

Appeal May Delay Park Suit Hearing

A single plaintiff in the Overton Park expressway dispute filed a motion in federal court yesterday noting that she plans to appeal a ruling which denies applicability of the National Environmental Policy Act to the case.

Mrs. Sunshine K. Snyder, one of the original plaintiffs, asked that United States Dist. Judge Bailey Brown halt all proceedings in the case pending a decision by the Sixth Circuit Court of Appeals in Cincinnati.

Judge Brown denied the plaintiffs' motion to apply the stringent environmental act to the case on June 24. J. Alan Hanover, attorney for the Tennessee Highway Department, had said the act did not become effective until Jan. 1, 1970, and that the park suit was filed on Dec. 2, 1969. "Neither Congress nor the courts intended the act to be retroactive," he said.

Judge Brown has set a full hearing in the case for Sept. 27, but the appeal of his June 24 ruling could delay that hearing.

*Q.A. Aug. 17, 1971
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second ed.)*