

Earl Warren, resignation from Supreme Court

- 7 May 68 - On the last day Shaw could file for rehearing before Louisiana Supreme Court, Edward Wegmann announces that "we .. intend to seek relief .. in the federal court system."
- 27 May - Shaw attorneys file petition in federal court, New Orleans, asking that further state prosecution be barred. Trial had been scheduled for 11 Jun.
- 5 Jun - Robert Kennedy wins California primary; assassinated.
- 13 Jun - Shaw motion in federal court asks that Ramsey Clark be named a defendant since purpose of Garrison's investigation is to discredit Warren Report; Dymond cites part of U.S. legal code which he says makes it the duty of the attorney general to prosecute or defend any case in which the government has an interest. (Dymond says, 17 Jun, that he believes President Johnson also could be enjoined.)
- Warren telephones Lyndon Johnson to tell him of plans to retire, then goes to White House to present undated letter of resignation [N.O. States-Item, 21 Jun; AP 5 Jul.] Letter says sole reason for retirement is his age, 77.
From story by Anthony Lewis, NYTimes, 15 Nov [filed WC, resignation]: "From the point of view of the Supreme Court, the Chief Justice is known to think it best that any Justice time his retirement for the end of a term in June." Warren's letter does not indicate this entered into his decision; if Lewis is correct, this is an interesting omission, since the Supreme Court began recess 17 Jun. News of planned retirement not made public until 21 Jun.
- 21 Jun - AP [N.O. States-Item] says President Johnson, who expects to leave office when term ends in Jan 69, will be able to name Warren's successor before he leaves.
- 26 Jun - Johnson nominates Abe Fortas to succeed Warren. Garrison says Fortas was instrumental in setting up Warren Commission [States-Item, 14 Aug]. See also Chron. card for 14 Aug, for comments on Fortas by Kenneth Auchincloss and Fred Hoffman.
- Jul - Drew Pearson [7 Dec] says that in July (no exact date given) Johnson asked Warren for advice on new Chief Justice, that Warren suggested Arthur Goldberg.
- 5 Jul - Warren says he will stay on as Chief Justice if Senate fails to confirm Fortas.
- 27 Sep - Shaw files appeal with U.S. Supreme Court, in recess 17 Jun to 7 Oct.
- 2 Oct - Johnson withdraws nomination of Fortas, at latter's request, after Senate makes it clear it will not confirm him.
- 10 Oct - LBJ announces he will not nominate another person now for office of Chief Justice. Warren issues one-sentence statement: "The President's statement speaks for itself and calls for no additional elaboration by me."
- Nov - Drew Pearson [7 Dec] says LBJ told Nixon at a luncheon in November (no exact date given) that he had Goldberg under consideration.
- 3 Dec - Nixon, not yet President and without authority to do so, asks Warren to remain until Supreme Court completes current term next June; Warren agrees to do this.
Drew Pearson [7 Dec] says Nixon's request that Warren remain until June was made "without any consultation whatsoever with Johnson [and has] the earmarks of a quick double-play" to block interim appointment of Goldberg. See Chron card.
Pearson says Warren, because of previous bad relations between him and Nixon, was caught by surprise when latter called, and acquiesced without realizing that it was President Johnson, not Nixon, who until 20 Jan had the authority to accept his resignation.
- 9 Dec - Supreme Court turns down Shaw appeal, Warren abstaining. Order is unsigned; AP says decision was "apparently by an 8-0 vote."
- 20 Dec - Shaw defense "ready to go" and will seek no further delay of the trial.