

ORDERS FROM MAY 3 THROUGH
JUNE 7, 1965.

MAY 3, 1965.

Miscellaneous Orders.

No. 1044, Misc. FOSTER *v.* BOLES, WARDEN;

No. 1072, Misc. WHITE *v.* HEINZE, WARDEN;

No. 1087, Misc. STILTNER *v.* RHAY, PENITENTIARY
SUPERINTENDENT, ET AL.; and

No. 1104, Misc. KROEGER *v.* CALIFORNIA. Motions
for leave to file petitions for writs of habeas corpus
denied.

No. 1054, Misc. GONZALES *v.* CALIFORNIA;

No. 1089, Misc. EDGERTON *v.* NORTH CAROLINA;

No. 1090, Misc. DOWNER *v.* CALIFORNIA; and

No. 1108, Misc. STEVENSON *v.* CHAPPELL, CHAIRMAN,
U. S. BOARD OF PAROLE, ET AL. Motions for leave to file
petitions for writs of habeas corpus denied. Treating the
papers submitted as petitions for writs of certiorari,
certiorari is denied.

No. 941, Misc. SKOLNICK *v.* HASTINGS ET AL., U. S.
CIRCUIT JUDGES. Motion for leave to file petition for
writ of mandamus and/or prohibition and for other relief
denied.

Certiorari Granted. (See also No. 923, *ante*, p. 126; and
No. 958, *ante*, p. 129.)

No. 806. BROWN ET AL. *v.* LOUISIANA. Sup. Ct. La.
Certiorari granted. *Carl Rachlin, Robert F. Collins, Nils
R. Douglas* and *Floyd McKissick* for petitioners. *Jack
P. F. Gremillion*, Attorney General of Louisiana, and
Carroll Buck, First Assistant Attorney General, for
respondent.

May 3, 1965.

381 U. S.

No. 824, Misc. *KENT v. UNITED STATES*. C. A. D. C. Cir. Motion of Elyce Zenoff Ferster et al. for leave to file a brief, as *amici curiae*, granted. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Case transferred to appellate docket. *Myron G. Ehrlich* and *Richard Arens* for petitioner. *Solicitor General Cox* for the United States. Reported below: — U. S. App. D. C. —, 343 F. 2d 247.

Certiorari Denied. (See also Misc. Nos. 1054, 1089, 1090 and 1108, *supra*.)

No. 688. *KRISTOVICH, PUBLIC ADMINISTRATOR v. SHU TONG NG*. Dist. Ct. App. Cal., 2d App. Dist. Certiorari denied. *Harold W. Kennedy* and *George W. Wakefield* for petitioner. *Hiram W. Kwan* for respondent. *Solicitor General Cox* filed a memorandum for the United States. Reported below: 228 Cal. App. 2d 160, 39 Cal. Rptr. 254.

No. 982. *STIRONE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Lloyd F. Engle, Jr.*, for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 341 F. 2d 253.

No. 984. *FERINA v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Walter A. Raymond* and *Kenneth C. West* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Marshall Tamor Golding* for the United States. Reported below: 340 F. 2d 837.

No. 986. *ROSENZWEIG v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Joseph Henry Wolf* and *Paul Wyler* for petitioner. *Solicitor General Cox* for the United States.

381 U. S.

May 3, 1965.

No. 981. *WHITESIDE v. CONNECTICUT*. Sup. Ct. Err. Conn. Certiorari denied. Petitioner *pro se*. *Ralph H. Clark* for respondent.

No. 988. *ALLIED CENTRAL STORES, INC. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. *Percy W. Phillips* for petitioner. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Gilbert E. Andrews* and *Norman H. Wolfe* for respondent. Reported below: 339 F. 2d 503.

No. 989. *SHAHADI v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *George P. Walker* and *Robert M. Taylor* for petitioner. *Solicitor General Cox* for the United States. Reported below: 340 F. 2d 56.

No. 991. *SUMMERLIN v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. *Josiah Lyman* and *Sophie B. Lyman* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Daniel H. Benson* for the United States.

No. 998. *TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS LOCAL UNION 612 v. NATIONAL LABOR RELATIONS BOARD*. C. A. 5th Cir. Certiorari denied. *David Previant* and *L. N. D. Wells, Jr.*, for petitioner. *Solicitor General Cox, Arnold Ordman, Dominick L. Manoli, Norton J. Come* and *Allison W. Brown, Jr.*, for respondent. Reported below: 337 F. 2d 697.

No. 999. *GODENY ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 3d Cir. Certiorari denied. *Robert M. Taylor* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer* and *I. Henry Kutz* for respondent. Reported below: 339 F. 2d 262.

May 3, 1965.

381 U. S.

No. 1005. *MCNEIL v. UDALL*, SECRETARY OF THE INTERIOR. C. A. D. C. Cir. Certiorari denied. *Leif Erickson* and *Ellis Lyons* for petitioner. *Solicitor General Cox*, *Acting Assistant Attorney General Williams*, *Roger P. Marquis* and *Thos. L. McKeivitt* for respondent. Reported below: — U. S. App. D. C. —, 340 F. 2d 801.

No. 1007. *FERRY ET AL. v. UDALL*, SECRETARY OF THE INTERIOR, ET AL. C. A. 9th Cir. Certiorari denied. *Elmer C. Coker* and *Eugene Gressman* for petitioners. *Solicitor General Cox*, *Acting Assistant Attorney General Williams*, *Roger P. Marquis* and *S. Billingsley Hill* for respondents. *Darrell F. Smith*, Attorney General of Arizona, and *Dale R. Shumway*, Special Assistant Attorney General, for the State of Arizona, and *James R. Holman* for Gust, Rosenfeld & Divelbess et al., as *amici curiae*, in support of the petition. Reported below: 336 F. 2d 706.

No. 971. *GRAHAM v. PENNSYLVANIA RAILROAD ET AL.* C. A. D. C. Cir. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE GOLDBERG are of the opinion that certiorari should be granted and the judgment reversed based on the dissenting opinion below of Judge J. Skelly Wright. *Melvin Hirshman* and *Earl H. Davis* for petitioner. *Thomas A. Flannery* and *Stephen A. Trimble* for respondents. Reported below: — U. S. App. D. C. —, 342 F. 2d 914.

No. 481, Misc. *BRADY v. OHIO*. Sup. Ct. Ohio. Certiorari denied.

No. 1013. *SCHWARTZ v. TANNER*. Sup. Ct. Ohio. Certiorari denied. *Richard D. Haney* for petitioner. *Douglas G. Cole* for respondent.

381 U. S.

May 3, 1965.

No. 1001. MOYNIHAN *v.* NEW YORK CENTRAL RAILROAD Co. C. A. 1st Cir. Certiorari denied. *Lawrence F. O'Donnell* for petitioner. *Timothy H. Donohue* for respondent. Reported below: 338 F. 2d 644.

No. 1014. CITIES SERVICE OIL Co. *v.* ARUNDEL CORP. C. A. 2d Cir. Certiorari denied. *David C. Wood* for petitioner. *Christopher E. Heckman* for respondent. Reported below: 337 F. 2d 842.

No. 686, Misc. KERN *v.* RUNDLE, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Certiorari denied.

No. 860, Misc. DEAN *v.* GREEN, CORRECTIONAL SUPERINTENDENT, ET AL. Sup. Ct. Ohio. Certiorari denied. Petitioner *pro se.* *William B. Saxbe*, Attorney General of Ohio, and *Leo J. Conway*, Assistant Attorney General, for respondents. Reported below: 177 Ohio St. 22, 201 N. E. 2d 598.

No. 932, Misc. FERGUSON *v.* GEORGIA. Sup. Ct. Ga. Certiorari denied. *A. H. Leatherwood, Sr.*, for petitioner. *Eugene Cook*, Attorney General of Georgia, *Albert Sidney Johnson*, Assistant Attorney General, and *Dan Winn*, Solicitor General, for respondent. Reported below: 220 Ga. 364, 138 S. E. 2d 881.

No. 950, Misc. ARMSTRONG *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 339 F. 2d 1015.

No. 991, Misc. WILLIAMS *v.* MACBRIDE, U. S. DISTRICT JUDGE. C. A. 9th Cir. Certiorari denied.

May 3, 1965.

381 U. S.

No. 942, Misc. OGLETREE *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox* for the United States.

No. 946, Misc. DORTON *v.* NEW YORK. Ct. App. N. Y. Certiorari denied. Petitioner *pro se.* *Frank S. Hogan* and *H. Richard Uviller* for respondent.

No. 951, Misc. PAUL *v.* CELEBREZZE, SECRETARY OF HEALTH, EDUCATION AND WELFARE. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox* for respondent. Reported below: 337 F. 2d 352.

No. 984, Misc. ROOD *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 340 F. 2d 506.

No. 1000, Misc. KIRBY *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States.

No. 1003, Misc. JACKSON *v.* WARDEN, MARYLAND PENITENTIARY. C. A. 4th Cir. Certiorari denied.

No. 1035, Misc. GOINS *v.* WALKER, WARDEN. C. A. 5th Cir. Certiorari denied. Reported below: 340 F. 2d 6.

No. 1069, Misc. FINK *v.* NEW YORK. Ct. App. N. Y. Certiorari denied.

381 U. S.

May 3, 7, 13, 17, 1965.

Rehearing Denied.

No. 21. CHICAGO & NORTH WESTERN RAILWAY CO. v. CHICAGO, MILWAUKEE, ST. PAUL & PACIFIC RAILROAD CO. ET AL., 380 U. S. 448;

No. 887. NEW YORK CENTRAL RAILROAD CO. v. SOUTHERN RAILWAY CO., 380 U. S. 954; and

No. 504, Misc. FERRARIO v. SIGLER, WARDEN, 380 U. S. 957. Petitions for rehearing denied.

MAY 7, 1965.

Dismissal Under Rule 60.

No. 1033. MINNESOTA EX REL. BRANCHAUD v. HEDMAN, SHERIFF. Sup. Ct. Minn. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *John S. Connolly* for petitioner. Reported below: 269 Minn. 375, 130 N. W. 2d 628.

MAY 13, 1965.

Dismissal Under Rule 60.

No. 1102, Misc. JONES v. UNITED STATES. C. A. 4th Cir. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 340 F. 2d 599.

MAY 17, 1965.

Miscellaneous Orders.

No. 919, October Term, 1961. GONDECK v. PAN AMERICAN WORLD AIRWAYS, INC., ET AL. C. A. 5th Cir. (Certiorari denied, 370 U. S. 918; rehearing denied, 371 U. S. 856.) Respondents requested to file response to second petition for rehearing within 30 days.

May 17, 1965.

