

378 U.S.

Per Curiam.

RUARK *v.* COLORADO.ON PETITION FOR WRIT OF CERTIORARI TO THE SUPREME  
COURT OF COLORADO.

No. 1173, Misc. Decided June 22, 1964.

Certiorari granted; judgment vacated; and case remanded.

Petitioner *pro se*.

*Duke W. Dunbar*, Attorney General of Colorado, *Frank E. Hickey*, Deputy Attorney General, and *John E. Bush*, Assistant Attorney General, for respondent.

PER CURIAM.

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 Supreme Court of Colorado for consideration in light of *Douglas v. California*, 372 U. S. 353.

MR. JUSTICE HARLAN, dissenting.

For the reasons stated in my dissenting opinion in *Smith v. Crouse*, *ante*, p. 584, I would set this case for argument.