

OPB 19-14
71-50

Court Rejects I-40 Appeal

The United States Sixth Circuit Court of Appeals in Cincinnati ruled yesterday that Interstate 40 may be paved to within 1.7 miles of the eastern edge of Overton Park.

United States Dist. Judge Bailey Brown had ruled June 24 a 4-mile stretch of the highway could be completed from White Station Road to Bon Air, 1.7 miles east of the park.

His ruling denied an injunc-

tion sought by plaintiffs in the case. Mrs. Sunshine K. Snyder, an individual plaintiff, then appealed his ruling on Aug. 20, but the Cincinnati court denied the appeal yesterday.

The ruling cited sections of the United States Rules of Civil Procedure pertaining to the filing of "frivolous" appeals.

CA.
Nov. 11, 1971