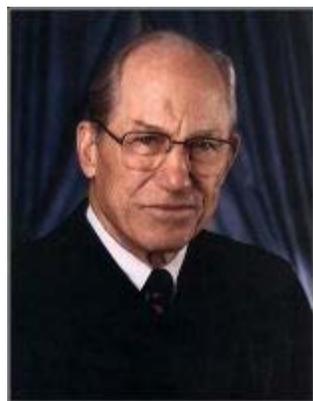




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Byron Raymond White

Born June 18, 1917 in Fort Collins, Colorado and raised in nearby Wellington, Colorado.

Died April 15, 2002.

An Incredible Athlete

After leading the University of Colorado to its first bowl appearance ever, Byron White was named as a member of the All-American Football Team in 1937. In 1938, he played professional football for the Pittsburgh Pirates (now Steelers). During CU's undefeated football season of 1937, he played on offense, defense and as a kicker. Through eight games he rushed for 1,121 yards. Sixty-five years after he played, fifteen CU football records are still held by Byron White.



BYRON 'WHIZZER' WHITE 1937

An athletic phenomenon, Byron White was also a superb basketball player and a .400 hitter in baseball (his favorite sport) at CU. Although he disliked the sports nickname, "Whizzer," bestowed on him during his days at CU, the nickname stuck and followed him throughout his life. He played two more seasons in the NFL (Detroit Lions, 1940-1941). His name is still connected to pro football through the Byron "Whizzer" White Award, which is given annually to one NFL player for humanitarian efforts in his community.



Byron White in his CU uniform, 1937



Courtroom 4

The historic circuit library.

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A Remarkable Mind



March 2, 1939: Byron White at Oxford University. A British newspaper called him "Whizzer, and referred to him as a "U.S. footballer and Rhodes scholar."

Byron White was valedictorian at the University of Colorado, was a member of Phi Beta Kappa, and was a Rhodes scholar.

Byron White served as a naval intelligence officer during World War II. He received his law degree at Yale in 1946 and was a law clerk to U.S. Supreme Court Chief Justice Frederick Moore Vinson, 1946-1947.



Display case at the Byron White U.S. Courthouse, Denver, Colorado. Included are his CU football jersey, a football signed by the 1941 Detroit Lions, and a photo of Byron White in his naval uniform.



May 19, 1961: Deputy Attorney General Byron White speaks with Attorney General Robert Kennedy.

Byron White then entered private practice in Denver, Colorado. In 1961, he was appointed Deputy Attorney General of the United States by President Kennedy.

President Kennedy named Byron White to the Supreme Court in 1962. Byron White served as justice on the Supreme Court until he retired in 1993.



June 7, 1962: Washington, D.C.
Supreme Court Justice Byron White in
his office.

LAW CLERK RECOLLECTIONS OF

JUSTICE BYRON R. WHITE - THE MAN BEHIND THE LEGEND

By: David M. Ebel, Judge, United States Court of Appeals for the Tenth Circuit, and former law clerk to Justice Byron R. White during the 1965 October Term of the Supreme Court.

The problem with being a legend in your own time, as Justice White was, is that it is often difficult to see the real person behind the legend. That problem is exacerbated when the person is intensely private and modest.

However, Justice White's law clerks were privileged to work by his side every day, and following their clerkships, they continued a friendship with him. Consequently, we law clerks have amassed a treasury of stories about Justice White. From some of these stories, we can get a glimpse of the man behind the legend.

* * * * *

It was a cold November day and there had been a near record snow storm in Washington. My fellow clerk and I had finally arrived at the Court about three hours late, but the Justice was nowhere to be seen. We called his house, only to discover that he had left home very early that morning. After much stewing about the missing Justice, he finally showed up, oblivious to our concerns. He had simply been busy shoveling people out of snow drifts and pushing stuck cars - just like anyone would do for another person in need.

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A clerk who had drafted the fact section of an opinion was called in by the Justice and told to remove all references to the name of a police officer who had inadvertently conducted an unconstitutional search. "No sense embarrassing that fellow before his fellow cops" was the only explanation offered.

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During a robust game of basketball in the Court gymnasium, Justice White's massive hand "inadvertently" smashed the glasses off of one of the clerks and broke them. After the game, the Justice called one of his prior clerks from the previous year and said, "Hey, I've got a new clerk here who has a problem with his glasses. Where did you used to get yours fixed?" When the new clerk took his broken glasses to the recommended optician, the only sympathy he got from the optician was, "You work for that man White? He is an animal. You have to get contacts."

