

# United States v. Nixon / How the Case Moved Through the Court System

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## Supreme Court of the United States

In a special session, the U.S. Supreme Court considered two issues: 1) Do the courts have the jurisdiction to hear a case involving a dispute within the executive branch? 2) Does the president have the power of absolute executive privilege and, if so, does that privilege prevail over the demands of the subpoena in this case? The Court ruled that it does have jurisdiction and that the president's power is not absolute. Therefore, the president must comply with the subpoena and turn over the tapes.

*United States v. Nixon* (July 24, 1974)



## U.S. Circuit Court of Appeals

President Nixon appealed the District Court's decision to the U.S. Court of Appeals. However, the Court of Appeals did not hear the case because it moved directly to the U.S. Supreme Court. The special prosecutor asked the highest Court to hear the case in the interest of achieving a final resolution.



## U.S. District Court

Ruled against President Nixon and supported the subpoena by saying that the president must turn over the tapes.

*United States v. Mitchell* (May 20, 1974)



*President Nixon released edited transcripts of 43 conversations, 20 of which had been subpoenaed. The president refused to release more material and tried to ignore the subpoena.*

## U.S. District Court

A judge issued a subpoena ordering President Nixon to turn over certain tape recordings of specifically named advisers and aides on particular dates.

*In re Subpoena to Nixon* (August 29, 1973)