

1 MR. SYKES: I would move that the specific
2 time limit be deleted, and the word, time, be inserted
3 in front of, petition, instead. I am afraid that this
4 gives a possibility for a tactical choice to Federal
5 courts over the State courts and another instance of sub-
6 ordination of State to Federal power by people who are
7 wisely counseled and who feel there may be procedural
8 or other advantages in getting the case into Federal
9 Court and keeping it completely out of the State. So I
10 make the motion.

11 THE CHAIRMAN: Is there a second?

12 MR. CLAGETT: I second it.

13 THE CHAIRMAN: Mr. Sykes, without restating
14 your reasons, would you elaborate on the second point of
15 your part a little bit for the benefit of the Commission
16 who are not lawyers and perhaps not familiar with the
17 legal principle announced by the Supreme Court to which
18 you refer?

19 MR. SYKES: You mean the extension point?

20 THE CHAIRMAN: The question of whether the
21 Federal courts would have jurisdiction if there were a