381 U. S.

No. 6. HENRY *v.* MISSISSIPPI. (379 U. S. 443; 380 U. S. 926.) Motion of respondent to retax costs denied. *Joe T. Patterson*, Attorney General of Mississippi, and *G. Garland Lyell, Jr.*, Assistant Attorney General, on the motion.

No. 1015. UNITED STATES *v.* LEWIS FOOD Co., INC. Appeal from D. C. S. D. Cal. Motion to transfer this case to the United States Court of Appeals for the Ninth Circuit granted and case remanded to that court pursuant to 18 U. S. C. § 3731. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States on the motion. Reported below: 236 F. Supp. 849.

No. 1016. EASTERN AIR LINES, INC. *v.* FLIGHT ENGINEERS' INTERNATIONAL ASSOCIATION ET AL. C. A. 5th Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 1027. LIST *v.* LERNER DBA LERNER & Co., ET AL. C. A. 2d Cir. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

No. 1023, Misc. STONE *v.* UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT. Motion for leave to file petition for writ of mandamus denied. Petitioner *pro se*. *Solicitor General Cox* for respondent.

No. 1045, Misc. CHASE *v.* SUPERIOR COURT FOR GRAYS HARBOR COUNTY, WASHINGTON, ET AL. Motion for leave to file petition for writ of mandamus denied.

No. 1123, Misc. FISHER, ALIAS MUELLER *v.* ILLINOIS; and

No. 1143, Misc. JOSEPH *v.* VITEK, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

381 U. S.

May 17, 1965.

No. 543, October Term, 1963. UNITED STATES *v.* MARYLAND FOR THE USE OF MEYER ET AL. C. A. D. C. Cir. (Certiorari denied, 375 U. S. 954.) Respondents requested to file response to petition for rehearing within 30 days.

No. 1152. SCOTT, TREASURER OF ILLINOIS, ET AL. *v.* GERMANO ET AL. Appeal from D. C. N. D. Ill. Motion of appellants for accelerated consideration of appeal granted and appellees allowed seven days to file responses to statement as to jurisdiction. MR. JUSTICE GOLDBERG took no part in the consideration or decision of this motion. *Don H. Reuben* and *Howard J. Trienens* for appellants. *Lester Asher* and *Bernard Kleiman* for Germano et al., and *William G. Clark*, Attorney General of Illinois, for Kerner et al., appellees.

No. 608, Misc. FARRINGTON *v.* TAHASH, WARDEN. Motion for leave to file petition for writ of habeas corpus denied. Petitioner *pro se.* *Robert W. Mattson*, Attorney General of Minnesota, and *Charles E. Houston*, Special Assistant Attorney General, for respondent.

No. 1162, Misc. GUNTER *v.* KROPP, WARDEN; and

No. 1166, Misc. DIXON *v.* WILSON, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied.

Probable Jurisdiction Noted.

No. 750. UNITED STATES *v.* EWELL ET AL. Appeal from D. C. S. D. Ind. Motion of appellees for leave to proceed *in forma pauperis* granted. Probable jurisdiction noted. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Appellees *pro se.* Reported below: 242 F. Supp. 451.

May 17, 1965.

381 U. S.

No. 1081. UNITED STATES *v.* GRINNELL CORP. ET AL.;

No. 1083. GRINNELL CORP. *v.* UNITED STATES;

No. 1084. AMERICAN DISTRICT TELEGRAPH CO. *v.*
UNITED STATES;

No. 1085. HOLMES ELECTRIC PROTECTIVE CO. *v.*
UNITED STATES; and

No. 1086. AUTOMATIC FIRE ALARM CO. OF DELAWARE
v. UNITED STATES. Appeals from D. C. R. I. Probable
jurisdiction noted. Cases consolidated and a total of two
hours allowed for oral argument. *Solicitor General Cox*,
Assistant Attorney General Orrick, *Robert B. Hummel*
and *Gerald Kadish* for the United States in No. 1081.
John F. Sonnett and *Denis G. McInerney* for appellant in
No. 1083. *Macdonald Flinn* and *Robert O. Donnelly* for
appellant in No. 1084. *John W. Drye, Jr.*, *Francis S.*
Bensel and *Bud G. Holman* for appellant in No. 1085.
J. Francis Hayden for appellant in No. 1086. Reported
below: 236 F. Supp. 244.

Certiorari Granted. (See also No. 262, *ante*, p. 274);
No. 789, *ante*, p. 275; and No. 363, Misc., *ante*, p.
278.)

No. 265. ALBERTSON ET AL. *v.* SUBVERSIVE ACTIVITIES
CONTROL BOARD. C. A. D. C. Cir. *Certiorari* granted.
MR. JUSTICE WHITE took no part in the consideration or
decision of this petition. *John J. Abt* and *Joseph Forer*
for petitioners. *Solicitor General Cox*, *Assistant Attor-*
ney General Yeagley, *Kevin T. Maroney* and *Lee B.*
Anderson for respondent. Reported below: 118 U. S.
App. D. C. 117, 332 F. 2d 317.

Certiorari Denied. (See also No. 967, *ante*, p. 276; No.
994, Misc., *ante*, p. 274; No. 1031, Misc., *ante*, p. 275;
and Misc. Nos. 1162 and 1166, *supra*.)

No. 388, Misc. MARCHESE *v.* NEW YORK. Ct. App.
N. Y. *Certiorari* denied.

381 U. S.

May 17, 1965.

No. 620. REAL ESTATE INVESTMENT TRUST OF AMERICA ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 1st Cir. Certiorari denied. *Henry Hixon Meyer* and *Charles D. Post* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *Wayne G. Barnett* and *Joseph Kovner* for respondent. Reported below: 334 F. 2d 986.

No. 864. IRWIN *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Al Matthews* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Ronald L. Gainer* for the United States. Reported below: 338 F. 2d 770.

No. 924. ALLEGRETTI *v.* UNITED STATES;

No. 925. DARLAK *v.* UNITED STATES; and

No. 926. FALZONE *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Maurice J. Walsh* and *Anna R. Lavin* for petitioner in No. 924. Petitioner *pro se* in No. 925. *Daniel C. Ahern* for petitioner in No. 926. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: 340 F. 2d 243, 254.

No. 946. AAA CON DRIVERS EXCHANGE, INC., ET AL. *v.* INTERSTATE COMMERCE COMMISSION. C. A. 2d Cir. Certiorari denied. *Harold Harper* and *Vincent P. Uihlein* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Orrick*, *Robert B. Hummel*, *Donald L. Hardison*, *Robert W. Ginnane*, *Betty Jo Christian*, *Bernard A. Gould* and *Seymour Glanzer* for respondent. Reported below: 340 F. 2d 820.

No. 1022. BROTHERHOOD OF RAILROAD TRAINMEN INSURANCE DEPARTMENT, INC. *v.* ELLGASS. C. A. 9th Cir. Certiorari denied. *Clifton Hildebrand* for petitioner. Reported below: 342 F. 2d 1.

May 17, 1965.

381 U. S.

No. 927. *FORE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Larry W. Morris* and *Bennett B. Patterson* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Joseph Kovner* for the United States. Reported below: 339 F. 2d 70.

No. 933. *EASTER ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 4th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer* and *Melva M. Graney* for respondent. Reported below: 338 F. 2d 968.

No. 978. *B. RAY ROBBINS CO., INC. v. VALLEY NATIONAL BANK OF ARIZONA*. C. A. 9th Cir. Certiorari denied. *Albert Sidney Johnston, Jr.*, for petitioner. *R. J. Ellis* for respondent. Reported below: 338 F. 2d 467.

No. 997. *STROLLO v. UNITED STATES*; and

No. 1011. *SERMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Jack Wasserman* and *David Carliner* for petitioner in No. 997. *Dan W. Duffy* and *Sydney A. Hesse* for petitioner in No. 1011. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Ronald L. Gainer* for the United States.

No. 1003. *BOUNDY v. CALIFORNIA*. Dist. Ct. App. Cal., 2d App. Dist. Certiorari denied. *I. Glovin* for petitioner.

No. 1029. *PACIFIC NATIONAL INSURANCE CO. v. TRANSPORT INSURANCE CO.* C. A. 8th Cir. Certiorari denied. *Edward Brodkey* for petitioner. *Dan M. Burge*, *Richard A. Reid*, *Donald E. Prevallet*, *James W. Steinsiek* and *James M. Gardner* for respondent. Reported below: 341 F. 2d 514.

381 U. S.

May 17, 1965.

No. 1008. *DINSIO v. OHIO*. Sup. Ct. Ohio. Certiorari denied. *Lawrence V. Cregan* and *Ben F. Kelly* for petitioner.

No. 1018. *A. G. V. ASSOCIATES, INC. v. CROSS, TRUSTEE IN BANKRUPTCY*. C. A. 2d Cir. Certiorari denied. *Bernard Finkel* and *Arthur Argiriou* for petitioner. *Jeremiah F. Cross*, respondent, *pro se*. Reported below: 340 F. 2d 42.

No. 1019. *SMITH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Charles P. Howard, Jr.*, for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 342 F. 2d 525.

No. 1021. *MIMS v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Fleetwood M. McCoy* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Daniel H. Benson* for the United States. Reported below: 340 F. 2d 851.

No. 1031. *CAPITOL AIRWAYS, INC. v. AIRLINE PILOTS ASSOCIATION, INTERNATIONAL*. C. A. 6th Cir. Certiorari denied. *Judson Harwood* for petitioner. *Cecil D. Branstetter* and *Harry Noe* for respondent. Reported below: 341 F. 2d 288.

No. 1036. *ALLAN HERSCHELL CO., INC., ET AL. v. UNITED STATES FIDELITY & GUARANTY CO. ET AL.* C. A. 5th Cir. Certiorari denied. *Ralph L. Kaskell, Jr.*, for petitioners. Reported below: 337 F. 2d 881.

No. 1037. *JANAF, INC. v. ORSINGER*. C. A. D. C. Cir. Certiorari denied. *Winfred R. Mundle* for petitioner. *Joseph G. Dooley* for respondent.

May 17, 1965.

381 U. S.

No. 1038. PLAZA LIQUOR STORE, INC. *v.* CITY OF ATLANTA. Sup. Ct. Ga. Certiorari denied. *Robert L. Mitchell* for petitioner. *Henry L. Bowden, Martin McFarland* and *Lewis R. Slaton* for respondent. Reported below: 220 Ga. 615, 140 S. E. 2d 868.

No. 1051. DISTRICT COUNCIL OF PAINTERS NO. 48, BROTHERHOOD OF PAINTERS, DECORATORS & PAPERHANGERS OF AMERICA *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 9th Cir. Certiorari denied. *Herbert M. Ansell* for petitioner. *Solicitor General Cox, Arnold Ordman, Dominick L. Manoli* and *Norton J. Come* for respondent. Reported below: 340 F. 2d 107.

