

378 U. S.

Per Curiam.

FOX ET AL. v. NORTH CAROLINA.

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

No. 5. Decided June 22, 1964.

Certiorari granted; judgment vacated; and case remanded.

Reported below: 254 N. C. 97, 118 S. E. 2d 58.

Jack Greenberg, James M. Nabrit III, Samuel S. Mitchell, George E. Brown, William T. Coleman, Jr., Louis H. Pollak, Charles A. Reich and Spottswood W. Robinson III for petitioners.

T. W. Bruton, Attorney General of North Carolina, and *Ralph Moody*, Assistant Attorney General, for respondent.

PER CURIAM.

The petition for writ of certiorari is granted, the judgment vacated and the case remanded to the Supreme Court of North Carolina for consideration in light of *Robinson v. Florida, ante*, p. 153.

MR. JUSTICE DOUGLAS would reverse outright on the basis of the views expressed in his opinion in *Bell v. Maryland, ante*, p. 242.

MR. JUSTICE BLACK, MR. JUSTICE HARLAN and MR. JUSTICE WHITE dissent.