responded in fright and opposition.

7. Out of awareness of the proclivity of the State for violence and assassination of integration workers, the petitioner and other working with COFO have sought and secured the aid of various legal groups for the summer program being conducted in the Fifth Congressional District and other parts of the State.

See Howard Zinn, "Incident in Hattiesburg" The Nation (May 18, 1964) pp501-504; Jackson Daily News, 21 April 1964, p.12 (Pete Stoner beating); Report on Mississippi, Mississippi Advisory Commission on Civil Rights (Washington, 1963).

COFO'S Involvement of Legal Groups in the Summer Program of 1964.

8. It has been the experience of the petitioner, and his counsel, that all voter registration and political education programs in Mississippi are met with --official and un-official-- beatings, shootings, arrests on spurious charges and other forms of harrassment. The only restrictions seemingly, being the imagination of the perpetrators of the violence. A recent example was provided by the Freedom Vote Campaign conducted by COFO in November of 1963. Fortunately, there were ^{no}/assasinations resulting from the four reported attempts. Poor aim.

9. Experience has taught the petitioner that the only protection afforded, and it is minimal, under such circumstances as shall exist this summer, comes from being able to go into the federal courts for relief from "official" violence and intimidation. There has yet to be discovered any protection from the violence of racist without uniforms.

10. Presently there are only three lawyers in the State willing to handle a racially controversial case and to assert the necessary constitutional defenses. In each instance when an integration worker is arrested the matter is racially controversial. In spite of the heroic efforts and outstanding ability of these three lawyers they are mere humans. They cannot be everywhere in the state. They cannot cope with the enormity of imminent, massive and official repression certain to be inflicted to the 200 voter registration and political education workers under the

supervision of the petitioner in the Fifth Congressional District. The same is true of the other four congressional districts. Out of this obviousness, non-Mississippi lawyers have been contacted by the petitioner and other persons of responsibility in COFO. And these lawyers have responded.

11. The Committee for Legal Assistance to the South (CLAS) of the National Lawyers Guild has responded. During the summer of 1964 at least thirty-eight (38) lawyers in the State.

12. The NAACP Legal Defense & Educational Fund, Inc. has responded. It is presently committed to adding one full time person at Jackson, Mississippi and one full time persons to Memphis, Tennessee. A roatation system of replacing the one person in each of these two offices is planned.

13. Also responding is a group of lawyers headed by Melvin Wulf, Esq. of the American Civil Liberties Union (ACLU). The petitioner, nor his counsel, is not informed as to how many attorneys are involved in the Mississippi Summer Program from this group.

14. In addition to the above groups there will be some indepent lawyers involved such as Arthur Kinoy and William Kunstler.

14. While the response of these lawyers is heartening, even though their number is too small to do the needed job, the good that these approximately fifty (50) lawyers can do will be hopelessly destroyed if the present condition with regard to judges in the federal courts of Mississippi exists: the funneling of efforts through a mere two United States District Judges.

The Activities of the State of Mississippi

16. The State is in the process of increasing the State Highway Patrol from 275 to 475 members. Gadsden Times, 14 May 1964, p. 10.

The State has passed scores of emergency laws for repression: Some of this emergency legislation purports to --

- prohibit picketing of any public building
- ban the conducting of schools without first getting permission from the county clerks
- authorize wholesale house arrests and curfews by local officials
- penalize the teaching that racial laws are unjust
- penalize the giving of information to federal officials
- punishing the entry in the state of persons inclined to violate the segregation laws

17. Many of the local communities have acquired more weapons and are preparing or have prepared concentration centers for imprisoning voter registration and political education workers coming to these cities during the summer. Ruleville and Jackson are two such cities known to the petitioner and his counsel. See "Mississippi: Allen's Army" Newsweek, 24 February 1964, p. , a copy of which is attached.

18. Already the pattern and practice of harrassment in Jackson, Mississippi by use of spurious traffic charges against integration workers combined with beatings in the Jackson jail has increased. Because the officials believe traffic charges are the "safe" device more use will occur as the summer draws closer.

Methods of combatting official violence

19. The petitioner is committed to the philosophy that the best defense is an offense. Already the petitioner has initiated action to have filed for the Fifth Congressional District federal suits attacking the poll tax, Omnibus Integration Suits to force an end of racial segregation in the use of such public facilities as libraries, swimming pools, drinking fountains, courtrooms, toilets, jails, and auditoriums. Petitioner and his counsel are informed that similar preparation is taking place in the other congressional districts.