No. 1064. CALEF *v.* ROSENBERG, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE, ET AL. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Robert G. Maysack* for respondents.

No. 814. LANDON *v.* NORTHERN NATURAL GAS CO. C. A. 10th Cir. Certiorari denied. MR. JUSTICE WHITE took no part in the consideration or decision of this petition. *Byron M. Gray* and *William S. Richardson* for petitioner. *F. Vinson Roach* and *Ralph W. Oman* for respondent. *Solicitor General Cox, Richard A. Solomon, Howard E. Wahrenbrock* and *Josephine H. Klein* for the Federal Power Commission, as *amicus curiae*. Reported below: 338 F. 2d 17.

No. 938. MONOLITH PORTLAND CEMENT CO. *v.* RIDDELL, DISTRICT DIRECTOR OF INTERNAL REVENUE. C. A. 9th Cir. Certiorari denied. MR. JUSTICE WHITE took no part in the consideration or decision of this petition. *Joseph T. Enright, Norman Elliott* and *William A. Sutherland* for petitioner. *Solicitor General Cox* for respondent. Reported below: 336 F. 2d 402.

381 U. S.

May 17, 1965.

No. 1058. *HARRINGTON v. TEXACO, INC.* C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *William Alan Mudgett* and *Jack W. Flock* for respondent. Reported below: 339 F. 2d 814.

No. 834. *ZIZZO ET AL. v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. MR. JUSTICE WHITE took no part in the consideration or decision of this petition. *Maurice J. Walsh* and *Edward J. Calihan, Jr.*, for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 338 F. 2d 577.

No. 1006. *T. B. HARMS Co. v. ELISCU ET AL.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE GOLDBERG took no part in the consideration or decision of this petition. *Gustave B. Garfield* for petitioner. *Leonard J. Linden* for Eliscu, and *Lewis A. Dreyer* for Ross Jungnickel, Inc., respondents. Reported below: 339 F. 2d 823.

No. 1028. *JONES ET AL. v. UNITED STATES.* C. A. 5th Cir. Motion to dispense with printing petition for certiorari granted. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Guy Johnson* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Philip R. Monahan* for the United States. Reported below: 339 F. 2d 419.

No. 440, Misc. *SPENCER v. NEW YORK.* App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied.

No. 749, Misc. *ROMANELLO v. FLORIDA.* Sup. Ct. Fla. Certiorari denied. *A. K. Black* for petitioner. *Earl Faircloth*, Attorney General of Florida, and *James T. Carlisle*, Assistant Attorney General, for respondent.

May 17, 1965.

381 U. S.

No. 692, Misc. PEOPLES *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 337 F. 2d 91.

No. 750, Misc. PEACOCK *v.* FLORIDA. Sup. Ct. Fla. Certiorari denied. *A. K. Black* for petitioner. *Earl Faircloth, Attorney General of Florida, and James T. Carlisle, Assistant Attorney General*, for respondent.

No. 755, Misc. LEPISCOPO *v.* MACGRATH. C. A. 3d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for respondent.

No. 791, Misc. LOSIEAU *v.* SIGLER, WARDEN. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Clarence A. H. Meyer, Attorney General of Nebraska, and Melvin Kent Kammerlohr, Assistant Attorney General*, for respondent.

No. 802, Misc. SMITH *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Daniel H. Benson* for the United States. Reported below: 337 F. 2d 49.

No. 865, Misc. SULLIVAN *v.* TAYLOR, WARDEN. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Acting Assistant Attorney General Doar and Harold H. Greene* for respondent. Reported below: 338 F. 2d 1004.

No. 875, Misc. TUCKER *v.* INDIANA. Sup. Ct. Ind. Certiorari denied.

381 U. S.

May 17, 1965.

No. 869, Misc. *COOK v. MAXWELL, WARDEN*. Sup. Ct. Ohio. Certiorari denied. Petitioner *pro se. William B. Saxbe*, Attorney General of Ohio, and *Leo J. Conway*, Assistant Attorney General, for respondent. Reported below: 177 Ohio St. 41, 201 N. E. 2d 787.

No. 889, Misc. *LEYDE v. RHAY, PENITENTIARY SUPERINTENDENT*. Super. Ct. Wash., Walla Walla County. Certiorari denied. Petitioner *pro se. John J. O'Connell*, Attorney General of Washington, and *Stephen C. Way* and *Paul J. Murphy*, Assistant Attorneys General, for respondent.

No. 891, Misc. *HAINES v. RANDOLPH, WARDEN*. C. A. 7th Cir. Certiorari denied. Petitioner *pro se. William G. Clark*, Attorney General of Illinois, and *Edward A. Berman*, Assistant Attorney General, for respondent.

No. 954, Misc. *BJORNSEN v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. Petitioner *pro se. Frank S. Hogan* and *H. Richard Uviller* for respondent.

No. 961, Misc. *DUNFORD v. VIRGINIA*. Sup. Ct. App. Va. Certiorari denied.

No. 964, Misc. *BORUSKI v. SECURITIES AND EXCHANGE COMMISSION*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se. Solicitor General Cox* and *Philip A. Loomis, Jr.*, for respondent. Reported below: 339 F. 2d 196.

No. 977, Misc. *MATYSEK v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Morris Lavine* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller* and *Philip R. Monahan* for the United States. Reported below: 339 F. 2d 389.

May 17, 1965.

381 U. S.

No. 986, Misc. *BASHA v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied.

No. 999, Misc. *MIDDLETON v. FAY, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 1001, Misc. *REEVES v. WAINWRIGHT, CORRECTIONS DIRECTOR*. Sup. Ct. Fla. Certiorari denied.

No. 1005, Misc. *LOPER v. CONNALLY, GOVERNOR OF TEXAS, ET AL.* Ct. Crim. App. Tex. Certiorari denied.

No. 1012, Misc. *WALLACE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Robert G. Maysack* for the United States.

No. 1017, Misc. *DUTTON v. WARDEN, TENNESSEE PRISON*. C. A. 6th Cir. Certiorari denied.

No. 1028, Misc. *ELLIS v. SUPREME COURT OF CALIFORNIA*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Thomas C. Lynch, Attorney General of California, Charles E. Corker, Assistant Attorney General, and N. B. Peek and Robert H. O'Brien, Deputy Attorneys General*, for respondent.

No. 1030, Misc. *ROSARIO v. NEW YORK*. Ct. App. N. Y. Certiorari denied.

No. 1032, Misc. *GALLEGOS v. COX, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 341 F. 2d 107.

No. 1036, Misc. *JUSTUS v. NEW MEXICO*. Sup. Ct. N. M. Certiorari denied.

381 U. S.

May 17, 1965.

No. 1034, Misc. *KERNS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Ronald L. Gainer* for the United States. Reported below: 338 F. 2d 770.

No. 1039, Misc. *WATTS v. PEYTON, PENITENTIARY SUPERINTENDENT*. C. A. 4th Cir. Certiorari denied

No. 1041, Misc. *PARKER v. MAXWELL, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 1042, Misc. *GUERRIERI v. MAXWELL, WARDEN, ET AL.* Sup. Ct. Ohio. Certiorari denied. Reported below: 1 Ohio St. 2d 75, 204 N. E. 2d 60.

No. 1049, Misc. *BALLAY v. TINSLEY, WARDEN*. Sup. Ct. Colo. Certiorari denied. Petitioner *pro se*. *Duke W. Dunbar*, Attorney General of Colorado, *Frank E. Hickey*, Deputy Attorney General, and *James W. Creamer, Jr.*, Assistant Attorney General, for respondent.

No. 1050, Misc. *SANTOS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 1081, Misc. *GREENE v. MICHIGAN DEPARTMENT OF CORRECTIONS ET AL.* C. A. 6th Cir. Certiorari denied. Reported below: 339 F. 2d 139.

No. 1092, Misc. *BORBON v. CLERK, SUPERIOR COURT, COUNTY OF KINGS, HANFORD, CALIFORNIA, ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 1111, Misc. *KONIGSBERG v. KOSON, CITY HOSPITAL WARDEN*. C. A. 2d Cir. Certiorari denied. *Frances Kahn* for petitioner.

May 17, 1965.

381 U. S.

No. 1131, Misc. *LANE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox* for the United States.

No. 198, Misc. *KLING v. NEW YORK*. Ct. App. N. Y. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *John Dwight Evans, Jr.*, and *Leon B. Polsky* for petitioner. Reported below: 14 N. Y. 2d 571, 198 N. E. 2d 46.

No. 298, Misc. *SMITH v. NEW YORK*. Ct. App. N. Y. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Leon B. Polsky* for petitioner.

No. 785, Misc. *LEWIS v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Henry Lincoln Johnson, Jr.*, for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: — U. S. App. D. C. —, 337 F. 2d 541.

No. 665, Misc. *AUSTIN v. FLORIDA*. Sup. Ct. Fla. Certiorari denied without prejudice to an application for a writ of habeas corpus in the appropriate United States District Court. Petitioner *pro se*. *Earl Faircloth*, Attorney General of Florida, and *James G. Mahorner*, Assistant Attorney General, for respondent.

No. 982, Misc. *EVANS v. KATZENBACH, ATTORNEY GENERAL, ET AL.* C. A. 3d Cir. Certiorari and other relief denied. Petitioner *pro se*. *Solicitor General Cox* for respondents. Reported below: 343 F. 2d 913.

381 U.S.

May 17, 18, 1965.

Rehearing Denied.

No. 113. THOMAS ET UX. *v.* UNITED STATES, 379 U. S. 819;

No. 193. ROMANO ET AL. *v.* UNITED STATES, 380 U. S. 942;

No. 865. PATSIS, AKA NICKAS *v.* IMMIGRATION AND NATURALIZATION SERVICE, 380 U. S. 952;

No. 897. CASIDA ET AL. *v.* INTERNATIONAL UNION OF OPERATING ENGINEERS, AFL-CIO, ET AL., 380 U. S. 955;

No. 886, Misc. JAMES *v.* ANDERSON, JAIL SUPERINTENDENT, ET AL., 380 U. S. 966; and

No. 893, Misc. GRAVES *v.* TEXAS, 380 U. S. 967. Petitions for rehearing denied.

No. 64. SWAIN *v.* ALABAMA, 380 U. S. 202. Motion of the American Civil Liberties Union for leave to file a brief, as *amicus curiae*, in support of rehearing, granted. Petition for rehearing denied.

Dismissal Under Rule 60.

No. 1077, Misc. VIDA *v.* UNITED STATES. C. A. 6th Cir. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. Petitioner *pro se*. *Solicitor General Cox* for the United States.

MAY 18, 1965.

Dismissal Under Rule 60.

No. 1155, Misc. EARNSHAW *v.* ANDERSON, JAIL SUPERINTENDENT. C. A. D. C. Cir. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. Petitioner *pro se*. *Chester H. Gray, Milton D. Korman, Hubert B. Pair and John R. Hess* for respondent.

