

WC – Warren Resignation

Earl Warren Resignation From Supreme Court

20 Dec. 68

- 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 June Robert Kennedy wins California primary; assassinated.
- 13 June Shaw asking in Federal Court asks that Ramsey Clark be named a defendant since purpose of Garrison's investigation is to discount Warren Report; Dymond cites suit of U.S. Legal code which he says makes it is the duty of the Attorney General to prosecute or defend any case in which the government has an interest. (Dymond says, 17 June says he believes President Johnson also could be enjoined.)
- Warren telephoned 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; Warren's letter says sole reason for retirement is his age, 77.
- From story by Anthony Lewis (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 resignation 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 24 Jun.
- 21 June 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 June Johnson nominates Abe Fortas to succeed Warren. Garrison says Fortas was instrumental in setting up Warren Commission {N.O. States-Item, 14 Aug.] See also Chron, Card for 14 Aug., for comments on Fortas by Auchinloss and Fred Hoffman.
- July Drew Pearson [7 Dec.] says that in July (no exact given) Johnson asked Warren for advice on new Chief Justice, that Warren Suggested Arthur Goldberg.
- 5 July Warren says he will stay on as Chief Justice if Senate fails to confirm Fortas.
- 27 Sept. 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.

WC – Warren Resignation

- 9 Dec. Supreme Court turns down Shaw appeal, Warren abstaining. Ordered 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.