

361 U. S.

November 23, 1959.

MURPHY *v.* COMMISSIONER OF EDUCATION OF
THE STATE OF NEW YORK.

APPEAL FROM THE COURT OF APPEALS OF NEW YORK.

No. 419. Decided November 23, 1959.

Appeal dismissed and certiorari denied.

Reported below: 4 N. Y. 2d 140, 149 N. E. 2d 705.

Edward M. Horey for appellant.*Charles A. Brind* for appellee.

PER CURIAM.

The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

BREATON *v.* UNITED STATES.ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT.

No. 54, Misc. Decided November 23, 1959.

Certiorari granted; judgment vacated and case remanded for consideration in light of Public Law 86-320, 73 Stat. 590.

Petitioner *pro se*.*Solicitor General Rankin* for the United States.

PER CURIAM.

The motion for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. The judgment is vacated and the case is remanded to the District Court for further consideration in the light of Public Law 86-320, approved September 21, 1959, 73 Stat. 590.