May 19, 24, 1965.

381 U. S.

MAY 19, 1965.

Dismissal Under Rule 60.

No. 1051, Misc. McCARTY *v.* ANDERSON, JAIL SUPERINTENDENT. C. A. D. C. Cir. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. Petitioner *pro se*. *Solicitor General Cox* for respondent.

No. 1173, Misc. SCHLETTE *v.* SUPREME COURT OF CALIFORNIA. Motion for leave to file petition for writ of mandamus dismissed pursuant to Rule 60 of the Rules of this Court.

MAY 24, 1965.

Miscellaneous Orders.

No. 1140, Misc. IN RE DISBARMENT OF HAMMETT. It having been reported to the Court that Bernard J. Hammett of Silver Spring, State of Maryland, has been disbarred from the practice of the law by judgment of the United States Court of Appeals for the District of Columbia Circuit, duly entered on the 12th day of March, 1965, and this Court by order of March 29, 1965, having suspended the said Bernard J. Hammett from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent, and that the time within which to file a return to the rule has expired;

IT IS ORDERED that the said Bernard J. Hammett be, and he is hereby, disbarred and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

No. 1163, Misc. HENIG ET AL. *v.* GESREGAN. Motion for leave to file petition for writ of habeas corpus denied.

381 U. S.

May 24, 1965.

No. 1167, Misc. LISHEY *v.* CALIFORNIA ET AL. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for a writ of certiorari, certiorari is denied.

Probable Jurisdiction Noted.

No. 831. GIACCIO *v.* PENNSYLVANIA. Appeal from Sup. Ct. Pa. Probable jurisdiction noted. *Peter Hearn, James C. N. Paul* and *Paul J. Mishkin* for appellant. *Walter E. Alessandroni*, Attorney General of Pennsylvania, and *Graeme Murdock*, Deputy Attorney General, for appellee. Reported below: 415 Pa. 139, 202 A. 2d 55.

Certiorari Granted. (See also No. 957, *ante*, p. 353; No. 1072, *ante*, p. 355; and No. 1117, Misc., *ante*, p. 356.)

No. 819. LINN *v.* UNITED PLANT GUARD WORKERS OF AMERICA, LOCAL 114, ET AL. C. A. 6th Cir. Certiorari granted. *Donald F. Welday* for petitioner. *Harold A. Cranefield* for respondents. *Solicitor General Cox, Arnold Ordman, Dominick L. Manoli* and *Norton J. Come* filed a memorandum for the United States. Reported below: 337 F. 2d 68.

No. 877. TEHAN, SHERIFF *v.* SHOTT. C. A. 6th Cir. Certiorari granted. The parties are requested to brief and argue the question of the retroactivity of the doctrine announced in *Griffin v. California*, 380 U. S. 609. MR. JUSTICE DOUGLAS dissents, being of the view that the case should be remanded to the District Court for a finding on allegation that the respondent at the trial waived any objection to the comment made on his failure to testify. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. *Melvin G. Rueger, Calvin W. Prem* and *Harry C. Schoettmer* for petitioner. *Thurman Arnold, James G. Andrews, Jr.,* and *John A. Lloyd, Jr.,* for respondent. Reported below: 337 F. 2d 990.

May 24, 1965.

381 U. S.

Certiorari Denied. (See also No. 1002, *ante*, p. 354; No. 1034, *ante*, p. 354; and No. 1167, *Misc., supra.*)

No. 832. *AVGIKOS v. LOUISIANA*. Sup. Ct. La. *Certiorari* denied. *Chester E. Wallace* for petitioner. *Jack P. F. Gremillion*, Attorney General of Louisiana, and *M. E. Culligan* and *Harry J. Kron, Jr.*, Assistant Attorneys General, for respondent. Reported below: 246 La. 914, 168 So. 2d 823.

No. 972. *HOLLAND FURNACE Co. v. SCHNACKENBERG, U. S. CIRCUIT JUDGE, ET AL.* C. A. 7th Cir. *Certiorari* denied. *Charles Trynin* for petitioner. *Solicitor General Cox, E. K. Elkins* and *Miles J. Brown* for respondents. Reported below: 341 F. 2d 548.

No. 1026. *AHTANUM IRRIGATION DISTRICT ET AL. v. UNITED STATES*; and

No. 1035. *UNITED STATES v. AHTANUM IRRIGATION DISTRICT ET AL.* C. A. 9th Cir. *Certiorari* denied. *Fred C. Palmer, John Gavin, Northcutt Ely* and *Jerome C. Muys* for Ahtanum Irrigation District et al., and *John J. O'Connell*, Attorney General of Washington, and *Charles B. Roe, Jr.*, Assistant Attorney General, for the State of Washington, petitioners in No. 1026. *Solicitor General Cox, Acting Assistant Attorney General Williams, Roger P. Marquis* and *Edmund B. Clark* for the United States in both cases. *Charles B. Roe, Jr.*, Assistant Attorney General of Washington, for the State of Washington, respondent in No. 1035. Reported below: 330 F. 2d 897; 338 F. 2d 307.

No. 1042. *ALLIED AIR FREIGHT, INC., ET AL. v. PAN AMERICAN WORLD AIRWAYS, INC., ET AL.* C. A. 2d Cir. *Certiorari* denied. *Milton Horowitz* for petitioners. *William L. Lynch* and *George Weisz* for respondents. Reported below: 340 F. 2d 160.

381 U. S.

May 24, 1965.

No. 1041. ZIMMERMAN *v.* LEHMANN, DISTRICT DIRECTOR, IMMIGRATION AND NATURALIZATION SERVICE. C. A. 7th Cir. Certiorari denied. *Maurice J. Walsh* and *Anna R. Lavin* for petitioner. *Solicitor General Cox, Acting Assistant Attorney General Vinson* and *Beatrice Rosenberg* for respondent. Reported below: 339 F. 2d 943.

No. 1045. LEIGHTON *v.* PARAMOUNT PICTURES CORP. ET AL. C. A. 2d Cir. Certiorari denied. Petitioner *pro se.* *Leonard Kaufman* and *Whitney North Seymour, Jr.*, for respondents. Reported below: 340 F. 2d 859.

No. 1048. PORESKEY *v.* WAHLSTROM, JUDGE, ET AL. Sup. Jud. Ct. Mass. Certiorari denied.

No. 1049. OMAN CONSTRUCTION CO., INC. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 6th Cir. Certiorari denied. *Cecil Sims* for petitioner. *Solicitor General Cox, Arnold Ordman, Dominick L. Manoli, Norton J. Come* and *Melvin Pollack* for respondent. Reported below: 338 F. 2d 125.

No. 1052. MOONEY *v.* STAINLESS, INC., ET AL. C. A. 6th Cir. Certiorari denied. *Irving R. M. Panzer* for petitioner. *Ben F. McAuley* for respondents. Reported below: 338 F. 2d 127.

No. 1056. TJONAMAN *v.* A/S GLITTRE ET AL. C. A. 2d Cir. Certiorari denied. *Jacob Rassner* for petitioner. *David P. H. Watson* and *James M. Estabrook* for respondents. Reported below: 340 F. 2d 290.

No. 1065. STIRONE *v.* HURTT, TRUSTEE IN BANKRUPTCY. Sup. Ct. Pa. Certiorari denied. *Lloyd F. Engle, Jr.*, for petitioner. *Carl E. Glock* for respondent. Reported below: 416 Pa. 493, 206 A. 2d 624.

May 24, 1965.

381 U. S.

No. 1069. SKOLNICK *v.* MARTIN ET AL. Sup. Ct. Ill. Certiorari denied. Petitioner *pro se.* *Walter T. Fisher* for respondent Martin. Reported below: 32 Ill. 2d 55, 203 N. E. 2d 428.

No. 1094. ATWOOD ET AL. *v.* HUMBLE OIL & REFINING Co. C. A. 5th Cir. Certiorari denied. *David Bland* for petitioners. *Walter B. Morgan* for respondent. Reported below: 338 F. 2d 502.

No. 1100. SOUTHWESTERN LIFE INSURANCE CO. ET AL. *v.* PAN AMERICAN PETROLEUM CORP. ET AL. C. A. 5th Cir. Certiorari denied. *James P. Swift* for petitioners. *Chas. F. Potter* and *Roy L. Merrill* for respondents. Reported below: 340 F. 2d 211.

No. 1046. THOMPSON *v.* UNITED STATES. C. A. 5th Cir. Motion of Earl N. Stokes to be added as party petitioner denied. Certiorari denied. *L. J. Cushman* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States. Reported below: 342 F. 2d 137.

No. 657, Misc. GRAY *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox* for the United States.

No. 730, Misc. VALCARCEL *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Acting Assistant Attorney General Doar* and *Harold H. Greene* for the United States.

No. 778, Misc. O'CALLAHAN *v.* ATTORNEY GENERAL ET AL. C. A. 1st Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Doar* and *Harold H. Greene* for respondents. Reported below: 338 F. 2d 989.

381 U. S.

May 24, 1965.

No. 912, Misc. SALINAS *v.* COX, WARDEN. Sup. Ct. N. M. Certiorari denied. Petitioner *pro se.* *Boston E. Witt*, Attorney General of New Mexico, and *Thomas A. Donnelly* and *Roy G. Hill*, Assistant Attorneys General, for respondent.

No. 947, Misc. WILSON *v.* ANDERSON, JAIL SUPERINTENDENT. C. A. D. C. Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, Acting Assistant Attorney General *Doar* and *Harold H. Greene* for respondent.

No. 960, Misc. HODGE *v.* MARKLEY, WARDEN. C. A. 7th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, Acting Assistant Attorney General *Doar* and *Harold H. Greene* for respondent. Reported below: 339 F. 2d 973.

No. 998, Misc. WELLS *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. *Chester C. Shore* for petitioner. *Solicitor General Cox*, Assistant Attorney General *Miller*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States.

No. 1040, Misc. CARTER *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox* for the United States.

No. 1046, Misc. CARRINGTON *v.* CIVIL AERONAUTICS BOARD ET AL. C. A. 4th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, Assistant Attorney General *Orrick*, *Lionel Kestenbaum*, *Joseph B. Goldman*, *O. D. Ozment* and *Robert L. Toomey* for respondents. Reported below: 337 F. 2d 913.

No. 1093, Misc. WALKER *v.* WILSON, WARDEN. Sup. Ct. Cal. Certiorari denied.

May 24, 1965.

381 U. S.

No. 1052, Misc. CUNNINGHAM *v.* MYERS, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Certiorari denied.

No. 1058, Misc. HALYSHYN *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. *James J. Laughlin* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Kirby W. Patterson* for the United States.

