

Per Curiam.

377 U.S.

## CLINTON v. VIRGINIA.

CERTIORARI TO THE SUPREME COURT OF APPEALS OF  
VIRGINIA.

No. 294. Argued April 27, 1964.—Decided May 4, 1964.

204 Va. 275, 130 S. E. 2d 437, reversed.

*Calvin H. Childress* argued the cause and filed a brief for petitioner.

*D. Gardiner Tyler*, Assistant Attorney General of Virginia, argued the cause for respondent. With him on the briefs was *Robert Y. Button*, Attorney General of Virginia.

## PER CURIAM.

The motion to strike the supplemental brief on behalf of the respondent is denied. The judgment is reversed. *Silverman v. United States*, 365 U. S. 505; *Ker v. California*, 374 U. S. 23.

MR. JUSTICE CLARK, concurring: Since the Court finds that the "spiked" mike used by the police officers penetrated petitioner's premises sufficiently to be an actual trespass thereof, I join in the judgment.

MR. JUSTICE WHITE dissents.