20. History having shown that justice for a voter education worker in a state court is a rare accident, the petitioner has instructed all persons under his direction to insist that any criminal charge brought against them be removed to the federal courts. Petitioner and his counsel are informed that similar instructions are being given in the other congressional districts.

21. Petitioner has initiated a ction to have suits brought this summer to abolish racial segregation and racial discrimination in those hospitals in the Fifth Congressional District which have received Hill-Burton funds...in the hope that speedy justice will create a situation where any voter registration worker in the Fifth needing medical attention will receive the best available. Petitioner and his counsel are informed that similar plans are being made in the other congressional districts.

22. Petitioner has initiated action which will result in the filing of federal suits for injunctive relief from state and local police in Fifth Congressional District continuing to use traffic laws and other spurious charges as a pattern and practice of harrassment and intimidation of the voter education and voter political education workers in the Fifth. Petitioner and his counsel have knowledge of similar action being planned in other congressional districts of the State.

23. Petitioner has initiate action leading to the imminent filing of federal suits to obtain declaratory and injunctive relief against the newly enacted statutes designed to crush the large scale voter registration and political education activities of the summer to be carried out in the Fifth Congressional District and other parts of the State. Petitioner is informed that other leaders of COFO are weighing the necessity of their filing similar suits.

~~23.~~

Inability of the Two Federal Judges to Cope with the Enormous Case Load arising Out Of the Freedom Summer of 1964.

24. Judicial notice may be taken of the fact that the summer is the period of vacation that for part of the summer there will be only one United State District Judge in the State. The exact time can be establ shed when the two judges announce their vacation period.

25. The petitioner does not assume that the two federal judges are incapable of passing fairly on matters offering an opportunity for the expression of racism, although two recent documents provide strong basis for such conclusions (73 Yale L. J. p.90, et seq; The New York Times, 9 March 1964, p582 containing racist expression attributed to one of the two Mississippi federal judges), for the simple reason that such ~~assumptions~~ ~~assertions~~ are not needed.

Two judges --each of whom is taking a vacation during part of the summer-- can't cope with the volumes of suits any more than the present three Negro lawyers could expect to file those suits. As able as the two judges might be, they are still human.

Conclusion

New occasions teach new duties. What shall happen this summer to get Negroes registered in Mississippi has never happened before in Mississippi or any state. A host of 2,000 will be in the State, a State where the word "integration" not long ago was both inconceivable and profane.

Too preserve the festering racism, racist in and out of official capacities will use there customary savagery. This savagery is too horrendous to contemplate except minutely through the assassinations of persons like Emmett Till, Mack Parker, Herbert Lee, Medgar Evers and Louis Allen. The only protection these

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2,000 young people from the North can expect realistically in Mississippi is a willing and able federal judiciary.

A mere two federal judges are not enough.

There are limits on the physical endurance of two men regardless of how able.

Prayer

Wherefore your petitioner, through counsel, prays that the Chief Judge of the United States Court of Appeals for the Fifth Circuit will --

1. Assign a minimum of five District Judges for standby status for the imminent heavy case load arising out of the COFO Freedom Summer voter registration and voter education program of 1964
2. Request the Attorney General of the United States to assign a minimum of five United States Marshalls to each of the District Judges placed in Mississippi for the summer
3. Permit the further adducing of evidence in support of the petition should for any reason the information herein contained not be as complete in any respect as the Chief Judge might desire.

The petitioner, by counsel _____

Affidavit

I, L. W. Holt, after first being sworn say that as a result of consultation with the petitioner and some of the other persons of leadership in COFO and by reason of recent personal observation of my own in Mississippi --including the cities of Hattiesburg, Jackson, Ruleville, Greenville and Meridian -- ~~XXXXXX~~ that the allegations of this petition are true to the best of my knowledge and belief.

Subscribed and sworn to before me this ___ day of May 1964.

Notary Public

In The

UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

In re APPLICATION OF LAWRENCE T. GUYOT
FOR THE APPOINTMENT OF AT LEAST FIVE
ADDITIONAL FEDERAL JUDGES FOR THE STATE
OF MISSISSIPPI DURING THE MONTHS OF JUNE, JULY,
AUGUST AND SEPTEMBER OF 1964

TO THE HONORABLE ELBERT P. TUTTLE, CHIEF JUDGE
OF THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT:

Now comes your petitioner, Lawrence T. Guyot, through counsel and asks leave of the Chief Judge to file the attached application and petition for the appointment of at least five additional United States District Judges, each accompanied by at least five United States Marshals, to serve the State of Mississippi during the months of June, July, August and September of 1964.

