

355 U. S.

Per Curiam.

## IN RE LAMKIN.

ON PETITION FOR WRIT OF CERTIORARI TO THE COURT OF  
CRIMINAL APPEALS OF TEXAS.

No. 275, Misc. Decided November 18, 1957.

Certiorari denied.

The judgment below rests on an adequate state ground since petitioner, in filing his application for habeas corpus in the state court, failed to comply with applicable state procedures.

The stay is continued to December 18, 1957, to afford petitioner an opportunity to file application for relief in the appropriate state court, and in event of denial of same in the highest court of the State, to renew in this Court an application for writ of certiorari.

Reported below: 164 Tex. Cr. R. —, 301 S. W. 2d 922.

Petitioner *pro se*.

*Will Wilson*, Attorney General, and *E. M. DeGeurin* and *George P. Blackburn*, Assistant Attorneys General, filed a brief for the State of Texas in opposition to the petition for writ of certiorari.

PER CURIAM.

The petition for writ of certiorari is denied. The judgment below rests on an adequate state ground since petitioner, in filing his application for habeas corpus in the state court, failed to comply with applicable state procedures. See *Fox Film Corp. v. Muller*, 296 U. S. 207 (1935). The stay heretofore entered is continued through December 18, 1957, to afford petitioner an opportunity to file with due diligence a proper application for relief in the appropriate state court, and in the event of a final denial of same in the highest court of the state, to renew in this Court an application for writ of certiorari. See *Tenner v. Dullea*, 314 U. S. 692 (1941).