

GRABINA *v.* UNITED STATES.

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT.

No. 851, Misc. Decided April 16, 1962.

Certiorari granted; judgment vacated; and case remanded to District Court for resentencing.

Reported below: 295 F. 2d 792.

Petitioner *pro se*.

*Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Theodore George Gilinsky* for the United States.

## PER CURIAM.

In light of the concession by the Solicitor General and upon an examination of the entire record, 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 resentencing.

MR. JUSTICE FRANKFURTER and MR. JUSTICE WHITE took no part in the consideration or decision of this case.