

BARNES *v.* NORTH CAROLINA.

ON PETITION FOR WRIT OF CERTIORARI TO THE SUPREME
COURT OF NORTH CAROLINA.

No. 385, Misc. Decided October 14, 1963.

Certiorari granted; judgment vacated; and case remanded.

Samuel S. Mitchell for petitioner.

Thomas Wade Bruton, Attorney General of North Carolina, and *James F. Bullock*, Assistant Attorney General, for respondent.

PER CURIAM.

The motion for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated and the case is remanded to the Supreme Court of North Carolina for further consideration in light of *Gideon v. Wainwright*, 372 U. S. 335.

MR. JUSTICE HARLAN, for the reasons stated in his dissenting opinion in *Pickelsimer v. Wainwright*, ante, p. 3, would have withheld disposition of this petition for certiorari until the disposition, after argument, of that case.