

08/02/68 SCANBE MANUFACTURING COMPANY v. WILLIAM

[1] UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

[2] No. 22060

[3] 1968.C09.348 <<http://www.versuslaw.com>>, 400 F.2d 598

[4] August 2, 1968

[5] **SCANBE MANUFACTURING COMPANY, APPELLANT,**
v.
WILLIAM TRYON, ETC., AND UNITED STATES MARSHAL, APPELLEES

[6] Johnsen,* Browning and Carter, Circuit Judges.

[7] The opinion of the court was delivered by: Per Curiam

[8] The district court held that "the injunction signed only by a deputy clerk of the District Court is void" for want of a judicial signature. Section 1691 of Title 28, U.S.C. (which was not called to the attention of the district court) provides that "All writs and process issuing from a court of the United States shall be under the seal of the court and signed by the clerk thereof " (emphasis added).

[9] In view of the clear provisions of the statute, the judgment must be reversed.

Opinion Footnotes

[10] * Honorable Harvey M. Johnsen, Senior Judge, United States Court of Appeals for the Eighth Circuit, sitting by designation.

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