

Justices dissenting (in part): Douglas

664. *Brooks v. Tennessee*, 406 U.S. 605 (1972).

A Tennessee statute that requires a criminal defendant if he is going to testify to do so before any other witness for him violates the Fifth, Sixth, and Fourteenth Amendments.

Justices concurring: Brennan, Douglas, White, Marshall, Powell

Justice concurring specially: Stewart

Justices dissenting: Burger, C.J., Blackmun, Rehnquist

665. *Jackson v. Indiana*, 406 U.S. 715 (1972).

Indiana's pretrial commitment procedure for allegedly incompetent defendants, which provides more lenient standards for commitment than the procedure for those persons not charged with any offense, and more stringent standards for release, violates both due process and equal protection.

666. *James v. Strange*, 407 U.S. 128 (1972).

A Kansas statute enabling the state to recover in subsequent civil proceedings legal defense fees for indigent defendants violates the Equal Protection Clause because it dispenses with the protective exemptions that state law erected for other civil judgment debtors.

667. *Fuentes v. Shevin*, 407 U.S. 67 (1972).

Florida's replevin statutes, which permit installment sellers or other persons alleging entitlement to property to cause the seizure of the property without any notice or opportunity to be heard on the issues, violate the Due Process Clause.

Justices concurring: Stewart, Douglas, Brennan, Marshall

Justices dissenting: White, Blackmun, Burger, C.J.

668. *Parham v. Cortese*, 407 U.S. 67 (1972). *Pennsylvania's replevin statute, which permits installment sellers to cause the seizure of property without affording notice or opportunity to contest to the persons possessing the property, violates the Due Process Clause.* Same division of Justices as *Fuentes v. Shevin*.

669. *State Dep't of Health & Rehab. Servs. v. Zarate*, 407 U.S. 918 (1972).

A district court decision holding unconstitutional under the Equal Protection Clause Florida's denial of welfare assistance to noncitizens is summarily affirmed.

670. *United States v. Scotland Neck City Bd. of Educ.*, 407 U.S. 484 (1972).

A North Carolina statute that authorized the creation of a new school district in a city that was part of a larger county school system