Respectfully,

L. Holt
Lawrence T. Guyot, by counsel

Counsel:

J. A. Jordan, Esq.
1228 E. Virginia Beach
Blvd., Norfolk 4, Va.

Len. W. Holt, Esq.
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Washington 11, D. C.

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08/64

IN THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

In re PETITION OF LAWRENCE T. GUYOT
FOR THE APPOINTMENT OF AT LEAST FIVE ADDITIONAL
FEDERAL JUDGES FOR THE STATE OF MISSISSIPPI DURING
THE MONTHS OF JUNE, JULY, AUGUST AND SEPTEMBER OF 1964

To the Honorable Elbert P. Tuttle, Chief Judge of the
United States Court of Appeals for the Fifth Circuit:

Now comes the petitioner, Lawrence T. Guyot, through counsel and petitions the Chief Judge to appoint an additional five United States District Judges --each accompanied by at least five United States Marshals -- to serve the State of Mississippi during the months of June, July, August and September of 1964.

The Chief Judge is petitioned to exercise his power of appointment pursuant to the provisions of 28 U.S.C. Sections 291 (c), 292 (a) and 292 (b) and other pertinent provisions of the United States Code.

Petitioner further requests that the Chief Judge seek the aid of the Chief Justice of the United States Supreme Court pursuant to 28 U.S.C. 292 (c) and 294 should the aid of the Chief Justice be needed.

Petitioner also asks that the assistance of the Attorney General of the United States be sought should such assistance be needed in providing each of the federal judges assigned to Mississippi with marshals to carry out the mandates and orders of the judges and to protect the person of the judges should such protection become necessary.

FACTUAL BASIS FOR THE PETITION

The Petitioner

1. Your petitioner is a 24 year old Negro who resides in Hattiesburg, Mississippi and who is employed by the Student Non-violent Coordinating Committee (SNCC) and the Council of Federated Organizations of Mississippi, hereafter referred to as COFO.
2. These organizations are civil rights organizations working to eliminate racial segregation in Mississippi and to secure the vote for the Negro citizens of Mississippi.
3. The petitioner, as an employee of COFO and SNCC, has been given the responsibility of supervising the voter registration and political education activities throughout the Fifth Congressional District of Mississippi. Petitioner supervises the efforts, at present, of a score of voter registration workers. During the summer months the number of such voter registration workers supervised by the petitioner shall exceed 200.

The 1964 Summer Program of COFO

4. A copy of one of the several types of brochures of COFO announcing its summer program for Mississippi is attached hereto and is specifically incorporated and made a part of this petition.
5. Through public announcements, mailings, newspapers, and other means of mass communication, COFO has informed the nation that COFO is conducting ten daytime Freedom Schools and three resident schools throughout the State of Mississippi which will be the base from which thousands of volunteer voter registration workers will operate. There has been a nationwide appeal for funds and personnel to carry out this summer program. One of the more recent ones appearing in the Washington Post, 16 May 1964, p. A4. This appeal, along with the others made previously through news stories carried

in the New York Times, the Afro-American and similar newspapers, has resulted in there already being more than 800 applications processed. These applicants --and the others yet to come in-- are mostly northern students and they will be in Mississippi during the summer months devoting their time primarily to voter education and voter registration.

6. The officials of the State and local governments of Mississippi are aware of the large scale program being implemented by COFO in the Fifth Congressional District and the other congressional districts of the State. They know that the program will train and register hundreds of Negro voters unless the officials are successful in carrying out their desire to prevent the implementation of the COFO program. The officials have responded in fright and opposition.

7. Out of awareness of the proclivity of the State for violence and assassination of integration workers, the petitioner and others working with COFO have sought and secured the aid of various legal groups for the summer program being conducted in the Fifth Congressional District and other parts of the State. See Howard Zinn, "Incident in Hattiesburg" the Nation 18 May 1964, pp. 501-504; Jackson Daily News, 21 April 1964, p.12 (Pete Stoner Beating); Report on Mississippi, Mississippi Advisory Committee To The United States Commission on Civil Rights, January 1963, Washington.

COFO'S Involvement of Legal Groups in the Summer Program 1964

8. It has been the experience of the petitioner and his counsel that all voter training and registration programs in Mississippi are met with --official and unofficial-- beatings, shootings, arrests on spurious charges and other forms of harassments . The only restrictions seem to be the imagination of the perpetrators of violence. A recent example was provided by the Freedom Vote Campaign conducted by COFO in November of 1963. Fortunately there were no assassinations resulting from the four reported attempts: luck and poor aim.

