

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF SOUTH CAROLINA
CHARLESTON DIVISION

Civil Action No. 2657

FILED

MAY 9 1952

WILLIAM L. ALLEN
C.D.C.U.S.E.D.S.C.

HARRY BRIGGS, JR., ET AL.,

Plaintiffs

vs.

R. W. ELLIOTT, Chairman, ET AL.,

Defendants

ASSIGNMENT OF ERRORS AND PRAYER FOR REVERSAL

HARRY BRIGGS, etc., and all the others who are plaintiffs in the above-entitled cause, in connection with their appeal to the Supreme Court of the United States, hereby file the following Assignment of Errors upon which they will rely in their prosecution of said appeal from the order and decree of the District Court entered on March 13, 1952:

1. The District Court erred in refusing to enjoin the enforcement of the laws of South Carolina requiring racial segregation in the public schools of Clarendon County on the ground that these laws violate rights secured under the equal

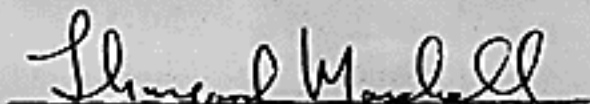
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protection clause of the Fourteenth Amendment.

2. The District Court erred in refusing to grant to appellants immediate and effective relief against the unconstitutional practice of excluding appellants from an opportunity to share the public school facilities of Clarendon County on an equal basis with other students without regard to race or color.

3. The District Court erred in predicating its decision on the doctrine of Plessy v. Ferguson and in disregarding the rationale of Sweatt v. Painter and McLaurin v. Board of Regents.

WHEREFORE, plaintiffs HARRY BRIGGS, etc. and all the others who are plaintiffs in the above-entitled cause, pray that the order and decree of the District Court entered on March 13, 1952, be reversed and for such other relief as the Court may deem fit and proper.


Thurgood Marshall
20 West 40th Street
New York 18, New York

Dated: May 9, 1952

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