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STUDENT NOTES

Judicial Abstention in the Federal Courts—Its Origin, Purposes and Application

In the early years of the twentieth century, two major constitutional decisions by the Supreme Court threw into sharp focus the problem of federal equitable interference with state legislative and administrative action. In *Ex parte Young*,¹ the Court established as a general rule that a suit to enjoin a state official from acting in a matter alleged to violate the federal constitution is not a suit "against one of the United States" and therefore is not excluded from federal judicial power. In *Home Tel. & Tel. Co. v. City of Los Angeles*,² the Court held that acts of state officials under color of their office constitute state action within the coverage of the fourteenth amendment even though the acts are contrary to state law. These two

¹ 209 U.S. 123 (1908).

² 227 U.S. 278 (1913).