9. Experience has taught the petitioner that the only protection afforded, and it is minimal, under such circumstances as shall exist this summer, comes from being able to go into the federal courts for relief from official violence and intimidation. There has yet to be discovered any protection from the violence of racists without uniforms.

10. Presently there are only three lawyers in the State willing to handle a racially controversial case and to assert the constitutional defenses so necessary for the due process. In each instance when an integration worker is arrested the matter is racially controversial. In spite of the heroic efforts and ability of these three lawyers, they are mere humans. The two federal judges assigned to the State are also human. They cannot be everywhere in the State. Neither the three lawyers nor the two judges can cope with the enormity of imminent, massive and official repression which shall be inflicted on the 200 voter registration workers under the supervision of the petitioner in the Fifth Congressional District. The same is true of the four other districts.

Out of this obviousness non-Mississippi lawyers have been contacted by the petitioner and other persons of leadership in COFO. And these lawyers have responded.

11. The Committee for Legal Assistance to the South (CLAS) of the National Lawyers Guild has responded. During the summer of 1964 this Committee is placing forty (40) lawyers in the State.

12. The NAACP Legal Defense & Educational Fund, Inc. has responded. It is presently committed to adding one full time person to Jackson, Miss. and one full time person to Memphis, Tenn. A rotation system of replacing the one person in each of these two offices is planned.

13. Also responding are a group of lawyers headed by the Dean of the School of Law of Boston College, Robert F. Drinan. Neither petitioner nor his counsel is informed as to how many attorneys are being involved in Mississippi by this group --which includes Mel Wulf of the A.C.L.U.

14. In addition to the above groups there will be some independent lawyers such as Arthur Kinoy and William Kunstler of New York City.

15. While the response of these lawyers is heartening, even though their number is too small to do the needed job, the good that these approximately fifty (50) lawyers can do will be hopelessly destroyed if the present conditions with regard to judges in the federal courts of Mississippi exists: a mere two United States District Judges through whom all federal suits must be funneled.

The Activities of the State of Mississippi

16. For the sole purpose of harassing and intimidating those involved in the Freedom Summer Program, the State is increasing the size of the Highway Patrol from 275 to 475 men. Gadsden Times, 14 May 1964, p. 10.

The State has passed and is passing scores of repressive statutes and ordinances. Some of these emergency laws purport to --

--prohibit picketing of any kind near public buildings

--ban the conducting of Freedom Schools unless they first secure the permission of local county clerks

--authorize wholesale house arrests and confinement and curfew by local officials

--penalize the teaching that the racial laws of the State are illegal

--penalize the giving of information to federal officials

--punish the entry into the State of persons inclined to violate the racial laws.

17. Many local communities have acquired more weapons and are preparing concentration centers for imprisoning the summer voter registration workers. Ruleville and Jackson are two such cities known to petitioner and counsel. See "Mississippi: Allen's Army," Newsweek, 24 February 1964 a copy of which is attached to this petition.

18. Already the pattern and practice of harassment in Jackson, Miss. by the use of spurious traffic charges against the voter registration workers combined with jail beatings of those arrested is on the increase. Because the police believe traffic charges are the "safe" device it will be used more as the summer draws closer.

Methods of Combatting Official Violence

19. The petitioner is committed to the philosophy that the best defense is an offense. Already the petitioner has initiated action to have filed for the communities in the Fifth Congressional District federal suits attacking the poll tax and Omnibus Integration Suits to force an end of racial segregation in the use of such public facilities as libraries, swimming pools, drinking fountains, courtrooms, toilets, jails and auditoriums. Petitioner and counsel are informed that similar preparation is taking place in other congressional districts.

20. History has shown that justice for a voter registration worker in a Mississippi state court is a rare accident, the petitioner has instructed all persons under his direction (and those coming for the summer will receive similar direction) to insist that all criminal charges brought against them be removed to federal courts. Petitioner and counsel are informed that similar instructions are being given in other congressional districts.

21. Petitioner has initiated action to have suits filed this summer to abolish racial segregation and racial discrimination in those hospitals in the Fifth Congressional District which have received Hill-Burton funds from the federal government. . . in the hope that speedy justice will create a situation where any voter registration worker in the Fifth needing medical attention will be able to receive the best available. Petitioner and counsel are informed that similar plans are being made in the other congressional districts.

