

Per Curiam.

WILDE v. WYOMING ET AL.

ON PETITION FOR WRIT OF CERTIORARI TO THE SUPREME COURT OF WYOMING.

No. 645, Misc. Decided May 16, 1960.

Certiorari granted; judgment vacated; and case remanded for hearing on petitioner's allegations in his petition for writ of habeas corpus that he "had no counsel present" when he pleaded guilty to second-degree murder and that the prosecutor suppressed testimony favorable to petitioner.

Petitioner *pro se*.

Norman B. Gray, Attorney General of Wyoming, and *W. M. Haight*, Deputy Attorney General, for respondents.

PER CURIAM.

The motion for leave to proceed *in forma pauperis* and the petition for writ of certiorari are granted. In petitions for writs of habeas corpus, filed with the Second Judicial District Court of the State of Wyoming and with the Wyoming Supreme Court, the petitioner alleged, among other grounds for relief, that his plea of guilty to second degree murder in December 1945, upon which he received a life sentence, was induced when he "had no counsel present" and that the prosecutor wilfully suppressed the testimony of two eyewitnesses to the alleged crime which would have exonerated the petitioner. It does not appear from the record that an adequate hearing on these allegations was held in the District Court, or any hearing of any nature in, or by direction of, the Supreme Court. We find nothing in our examination of the record to justify the denial of hearing on these allegations. The judgment is therefore vacated and the case is remanded for a hearing thereon. *Pennsylvania ex rel. Herman v. Claudy*, 350 U. S. 116; *Sublett v. Adams*, 362 U. S. 143.