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Memos and Letters to Law Clerks

Miscellaneous

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Summer 8-27-1993

## Letter to RJM from Jeffrey A. Van Detta

Jeffrey A. Van Detta

# KILPATRICK & CODY

1100 Peachtree Street  
Atlanta, Georgia 30309-4530

*Rjm has original*

August 27, 1993

Hon. Roger J. Miner  
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U.S. Second Circuit Court  
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U.S. Courthouse  
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Dear Judge:

Kathleen and I wanted to let you and Jackie know how good it was to see you both at this year's Annual Clerks' Brunch. We were very glad to see how well you were doing. We also enjoyed the opportunity to tour your beautiful new home and spend one of the most enjoyable afternoons we can remember with the two of you and the rest of our chambers "family."

I very much enjoyed your Seton Hall Law Review piece. I noted with interest your point (at pages 838-39) that the Third Amendment has yet to be "incorporated" into the Fourteenth Amendment. I suppose that there have not been many occasions since 1866 when a state has sought to quarter troops in private homes, but with the recent advent of "Clintonomics," the federal courts may yet have to face that issue!

A case that you might find interesting in connection with the theme of that article is Corfield v. Coryell, 6 F. Cas. 546 (C.C.E.D. Pa. 1823) (No. 3230), involving the privileges and immunities clause of Article IV. In Corfield, Justice Bushrod Washington extensively discussed individual rights "which are in their nature, fundamental" and "which belong, of right, to the citizens of all free governments; and which have, at all times, been enjoyed by the citizens of the several states which compose this Union from the time of their becoming free, independent, and sovereign." 6 F. Cas. at 551.

KILPATRICK & CODY

On a parting note, please find enclosed a few  
souvenirs of Atlanta.

Best wishes.

Sincerely,



Jeffrey A. Van Detta

JAV:pw  
Encls.