22. Petitioner has initiated action which will result in the filing of federal suits for injunctive relief from state policemen in the Fifth Congressional District continued use of traffic laws and other spurious charges in a pattern and practice of harassment and intimidation of voter registration workers in the Fifth. Petitioner and counsel have knowledge of similar action planned in the other congressional districts.

23. Petitioner has initiated action leading to the imminent filing of federal suits to obtain declaratory judgments and injunctive relief against the newly enacted statutes and ordinances designed to crush the large scale voter education and registration campaign which shall be conducted in the Fifth Congressional District and other parts of the State. Petitioner is informed that other persons of leadership in COFO are weighing the desirability of filing separate federal suits or joining in as party plaintiff in the suit to be filed by your petitioner.

Inability of the Two Federal Judges to Cope With The Enormity Of
Litigation Arising Out of the Freedom Summer of 1964

24 Judicial notice may be taken of the fact that the summer is the period for the two federal judges of Mississippi to take vacations. Therefore, for part of the summer there will be only one federal judge in the State. The exact time can be established when the two judges announce their vacation period.

25. Further, the petitioner specifically adopts and incorporates by reference into this petition "Judicial Performance in the Fifth Circuit," 73 Yale L. J. p.90 (Nov. 1963) insofar as the article discuss the conduct of Judges Mize and Cox of Mississippi...and expresses regret at the truth of the assertions contained in that law review article.

26. The petitioner notes that the capacity of the two federal judges in Mississippi to deal justly with racial matters has been made the subject of comment and petitioner can add little to those comments. See 73 Yale Law Journal p.90 et seq. and the New York Times, 9 March 1964, p42 where federal judge Cox is quoted as saying: "but I am not interested in whether the registrar is going to give a registration test to a bunch of niggers on a voter drive."

Dwelling on the bias or prejudice of the two federal judges against Negroes is unnecessary in considering this petition. Two judges of the most recognized impartiality --regardless of whether they took vacations this summer as the present two judges will do-- could not cope with the enormity of the case volume flowing from the Freedom Summer Program. As able as any two judges might be, they are still human.

C O N C L U S I O N

New occasions teach new duties.

What shall happen this summer to get Negroes registered in Mississippi has never happened before in Mississippi --or any other state. A host of 2,000 will be there giving their all to make real the SNCC slogan "One Man --One Vote." This shall occur in a State where not longer than four years ago the word "integration" was both inconceivable and profane.

To preserve the festering racism, bigots --in and out of uniforms-- will use the customary savagery. This savagery is too horrendous to contemplate except minutely through the instances of the known assassinations of the Emmett Tills, Mack Parkers, Herbert Lees, Medgar Evers and Louis Allens. The only protection these 2,000 young people from the North can hope for is a willing and able federal judiciary. Two judges are not enough.

Prayer

Wherefore your petitioner prays that the Chief Judge of the United States Court of Appeals for the Fifth Circuit will immediately --

1. Assign a minimum of five United States District Judges to standby status for the imminent heavy case load arising out of the COFO Freedom Summer voter education and voter registration program in Mississippi
2. Request the Attorney General of the United States to assign a minimum of five United States Marshals to each of the United States District Judges placed in Mississippi for the summer months.
3. Permit the further adducing of evidence in support of the petition should there for any reason be any matters not as complete herein as the Chief Judge might desire.

The petitioner, by counsel R. W. Holt

Affidavit

I, Len. W. Holt, after first being sworn say that as a result of consultation with the petitioner and some of the other persons of leadership in COFO and by reason of recent personal observations in Mississippi -- including the communities of Hattiesburg, Greenwood, Greenville, Jackson, Meridian and Ruleville -- that the allegations of this petition are true to the best of knowledge and belief.

R. W. Holt

Subscribed to and sworn before me this 18th day of May 1964 in Washington, D.C.
Daniel M. Smith
Notary Public

Certificate of Service. Copies of the foregoing petition were mailed this 21 May 1964 to the following persons:

The Chief Justice of the United States
The Attorney General of the United States
George Crockett, Esq., 3220 Cadillac Tower, Detroit 26, Mich. (CLAS)
Jack Greenberg, Esq., 10 Columbus Circle, NYC (NAACP)
Melvin Wulf, Esq., 156 Fifth Ave., NYC (ACLU)
R. F. Drinan, Esq., Boston College Law School, Brighton 35, Mass.
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