Nos. 1078, Misc., and 1079, Misc. GOINS *v.* TENNESSEE. Sup. Ct. Tenn. Certiorari denied. Petitioner *pro se. George F. McCanless*, Attorney General of Tennessee, and *Edgar P. Calhoun*, Assistant Attorney General, for respondent in No. 1078, Misc. *George F. McCanless*, Attorney General of Tennessee, and *Thomas E. Fox*, Assistant Attorney General, for respondent in No. 1079, Misc.

No. 1086, Misc. BORUSKI *v.* SECURITIES AND EXCHANGE COMMISSION. C. A. 2d Cir. Certiorari denied. Petitioner *pro se. Solicitor General Cox and Philip A. Loomis, Jr.*, for respondent.

No. 1094, Misc. JEFFERSON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se. Solicitor General Cox* for the United States. Reported below: 340 F. 2d 193.

No. 1095, Misc. BRONAUGH *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied.

No. 1096, Misc. SEYMOUR *v.* WILKINS, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 1119, Misc. WEINREICH *v.* WARDEN, MISSOURI PENITENTIARY. Sup. Ct. Mo. Certiorari denied.

381 U. S.

May 24, 1965.

No. 1097, Misc. *FIRO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox* for the United States. Reported below: 340 F. 2d 597.

No. 1100, Misc. *CASTLE v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. *Alan Y. Naftalin* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Kirby W. Patterson* for the United States.

No. 1105, Misc. *LINDENMUTH v. PROTHONOTARY, CHESTER COUNTY, PENNSYLVANIA*. Ct. Common Pleas, Pa., Chester County. Certiorari denied.

No. 1113, Misc. *LINARES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Ronald L. Gainer* for the United States.

No. 1125, Misc. *MADDOCK v. LEWIS ET AL.* Sup. Ct. Mo. Certiorari denied. *Alan C. Kohn* for petitioner. *Harry H. Craig* for Lewis et al., and *John S. Marsalek* for Anheuser-Busch, Inc., respondents. Reported below: 386 S. W. 2d 406.

No. 1137, Misc. *WOOD v. MAINE ET AL.* Sup. Jud. Ct. Me. Certiorari denied. Petitioner *pro se*. *Richard J. Dubord*, Attorney General of Maine, and *John W. Benoit*, Assistant Attorney General, for respondents. Reported below: 161 Me. 87, 207 A. 2d 398.

No. 1152, Misc. *GLINTON v. DENNO, WARDEN*. C. A. 2d Cir. Certiorari denied. *James T. Sherwin* for petitioner. *Frank S. Hogan, H. Richard Uviller* and *Michael Juwiler* for respondent. Reported below: 339 F. 2d 872.

May 24, 26, 1965.

381 U. S.

No. 1118, Misc. GUNSTON *v.* UNITED STATES. Ct. Cl. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox* for the United States.

No. 1127, Misc. HACKATHORN *v.* TEXAS. Ct. Crim. App. Tex. Certiorari denied. *Fred S. Abney* and *Robert Power* for petitioner. *Henry Wade* for respondent.

No. 580, Misc. HALL *v.* PINTO, PRISON SUPERINTENDENT. C. A. 3d Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. Petitioner *pro se*. *Guy W. Calissi* for respondent.

Rehearing Denied.

No. 784. BATTEN *v.* UNITED STATES, 380 U. S. 912;

No. 900, Misc. LEMONS *v.* UNITED STATES, 380 U. S. 985;

No. 940, Misc. STREETER *v.* ILLINOIS, 380 U. S. 985; and

No. 1000, Misc. KIRBY *v.* UNITED STATES, *ante*, p. 906. Petitions for rehearing denied.

Dismissal Under Rule 60.

No. 1244, Misc. PURCELL *v.* COURT OF APPEALS OF ALABAMA. Motion for leave to file petition for writ of mandamus dismissed pursuant to Rule 60 of the Rules of this Court.

MAY 26, 1965.

Dismissal Under Rule 60.

No. 1150. TROY CO. *v.* PRODUCTS RESEARCH CO. C. A. 9th Cir. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *John B. Young* for petitioner. Reported below: 339 F. 2d 364.

381 U. S.

JUNE 1, 1965.

Miscellaneous Orders.

No. 13, Original. TEXAS *v.* NEW JERSEY ET AL. (379 U. S. 674, 380 U. S. 518.) Motion for clarification and modification of opinion denied. *Arthur J. Sills*, Attorney General of New Jersey, *Alan B. Handler*, First Assistant Attorney General, and *Charles J. Kehoe*, Deputy Attorney General, on the motion.

No. 780. ROSENBLATT *v.* BAER. Sup. Ct. N. H. (Certiorari granted, 380 U. S. 941.) Motion of petitioner for leave to proceed further herein *in forma pauperis* denied. It is ordered that the case be heard on the typewritten record. *Conrad E. Snow* on the motion.

No. 906. UNITED STATES *v.* ADAMS ET AL. Ct. Cl. (Certiorari granted, 380 U. S. 949.) Further consideration of motion of respondents to dismiss writ of certiorari postponed to the hearing of the case on the merits. *John A. Reilly* on the motion.

No. 1190, Misc. SCHRUDER *v.* RHAY, PENITENTIARY SUPERINTENDENT, ET AL.;

No. 1199, Misc. CARUTH *v.* KELLER, DISTRICT ATTORNEY OF SAN DIEGO COUNTY, CALIFORNIA;

No. 1229, Misc. DORSEY *v.* KEARNEY, WARDEN;

No. 1237, Misc. STEWART *v.* MICHIGAN ET AL.;

No. 1259, Misc. DRAPER *v.* WASHINGTON ET AL.;

No. 1278, Misc. HERNANDEZ *v.* EYMAN, WARDEN;

No. 1288, Misc. HORNER *v.* FLORIDA;

No. 1295, Misc. SCHWARTZ *v.* KANSAS;

No. 1296, Misc. SHEPHERD *v.* BETO, CORRECTIONS DIRECTOR, ET AL.; and

No. 1301, Misc. BROWN *v.* WAINWRIGHT, CORRECTIONS DIRECTOR. Motions for leave to file petitions for writs of habeas corpus denied.

June 1, 1965.

381 U. S.

No. 1224, Misc. COTTOM *v.* CALIFORNIA ET AL.;

No. 1270, Misc. JOHNSON *v.* BURKE, WARDEN;

No. 1294, Misc. COPESTICK *v.* RHAY, PENITENTIARY SUPERINTENDENT;

No. 1302, Misc. HUNTER *v.* PRASSE, CORRECTIONAL COMMISSIONER, ET AL.; and

No. 1330, Misc. SELZ *v.* CALIFORNIA. Motions for leave to file petitions for writs of habeas corpus denied. Treating the papers submitted as petitions for writs of certiorari, certiorari is denied.

No. 1134, Misc. GOODSON *v.* UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT; and

No. 1227, Misc. EX PARTE GUY. Motions for leave to file petitions for writs of mandamus denied.

No. 968, Misc. WALKER *v.* SUPERIOR COURT OF CALIFORNIA, CITY AND COUNTY OF SAN FRANCISCO, ET AL. Motion for leave to file petition for writ of mandamus denied. THE CHIEF JUSTICE took no part in the consideration or decision of this motion.

No. 1147, Misc. RAY *v.* UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA. Motion for leave to file petition for writ of mandamus and for other relief denied.

No. 1170, Misc. BIGGS *v.* JUSTICES OF THE SUPREME COURT OF ILLINOIS ET AL. Motion for leave to file petition for writ of mandamus and/or prohibition denied.

Question as to Jurisdiction Postponed.

No. 1023. UNITED STATES *v.* GUEST ET AL. Appeal from D. C. M. D. Ga. Further consideration of question of jurisdiction postponed to hearing of case on merits. *Solicitor General Cox, Acting Assistant Attorney General Doar, Louis F. Claiborne, Harold H. Greene and Howard A. Glickstein* for the United States. *Charles J. Bloch* for appellee Lackey.

381 U.S.

June 1, 1965.

Certiorari Granted. (See also Nos. 950 and 951, *ante*, p. 413.)

No. 992. *CONSOLO v. FEDERAL MARITIME COMMISSION ET AL.* C. A. D. C. Cir. *Certiorari granted.* *William J. Lippman* and *Amy Scupi* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Orrick*, *Irwin A. Seibel*, *Donald L. Hardison*, *Milan C. Miskovsky* and *Walter H. Mayo III* for the Federal Maritime Commission et al., and *Odell Kominers* for Flota Mercante Gran-colombiana, S. A., respondents. Reported below: — U. S. App. D. C. —, 342 F. 2d 924.

No. 1157. *HOLT ET AL. v. ALLEGHANY CORP. ET AL.*; and

No. 1158. *HOLT ET AL. v. KIRBY ET AL.* C. A. 2d Cir. *Certiorari granted.* Cases consolidated and a total of two hours allotted for oral argument. *Stuart N. Updike* for petitioners. *Mark F. Hughes* and *Allan F. Conwill* for Alleghany Corp., and *Walter R. Mansfield* for Kirby et al., respondents. Reported below: No. 1157, 344 F. 2d 571; No. 1158, 340 F. 2d 311.

Certiorari Denied. (See also No. 1010, *ante*, p. 421; No. 934, Misc., *ante*, p. 411; No. 1158, Misc., *ante*, p. 411; and Misc. Nos. 1224, 1270, 1294, 1302 and 1330, *supra*.)

No. 246. *NATIONAL BULK CARRIERS, INC. v. UNITED STATES.* C. A. 3d Cir. *Certiorari denied.* *Jacquin D. Bierman* for petitioner. *Solicitor General Cox* for the United States. Reported below: 331 F. 2d 407.

No. 1047. *POWER AUTHORITY OF NEW YORK v. FEDERAL POWER COMMISSION.* C. A. 2d Cir. *Certiorari denied.* *Thomas F. Moore, Jr.*, and *Stephen D. Finale* for petitioner. *Solicitor General Cox*, *Richard A. Solomon*, *Howard E. Wahrenbrock* and *Joseph Hobbs* for respondent. Reported below: 339 F. 2d 269.

June 1, 1965.

381 U. S.

No. 815. COMISARIA GENERAL DE ABASTECIMIENTOS Y TRANSPORTES *v.* VICTORY TRANSPORT INC. C. A. 2d Cir. Certiorari denied. *Arthur M. Becker* and *Harry Wallace* for petitioner. *Norman M. Barron* for respondent. *Solicitor General Cox*, *Assistant Attorney General Douglas*, *Morton Hollander* and *John C. Eldridge* for the United States, as *amicus curiae*. Reported below: 336 F. 2d 354.

No. 918. SUNSET REALTY CORP. *v.* TAX ASSESSOR OF LEE COUNTY, FLORIDA, ET AL. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. *Thomas P. Ford* and *Arthur Norman Field* for petitioner. *Frank A. Pavese* for respondents. Reported below: 165 So. 2d 782, 783.