* * * * *

A clerk and his wife had nervously listed Justice White as a reference on their application to adopt an abandoned child from Chile. The Chilean official overseeing the adoption, who referred to himself as El Presidente, refused to approve the adoption until he could personally come to Washington for a meeting with the famous Whizzer White in order to "check on the references." El Presidente arrived at the Court while the Justice was in conference with the other Justices. However, Justice White immediately left the conference and spent the next half hour warmly visiting with El Presidente and his entourage and assuring him that the law clerk was a person of flawless character. The adoption was approved.

* * * * *

Of course, El Presidente was not the only person to whom Justice White spoke generously about his law clerks. He would often introduce a clerk with an adjective like "the Great," or "the Famous" law clerk. Most meaningful were his generous conversations with the law clerks' awe-struck parents, each of whom heard the same story from the Justice about what a fine young man or woman they had raised.

* * * * *

Thanksgiving Day dinner at the Whites was a tradition that they often shared with law clerks who were far away from their own families during the holidays. Those occasions involved long walks in the woods, efforts (successful by the Justice but rarely by the law clerks) to ride a unicycle, competitive board games, and always a humble man bowed at prayer before the Thanksgiving feast asking for blessings upon the less fortunate.

* * * * *

Extracurricular activities abounded with Justice White. He delighted in putting competitions in his chambers with the clerks to see who could putt a golf ball from the clerks' office, through the secretary's office and into his office so that the ball passed between two legs of a particular sofa. Anything could be turned into a competition. Once he observed the clerks shooting rubber bands into the air to land into the light fixture and, rather than chastising them, he promptly converted it into a contest and joined in himself. There were also ball games, golf outings and tours of the National Gallery of Art, which tours resembled a cross between taking an art history course and running the Boston marathon.

* * * * *

And always there were questions from Justice White. He wanted to know details about the life of every person he ever met and every place he ever visited. But, if he were asked about himself, the answers became more guarded. Once, he and I were in an Indian jewelry store and the Justice had been interrogating the elderly proprietor about her background and how Indian jewelry was made. She finally turned to him and asked who he was. His answer: "Oh, I just work for the government." Then, with a characteristic twinkle in his eye, he put his hand on my shoulder and said "But my friend here is a United States judge."

* * * * *

Well, several years after he retired, Justice White had much of his personal memorabilia shipped to the Tenth Circuit Court of Appeals in Denver, where the courthouse is named after him. Day after day, he and Mrs. White would come to the court and we would open a box or two of his lifetime memories. By then, Justice White was having a great deal of difficulty speaking, but he obviously knew every detail of each item carefully being unwrapped. One day we came upon his old high school notebook. He immediately began to point to it, and he said, "If, If, If." I did not understand what he meant until I opened the notebook and found the poem "If" by Rudyard Kipling copied in the Justice's own hand. He probably had not seen that notebook for sixty years, yet instantly he knew it contained something very important to him. Let me share a few select passages from "If" as I read that poem to Justice White that day:

If you can keep your head when all about you
Are losing theirs and blaming it on you,
If you can trust yourself when all men doubt you,
But make allowance for their doubting too;
And yet don't look too good, nor talk too wise:

If you can dream -- and not make dreams your master;
If you can think -- and not make thoughts your aim;
If you can meet Triumph and Disaster

And treat those two imposters just the same;

If you can talk with crowds and keep your virtue,
Or walk with Kings-- nor lose the common touch,
If you can fill the unforgiving minute
With sixty seconds' worth of distance run,
Yours is the Earth and everything that's in it,
And -- which is more -- you'll be a Man, my son!

After I finished, Justice White was quiet for a very long time, and there was a far away look in his eye.

So, what kind of man was Byron White - the Man behind the legend? He was a modest man; a kind man; a family man who began every public speech with the words "Marion and I"; a man who loved competition, both physical and intellectual; a man of faith; a life-long friend. And his law clerks, one hundred strong, join me today to say "Goodbye friend, and may God bless you."

"Mr. Chairman, I urge the adoption of the Resolutions."



In 1994, the Byron White U.S. Courthouse was dedicated in Denver, Colorado

Reflections on Byron White



Bust of Byron White in the Byron White U.S. Courthouse, Denver, Colorado

"Justice White was excellent in everything he did, from the day he arrived at the University of Colorado as a freshman, to his death today," said Law Dean Harold Bruff. "He was a fine lawyer, a fine Justice and a fine man."

"Byron White was already a national hero to sports fans when I first met him in Pearl Harbor during World War II. I knew immediately that he was the kind of person that I would want as a friend."--Supreme Court Justice John Paul Stevens

"Justice White was an extraordinary man. His intellect and contributions as a justice of the Supreme Court spanned 31 years, and his careful imprint will be felt for a great many more years."--Supreme Court Justice Sandra Day O'Connor

An extraordinary individual

**United States Court of Appeals
for the Tenth Circuit
The Byron White U.S. Courthouse
1823 Stout Street, Denver, CO 80257**