

TRALINS *v.* GERSTEIN, STATE ATTORNEY.

ON PETITION FOR WRIT OF CERTIORARI TO THE DISTRICT
COURT OF APPEAL OF FLORIDA, THIRD DISTRICT.

No. 246. Decided June 22, 1964.

Certiorari granted and judgment reversed.

Reported below: 151 So. 2d 19.

Richard Yale Feder and *Howard W. Dixon* for petitioner.

Richard W. Ervin, Attorney General of Florida, *Herbert P. Benn* and *Leonard R. Mellon*, Assistant Attorneys General, and *Glenn C. Mincer* for respondent.

PER CURIAM.

The petition for a writ of certiorari is granted, and the judgment is reversed. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS would reverse for the reasons stated in the opinion of MR. JUSTICE BLACK in *Jacobellis v. Ohio*, ante, p. 196. MR. JUSTICE BRENNAN and MR. JUSTICE GOLDBERG would reverse for the reasons stated in the opinion of MR. JUSTICE BRENNAN in *Jacobellis*, ante, p. 184. MR. JUSTICE STEWART would reverse for the reasons stated in his opinion in *Jacobellis*, ante, p. 197. THE CHIEF JUSTICE, MR. JUSTICE CLARK, MR. JUSTICE HARLAN, and MR. JUSTICE WHITE are of the opinion that certiorari should be denied.