No. 968. SIMMONS *v.* WASHINGTON. Sup. Ct. Wash. Certiorari denied. Petitioner *pro se*. *Richard F. Broz* for respondent. Reported below: 65 Wash. 2d 88, 395 P. 2d 1013.

No. 1009. KEISER *v.* HARTMAN ET AL. C. A. 3d Cir. Certiorari denied. *Herman A. Adler* for petitioner. *Solicitor General Cox* for respondents. Reported below: 339 F. 2d 597.

No. 1017. INTERLAKE STEAMSHIP CO. *v.* NIELSEN ET AL. C. A. 6th Cir. Certiorari denied. *Thomas V. Koykka*, *McAlister Marshall* and *Robert B. Preston* for petitioner. *J. Harold Traverse* for Nielsen, and *Solicitor General Cox*, *Assistant Attorney General Douglas*, *Morton Hollander* and *David L. Rose* for O'Hearne, respondents. Reported below: 338 F. 2d 879.

No. 1040. BAXTER *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *John F. Dugger* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 342 F. 2d 773.

381 U. S.

June 1, 1965.

No. 1039. *KRUM v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied. *Charles C. Wickett* and *Andrew F. Oehmann* for petitioner. *Frank J. Kelley*, Attorney General of Michigan, *Robert A. Derengoski*, Solicitor General, and *James R. Ramsey*, Assistant Attorney General, for respondent. Reported below: 374 Mich. 356, 132 N. W. 2d 69.

No. 1050. *BEH v. CITY OF WEST DES MOINES*. Sup. Ct. Iowa. Certiorari denied. *David W. Belin* for petitioner. *Jack R. Hall* for respondent. Reported below: — Iowa —, 131 N. W. 2d 488.

No. 1053. *RANDALL ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. *William C. Jordan* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Oberdorfer*, *Melva M. Graney* and *David I. Granger* for respondent. Reported below: 338 F. 2d 924.

No. 1055. *COX, U. S. DISTRICT JUDGE v. HAUBERG, U. S. ATTORNEY, ET AL.* C. A. 5th Cir. Certiorari denied. *Earl T. Thomas*, *L. Arnold Pyle* and *Garner W. Green, Sr.*, for petitioner. *Solicitor General Cox*, *Assistant Attorney General Douglas*, *Morton Hollander* and *David L. Rose* for respondents. Reported below: 342 F. 2d 167.

No. 1059. *LAURENCE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Joseph J. Lyman* and *Jacob A. Stein* for petitioner. *Solicitor General Cox*, *Acting Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 341 F. 2d 565.

No. 1074. *MCGREGOR v. VIRGINIA*. Sup. Ct. App. Va. Certiorari denied. *Edward Stehl III* and *Quinlan H. Hancock* for petitioner.

June 1, 1965.

381 U.S.

No. 1060. DISTRICT OF COLUMBIA FOR THE USE AND BENEFIT OF CAPITAL LIGHTING & SUPPLY INC. *v.* MERANDO INC. ET AL. C. A. D. C. Cir. Certiorari denied. *Irwin S. Landau* and *I. Irwin Bolotin* for petitioner.

No. 1061. GROSH ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *E. Barrett Prettyman, Jr.*, and *Charles W. Halleck* for petitioners. *Solicitor General Cox*, *Acting Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 342 F. 2d 141.

No. 1063. ESPEY *v.* LAUGHLIN. C. A. D. C. Cir. Certiorari denied.

No. 1066. POSTER EXCHANGE, INC. *v.* PARAMOUNT FILM DISTRIBUTING CORP. ET AL. C. A. 5th Cir. Certiorari denied. *Francis T. Anderson* for petitioner. *Robert S. Sams* for Paramount Film Distributing Corp., et al., and *Louis Nizer* for National Screen Service Corp., respondents. Reported below: 340 F. 2d 320.

No. 1067. W. M. R. WATCH CASE CORP. ET AL. *v.* FEDERAL TRADE COMMISSION. C. A. D. C. Cir. Certiorari denied. *B. Paul Noble* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Orrick*, *Lionel Kestenbaum*, *Jerry Pruzansky*, *James McI. Henderson* and *Lester Klaus* for respondent. Reported below: — U. S. App. D. C. —, 343 F. 2d 302.

No. 1068. I-T-E CIRCUIT BREAKER CO. *v.* CITY OF PHILADELPHIA ET AL. C. A. 3d Cir. Certiorari denied. *Philip Price* and *Raymond W. Midgett, Jr.*, for petitioner. *Harold E. Kohn* and *Aaron M. Fine* for City of Philadelphia et al., respondents.

381 U. S.

June 1, 1965.

No. 1071. SHUPE *v.* NEW YORK CENTRAL SYSTEM. C. A. 7th Cir. Certiorari denied. *John J. Milano* for petitioner. *George B. Christensen* for respondent. Reported below: 339 F. 2d 998.

No. 1075. BRUCKER *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *T. N. Petersen* and *Eugene Gressman* for petitioner. *Solicitor General Cox*, *Assistant Attorney General Douglas*, *Morton Hollander* and *David L. Rose* for the United States. Reported below: 338 F. 2d 427.

No. 1076. DEANE HILL COUNTRY CLUB, INC., ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *William Earl Badgett* for petitioners. *Solicitor General Cox*, *Acting Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Marshall Tamor Golding* for the United States. Reported below: 342 F. 2d 794.

No. 1012. CALIFORNIA *v.* DORADO. Sup. Ct. Cal. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *Arlo E. Smith*, Chief Assistant Attorney General, and *Albert W. Harris, Jr.*, and *Michael R. Marron*, Deputy Attorneys General, for petitioner. *William Klein* for respondent. Reported below: 62 Cal. 2d 338, 398 P. 2d 361.

No. 1078. HEININGER *v.* DEPARTMENT OF REGISTRATION & EDUCATION OF ILLINOIS ET AL. App. Ct. Ill., 1st Dist. Certiorari denied. *Robert A. Sprecher* for petitioner. *William G. Clark*, Attorney General of Illinois, and *Richard A. Michael* and *Edward A. Berman*, Assistant Attorneys General, for Department of Registration & Education of Illinois et al., and *Owen Rall* for Stephens, respondents. Reported below: 53 Ill. App. 2d 182, 202 N. E. 2d 865.

June 1, 1965.

381 U.S.

No. 1077. *LEVY v. NEW YORK*. Ct. App. N. Y. Certiorari denied. *Samuel Lawrence Brennglass* for petitioner. *Frank S. Hogan* and *H. Richard Uviller* for respondent. Reported below: 15 N. Y. 2d 159, 204 N. E. 2d 842.

No. 1079. *WESTERN RADIO CORP. ET AL. v. FEDERAL TRADE COMMISSION*. C. A. 7th Cir. Certiorari denied. *Charles Rowan* for petitioners. *Solicitor General Cox*, *Assistant Attorney General Orrick*, *Robert B. Hummel*, *James McI. Henderson* and *Charles C. Moore, Jr.*, for respondent. Reported below: 339 F. 2d 937.

No. 1080. *LUKASIK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Anna R. Lavin* and *Edward J. Calihan, Jr.*, for petitioner. *Solicitor General Cox*, *Acting Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 341 F. 2d 325.

No. 1088. *LOMBARDOZZI ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *William Sonenshine* for petitioners. *Solicitor General Cox*, *Acting Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 343 F. 2d 127.

No. 1095. *QUAGLIATO ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *David H. Finkle* for petitioners. *Solicitor General Cox*, *Acting Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 343 F. 2d 533.

No. 790, Misc. *STEVENSON v. WILKINS, WARDEN*. C. A. 2d Cir. Certiorari denied.

381 U. S.

June 1, 1965.

No. 1106. RATKE ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Milton A. Bass* and *Solomon H. Friend* for petitioners. *Solicitor General Cox, Acting Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States.

No. 1156. UNITED STATES FOR THE USE AND BENEFIT OF ROBERTSON LUMBER Co. *v.* CONTINENTAL CASUALTY Co. ET AL. C. A. 8th Cir. Certiorari denied. *Harold D. Shaft* for petitioner. *Thomas L. Degnan* for respondents. Reported below: 340 F. 2d 958.

No. 715, Misc. CHASE ET AL. *v.* MCCAIN ET AL. C. A. 4th Cir. Certiorari denied. *Arthur Kinoy, William M. Kunstler, Samuel W. Tucker, J. L. Williams* and *Harry I. Wood* for petitioners. *Rutledge C. Clement* and *John W. Carter* for respondents. Reported below: 337 F. 2d 579.

No. 845, Misc. SCHUMAN *v.* CALIFORNIA ET AL. Sup. Ct. Cal. Certiorari denied. Petitioner *pro se*. *Thomas C. Lynch*, Attorney General of California, *Doris H. Maier*, Assistant Attorney General, and *Raymond M. Momboisse*, Deputy Attorney General, for respondents.

No. 927, Misc. COOK *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 340 F. 2d 959.

No. 993, Misc. HAIRSTON *v.* WAINWRIGHT, CORRECTIONS DIRECTOR. Sup. Ct. Fla. Certiorari denied.

No. 1047, Misc. GOLDBERG *v.* OFFICE EMPLOYEES INTERNATIONAL UNION, LOCAL 153, ET AL. Ct. App. N. Y. Certiorari denied.

June 1, 1965.

381 U. S.

No. 967, Misc. *BARKAN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg and Kirby W. Patterson* for the United States. Reported below: 341 F. 2d 95.

No. 992, Misc. *CONLAN v. HASKINS, CORRECTIONAL SUPERINTENDENT*. Sup. Ct. Ohio. Certiorari denied. *Walter S. Haffner* for petitioner. Reported below: 177 Ohio St. 65, 202 N. E. 2d 419.

No. 995, Misc. *FEYRER v. BOLDT, U. S. DISTRICT JUDGE, ET AL.* C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Doar and Harold H. Greene* for respondents.

No. 997, Misc. *MURRAY ET AL. v. MARYLAND*. Ct. App. Md. Certiorari denied. *Leonard J. Kerpelman* for petitioners. Reported below: 236 Md. 375, 381, 203 A. 2d 908, 912.

No. 1009, Misc. *DI PALERMO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox, Assistant Attorney General Miller and Philip R. Monahan* for the United States. Reported below: 340 F. 2d 988.

No. 1048, Misc. *SANCHEZ v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox* for the United States. Reported below: 341 F. 2d 379.

No. 1065, Misc. *GLOUSER ET AL. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Petitioners *pro se*. *Solicitor General Cox, Acting Assistant Attorney General Vinson, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 340 F. 2d 436.

381 U. S.

June 1, 1965.

