



## Boyd v. United States

420 F.2d 379 (1970) | Cited 0 times | Fifth Circuit | January 6, 1970

On July 25, 1969 the District Court entered an order instituting a desegregation plan for this school system. The defendant school board has filed a motion for supplemental relief and stay pending a hearing, or in the alternative, a stay pending appeal. These motions were denied by the District Court. The United States has moved for summary affirmance of the District Court's order.

Under recent decisions of the Supreme Court of the United States and of this Court<sup>1</sup> the order of the District Court be and it is hereby

Affirmed.

Disposition

Affirmed.

1. Under the stringent requirements of *Alexander v. Holmes County Board of Education*, 1969, 396 U.S. 19, 90 S. Ct. 29, 24 L. Ed. 2d 19, which this Court has carried out in *United States v. Hinds County School Board*, 5 Cir., 1969, 417 F.2d 852, this Court has judicially determined that the ordinary procedures for appellate review in school segregation cases have to be suitably adapted to assure that each system, whose case is before us, "begin immediately to operate as unitary school systems". Upon consideration of the record, the Court has proceeded to dispose of this case as an extraordinary matter. Rule 2, F.R.A.P.

