

770. *Lockett v. Ohio*, 438 U.S. 586 (1978).

An Ohio statute authorizing imposition of death penalty upon conviction of first-degree murder unconstitutionally restricted consideration of mitigating factors by the sentencing party.

Justices concurring: Burger, C.J., Stewart, Powell, Stevens

Justices concurring specially: White, Marshall, Blackmun

Justices dissenting: Rehnquist

771. *Duren v. Missouri*, 439 U.S. 357 (1979).

A Missouri statute, implementing a constitutional provision, which provides for the excusal of any women requesting exemption from jury service, operates to violate the fair cross section requirement of Sixth and Fourteenth Amendments because of the under representation of women jurors that results.

Justices concurring: White, Brennan, Stewart, Marshall, Blackmun, Powell, Stevens, Burger, C.J.

Justice dissenting: Rehnquist

772. *Colautti v. Franklin*, 439 U.S. 379 (1979).

Provisions of a Pennsylvania abortion law that require the physician to make a determination that the fetus is not viable and if it is viable to exercise the same care to preserve the fetus' life and health that would be required in the case of a fetus intended to be born alive are void for vagueness under the Due Process Clause of the Fourteenth Amendment.

Justices concurring: Blackmun, Brennan, Stewart, Marshall, Powell, Stevens

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

773. *Illinois State Bd. of Elections v. Socialist Workers Party*, 440 U.S. 173 (1979).

An Illinois law requiring new political parties and independent candidates to obtain signatures of 5% of the number of persons who voted at the previous election for such office in order to get on the ballot in political subdivisions of the state, insofar as it applies to mandate the obtaining of a greater number and proportion of signatures than is required to get on the ballot for statewide office, lacks a rational basis and violates the Equal Protection Clause of the Fourteenth Amendment.

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

Justices concurring specially: Blackmun, Stevens, Rehnquist, Burger, C.J.

774. *Orr v. Orr*, 440 U.S. 268 (1979).

An Alabama statute that imposes alimony obligations on husbands but not on wives violates the Equal Protection Clause of the Fourteenth Amendment.