No. 1055, Misc. *HILBRICH v. UNITED STATES*; and
No. 1159, Misc. *USELDING v. UNITED STATES*. C. A.
7th Cir. Certiorari denied. *George L. Saunders, Jr.*, for
petitioner in No. 1055, Misc. *James E. Knox, Jr.*, for
petitioner in No. 1159, Misc. *Solicitor General Cox*,
Assistant Attorney General Miller, *Beatrice Rosenberg*
and *Jerome M. Feit* for the United States. Reported
below: 341 F. 2d 555.

No. 1060, Misc. *POPE v. UNITED STATES*. C. A. 5th
Cir. Certiorari denied. Petitioner *pro se*. *Solicitor Gen-
eral Cox*, *Assistant Attorney General Miller* and *Beatrice
Rosenberg* for the United States.

No. 1067, Misc. *WORLEY v. HAYNES, PRISON SUPER-
INTENDENT*. Sup. Ct. Mo. Certiorari denied.

No. 1068, Misc. *HALL v. CROUSE, WARDEN*. C. A.
10th Cir. Certiorari denied. Reported below: 339 F.
2d 316.

No. 1073, Misc. *JEFFERSON v. MCGEE, CORRECTIONAL
ADMINISTRATOR, ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 1074, Misc. *JAMES v. TENNESSEE*. Sup. Ct.
Tenn. Certiorari denied. *Earl E. Leming* for petitioner.
George F. McCannless, Attorney General of Tennessee,
and *Thomas E. Fox*, Assistant Attorney General, for
respondent. Reported below: — Tenn. —, 385 S. W.
2d 86.

No. 1084, Misc. *CARBONE v. UNITED STATES*. C. A.
2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor
General Cox*, *Acting Assistant Attorney General Vinson*,
Beatrice Rosenberg and *Jerome M. Feit* for the United
States. Reported below: 341 F. 2d 4.

June 1, 1965.

381 U. S.

No. 1098, Misc. DOUGLAS *v.* RHAY, PENITENTIARY SUPERINTENDENT. Super. Ct. Wash., Walla Walla County. Certiorari denied.

No. 1103, Misc. IN RE SCHAWARTZBERG. C. A. 2d Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox* for the United States.

No. 1110, Misc. BELLITTO ET AL. *v.* OHIO. Sup. Ct. Ohio. Certiorari denied. Petitioners *pro se.* *John T. Corrigan* for respondent.

No. 1112, Misc. FERNANDEZ *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox, Acting Assistant Attorney General Vinson, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 341 F. 2d 565.

No. 1114, Misc. HOERLER *v.* HEINZE, WARDEN. Sup. Ct. Cal. Certiorari denied.

No. 1116, Misc. EVANS *v.* BOARD OF EMBALMERS & FUNERAL DIRECTORS OF OHIO. Sup. Ct. Ohio. Certiorari denied. *John H. Bustamante* for petitioner.

No. 1120, Misc. GANGER *v.* VIRGINIA. Sup. Ct. App. Va. Certiorari denied.

No. 1126, Misc. SMITH *v.* CRAIN BROTHERS, INC. C. A. 3d Cir. Certiorari denied. *Louis C. Glasso* for petitioner. *Carl E. Glock* for respondent. Reported below: 339 F. 2d 599.

No. 1129, Misc. MADISON *v.* MAXWELL, WARDEN. Sup. Ct. Ohio. Certiorari denied. *William J. Davis* for petitioner. Reported below: 177 Ohio St. 84, 202 N. E. 2d 617.

381 U. S.

June 1, 1965.

No. 1122, Misc. CLARK *v.* PAYNE. C. A. 3d Cir. Certiorari denied.

No. 1128, Misc. BORUSKI *v.* SECURITIES AND EXCHANGE COMMISSION. C. A. 2d Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox* and *Philip A. Loomis, Jr.*, for respondent. Reported below: 340 F. 2d 991.

No. 1130, Misc. NELMS *v.* UNITED STATES. Ct. Cl. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox* for the United States. Reported below: — Ct. Cl. —.

No. 1133, Misc. HAIRSTON *v.* MYERS, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Certiorari denied.

No. 1135, Misc. MALLORY *v.* MYERS, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Certiorari denied.

No. 1136, Misc. WATSON *v.* COMMERCIAL CREDIT CORP. ET AL. C. A. 5th Cir. Certiorari denied. Reported below: 341 F. 2d 915.

No. 1138, Misc. AZZONE *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Miller* and *Beatrice Rosenberg* for the United States. Reported below: 341 F. 2d 417.

No. 1144, Misc. FRANCIS *v.* BROWN, GOVERNOR OF CALIFORNIA, ET AL. Sup. Ct. Cal. Certiorari denied.

No. 1145, Misc. CORONADO *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox* for the United States. Reported below: 341 F. 2d 918.

June 1, 1965.

381 U. S.

No. 1149, Misc. O'NEILL *v.* RUNDLE, WARDEN. C. A. 3d Cir. Certiorari denied. Reported below: 341 F. 2d 303.

No. 1150, Misc. MACFADDEN *v.* HEINZE, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied.

No. 1153, Misc. CARTER *v.* HARRIS, WARDEN. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. Solicitor General Cox for respondent.

No. 1154, Misc. BORUSKI *v.* SECURITIES AND EXCHANGE COMMISSION. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. Solicitor General Cox and Philip A. Loomis, Jr., for respondent. Reported below: 340 F. 2d 991.

No. 1160, Misc. CARROLL *v.* EYMAN, WARDEN, ET AL. Sup. Ct. Ariz. Certiorari denied.

No. 1161, Misc. HERRING *v.* NEW YORK. Ct. App. N. Y. Certiorari denied.

No. 1164, Misc. HOWARD *v.* COLORADO. Sup. Ct. Colo. Certiorari denied.

No. 1174, Misc. BLAKE *v.* HEINZE, WARDEN, ET AL. Sup. Ct. Cal. Certiorari denied.

No. 1176, Misc. FORESTER ET UX. *v.* TEXAS & PACIFIC RAILWAY Co. C. A. 5th Cir. Certiorari denied. Otto B. Mullinax and L. N. D. Wells, Jr., for petitioners. Lucian Touchstone for respondent. Reported below: 338 F. 2d 970.

No. 1186, Misc. HEARD *v.* FLORIDA. Sup. Ct. Fla. Certiorari denied.

381 U. S.

June 1, 1965.

No. 1177, Misc. HEADRICK *v.* ILLINOIS. App. Ct. Ill., 2d Dist. Certiorari denied. *John R. Snively* for petitioner. Reported below: 54 Ill. App. 2d 44, 203 N. E. 2d 157.

No. 1191, Misc. DUNN *v.* UNITED STATES; and

No. 1256, Misc. LUCIANO *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. Petitioners *pro se. Solicitor General Cox, Acting Assistant Attorney General Vinson, Beatrice Rosenberg and Kirby W. Patterson* for the United States. Reported below: 343 F. 2d 172.

No. 1193, Misc. ROBINSON *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. Petitioner *pro se. Solicitor General Cox, Assistant Attorney General Miller and Beatrice Rosenberg* for the United States. Reported below: 341 F. 2d 379.

No. 1196, Misc. FINLEY *v.* HEINZE, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 1197, Misc. McMORRIS *v.* SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO, APPELLATE DEPARTMENT, ET AL. Dist. Ct. App. Cal., 3d App. Dist. Certiorari denied. *S. Carter McMorris* for petitioner.

No. 1201, Misc. LANDMAN *v.* MARSHALL, JUDGE, ET AL. Sup. Ct. App. Va. Certiorari denied.

No. 1203, Misc. MEYER *v.* KLINGER, WARDEN. Sup. Ct. Cal. Certiorari denied.

No. 1205, Misc. WILLIAMS *v.* FAY, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 1206, Misc. GONZALES *v.* COLORADO. Sup. Ct. Colo. Certiorari denied. Reported below: 156 Colo. —, 398 P. 2d 236.

June 1, 1965.

381 U.S.

No. 1207, Misc. *NEWKIRK v. NEW YORK*. Ct. App. N. Y. Certiorari denied.

No. 1208, Misc. *LAWSON v. KENTUCKY*. Ct. App. Ky. Certiorari denied. Reported below: 386 S. W. 2d 734.

No. 1213, Misc. *SILVERMAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox* for the United States.

No. 1214, Misc. *COOPER v. MARONEY, CORRECTIONAL SUPERINTENDENT*. C. A. 3d Cir. Certiorari denied.

No. 1219, Misc. *POMPEY v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. *Irving Bronstein* for petitioner.

No. 1230, Misc. *CAMPBELL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox* for the United States.

No. 1252, Misc. *BLAND v. MARYLAND*. Ct. App. Md. Certiorari denied. Reported below: 236 Md. 652, 205 A. 2d 237.

No. 1258, Misc. *BRUCE v. HOGAN, DISTRICT ATTORNEY OF NEW YORK COUNTY, ET AL.* C. A. 2d Cir. Certiorari denied. *Edward de Grazia* and *Ernst Liebman* for petitioner. *Frank S. Hogan* and *William Cahn*, respondents, *pro se*.

No. 1253, Misc. *GREEN v. RUNDLE, CORRECTIONAL SUPERINTENDENT*. C. A. 3d Cir. Certiorari denied. Reported below: 337 F. 2d 1013.

No. 1264, Misc. *DORADO v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. *William Klein* for petitioner. Reported below: 62 Cal. 2d 338, 398 P. 2d 361.

381 U. S.

June 1, 7, 1965.

No. 1251, Misc. JOHNSON *v.* CALIFORNIA. Dist. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 1255, Misc. DEMOSS *v.* HEINZE, WARDEN. Sup. Ct. Cal. Certiorari denied.

No. 1303, Misc. POULSON *v.* UTAH. Sup. Ct. Utah. Certiorari denied. Reported below: 16 Utah 2d 151, 397 P. 2d 70.

No. 1106, Misc. McINTOSH *v.* UNITED STATES. C. A. 8th Cir. Certiorari and other relief denied. Petitioner *pro se*. Solicitor General Cox, Acting Assistant Attorney General Vinson and Beatrice Rosenberg for the United States. Reported below: 341 F. 2d 448.

Rehearing Denied.

No. 839. SMITH *v.* LOUISVILLE TRUST CO. ET AL., ADMINISTRATORS, 380 U. S. 943;

No. 879. BISHOP ET AL. *v.* OHIO, 380 U. S. 973; and

No. 1027, Misc. VINCENT *v.* UNITED STATES, 380 U. S. 988. Petitions for rehearing denied.

JUNE 7, 1965.

Miscellaneous Orders.

No. 14, Original. LOUISIANA *v.* MISSISSIPPI ET AL. The Report of the Special Master is received and ordered filed. Exceptions, if any, with supporting briefs, to the Report of the Special Master may be filed by the parties on or before August 25, 1965. Reply briefs, if any, to such exceptions may be filed on or before September 24, 1965. [For earlier orders herein, see 375 U. S. 803, 950; 377 U. S. 901.]

June 7, 1965.

381 U. S.

No. 13, Original. TEXAS *v.* NEW JERSEY ET AL. (379 U. S. 674, 380 U. S. 518, *ante*, p. 931.) Motion of State of New Jersey for modification of final decree denied. *Arthur J. Sills*, Attorney General of New Jersey, *Alan B. Handler*, First Assistant Attorney General, and *Charles J. Kehoe*, Deputy Attorney General, on the motion.

No. 515, Misc. MILNE *v.* MILNE. Ct. App. Md. The Attorney General of the State of Maryland is invited to file a brief expressing the views of the State of Maryland.

No. 147, Misc. BELTOWSKI *v.* TAHASH, WARDEN. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for a writ of certiorari, certiorari is denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS dissent from the denial of certiorari for the reasons stated in their dissenting opinion in *Linkletter v. Walker*, *ante*, p. 640. Petitioner *pro se.* *Walter F. Mondale*, Attorney General of Minnesota, and *Charles E. Houston*, Special Assistant Attorney General, for respondent.

No. 1038, Misc. IN RE BLEVINS. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for a writ of certiorari, certiorari is denied. Petitioner *pro se.* *Thomas C. Lynch*, Attorney General of California, and *Albert W. Harris, Jr.*, and *Michael R. Marron*, Deputy Attorneys General, for the State of California.

No. 1308, Misc. LEAF *v.* INDIAN CLAIMS COMMISSION. Motion for leave to file petition for writ of mandamus denied. Petitioner *pro se.* *Solicitor General Cox*, *Acting Assistant Attorney General Weisl* and *Roger P. Marquis* for respondent.

381 U. S.

June 7, 1965.

Probable Jurisdiction Noted.

No. 1054. BROTHERHOOD OF LOCOMOTIVE ENGINEERS ET AL. *v.* CHICAGO, ROCK ISLAND & PACIFIC RAILROAD CO. ET AL.; and

No. 1070. HARDIN ET AL. *v.* CHICAGO, ROCK ISLAND & PACIFIC RAILROAD CO. ET AL. Appeals from D. C. W. D. Ark. Probable jurisdiction noted. Cases consolidated and a total of two hours allotted for oral argument. *James E. Youngdahl* for appellants in No. 1054. *Bruce Bennett*, Attorney General of Arkansas, and *Jack L. Lessenberry* for appellants in No. 1070. *Robert V. Light*, *Thurman Arnold*, *Dennis G. Lyons*, *W. J. Smith* and *H. H. Friday* for appellees in both cases. Reported below: 239 F. Supp. 1.

Certiorari Granted. (See also No. 45, *ante*, p. 760; No. 321, *ante*, p. 761; No. 635, *ante*, p. 739; Nos. 1024 and 1025, *ante*, p. 762; and No. 884, Misc., *ante*, p. 763.)

No. 838, Misc. BAXSTROM *v.* HEROLD, STATE HOSPITAL DIRECTOR. Ct. App. N. Y. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Case transferred to the appellate docket. Petitioner *pro se*. *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Anthony J. Lokot*, Assistant Attorney General, for respondent.

Certiorari Denied. (See also No. 1082, *ante*, p. 760; and Misc. Nos. 147 and 1038, *supra*.)

No. 39. PENNINGTON ET AL. *v.* LEWIS ET AL., TRUSTEES. C. A. 6th Cir. Certiorari denied. *John A. Rowntree* for petitioners. *Val J. Mitch*, *Harold H. Bacon*, *R. R. Kramer*, *E. H. Rayson* and *M. E. Boiarsky* for respondents. Reported below: 325 F. 2d 804.

June 7, 1965.

381 U. S.

No. 1062. *COLE ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Edward Bennett Williams* and *Seymour B. Goldfeld* for petitioners. *Solicitor General Cox, Acting Assistant Attorney General Jones* and *Joseph M. Howard* for the United States. Reported below: 342 F. 2d 5.

No. 1089. *RALSTON STEEL CORP., ASSIGNEE v. UNITED STATES*. Ct. Cl. Certiorari denied. *Max A. Reinstein* for petitioner. *Solicitor General Cox* for the United States. Reported below: — Ct. Cl. —, 340 F. 2d 663.

No. 1091. *COOK v. REPUBLIC STEEL CORP.* C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Mathias J. DeVito* for respondent. Reported below: 340 F. 2d 318.

No. 1092. *WILLIAMSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *James P. Coleman* for petitioner. *Solicitor General Cox, Assistant Attorney General Miller, Beatrice Rosenberg* and *Sidney M. Glazer* for the United States. Reported below: 340 F. 2d 612.

No. 1093. *TENNESSEE GAS TRANSMISSION Co. v. FEDERAL POWER COMMISSION*. C. A. 10th Cir. Certiorari denied. *W. C. Braden, Jr., B. J. Williamson* and *Stanley M. Morley* for petitioner. *Solicitor General Cox, Richard A. Solomon, Howard E. Wahrenbrock, Robert L. Russell* and *Peter H. Schiff* for respondent. Reported below: 340 F. 2d 100.

No. 1096. *HAIR INDUSTRY, LTD., ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Nicholas Atlas* and *Anthony H. Atlas* for petitioners. *Solicitor General Cox, Assistant Attorney General Oberdorfer, Joseph M. Howard* and *Burton Berkley* for the United States. Reported below: 340 F. 2d 510.

381 U. S.

June 7, 1965.

No. 1097. EASTERN DIE CO. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 1st Cir. Certiorari denied. *Henry Friedman* for petitioner. *Solicitor General Cox, Arnold Ordman, Dominick L. Manoli and Norton J. Come* for respondent. Reported below: 340 F. 2d 607.

No. 1105. KOOLISH ET AL. *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Albert E. Jenner, Jr.*, for petitioners. *Solicitor General Cox, Acting Assistant Attorney General Vinson, Beatrice Rosenberg and Kirby W. Patterson* for the United States. Reported below: 340 F. 2d 513.

No. 1129. DIVERSIFIED DEVELOPMENT CORP. ET AL. *v.* SECURITY TRUST CO. C. A. 7th Cir. Certiorari denied. *Gordon Burroughs* for petitioners. *William H. Armstrong and Robert Broderick* for respondent. Reported below: 341 F. 2d 58.

No. 1184. SPARBER *v.* NEW YORK. Ct. App. N. Y. Certiorari denied. *Maurice Edelbaum* for petitioner. *Frank S. Hogan and H. Richard Uviller* for respondent.

No. 442. LAVALLEE ET AL. *v.* CARAFAS ET AL. C. A. 2d Cir. Motion of respondents *Wilson and West* for leave to proceed *in forma pauperis* granted. Certiorari denied. *Louis J. Lefkowitz*, Attorney General of New York, *Samuel A. Hirshowitz*, First Assistant Attorney General, *Barry Mahoney*, Assistant Attorney General, and *Brenda Soloff*, Deputy Assistant Attorney General, for petitioners. *Leon B. Polsky* for *Wilson et al.*, respondents. Reported below: 334 F. 2d 331; 335 F. 2d 230.

No. 827, Misc. WRIGHT *v.* MYERS, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Certiorari denied.

June 7, 1965.

381 U. S.

No. 1131. AIRLINE PILOTS ASSOCIATION, INTERNATIONAL *v.* CAPITOL AIRWAYS, INC. C. A. 6th Cir. Certiorari denied. *Cecil D. Branstetter* and *Harry Noe* for petitioner. *Judson Harwood* for respondent. Reported below: 341 F. 2d 288.

No. 180, Misc. FORD *v.* NEW YORK. Ct. App. N. Y. Certiorari denied. Petitioner *pro se.* *Frank S. Hogan* for respondent.

No. 400, Misc. DRAPER *v.* MARYLAND. Ct. App. Md. Certiorari denied. Petitioner *pro se.* *Thomas B. Finan*, Attorney General of Maryland, and *R. Randolph Victor*, Assistant Attorney General, for respondent. Reported below: 235 Md. 641, 201 A. 2d 496.

No. 678, Misc. ADAMS *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, Assistant Attorney General *Miller*, *Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: — U. S. App. D. C. —, 337 F. 2d 548.

No. 743, Misc. LLOYD *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. *Morris Kanfer* and *Alvin O. West* for petitioner. *Solicitor General Cox*, Assistant Attorney General *Miller*, *Beatrice Rosenberg* and *Theodore George Gilinsky* for the United States. Reported below: — U. S. App. D. C. —, 343 F. 2d 242.

No. 933, Misc. TUCKER *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, Assistant Attorney General *Miller*, *Beatrice Rosenberg* and *Ronald L. Gainer* for the United States. Reported below: — U. S. App. D. C. —, 343 F. 2d 305.

381 U.S.

June 7, 1965.

No. 835, Misc. *HERNANDEZ v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Petitioner *pro se*. *Thomas C. Lynch*, Attorney General of California, *Doris H. Maier*, Assistant Attorney General, and *Daniel J. Kremer*, Deputy Attorney General, for respondent.

No. 853, Misc. *RANDAZZO v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 15 N. Y. 2d 526, 202 N. E. 2d 549.

No. 885, Misc. *MADISON v. NORTH CAROLINA*. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Thomas Wade Bruton*, Attorney General of North Carolina, and *Theodore C. Brown, Jr.*, for respondent.

No. 890, Misc. *CASTLE v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. *Monroe H. Freedman* and *David Carliner* for the National Capital Area Civil Liberties Union, as *amicus curiae*, in support of the petition.

No. 901, Misc. *CORTEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 337 F. 2d 699.

No. 1071, Misc. *MURPHY v. MAXWELL, WARDEN*. Sup. Ct. Ohio. Certiorari denied. Reported below: 177 Ohio St. 174, 203 N. E. 2d 233.

No. 1076, Misc. *SUMPTER v. NEW YORK*. Ct. App. N. Y. Certiorari denied.

June 7, 1965.

381 U. S.

No. 924, Misc. HICKOK *v.* CALIFORNIA. Dist. Ct. App. Cal., 1st App. Dist. Certiorari denied. Petitioner *pro se.* *Thomas C. Lynch*, Attorney General of California, and *Albert W. Harris, Jr.*, and *John F. Kraetzer*, Deputy Attorneys General, for respondent.

No. 966, Misc. WARE *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Jerome M. Feit* for the United States.

Nos. 979, Misc., and 990, Misc. SMITH *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. Petitioners *pro se.* *Solicitor General Cox*, *Assistant Attorney General Miller*, *Beatrice Rosenberg* and *Kirby W. Patterson* for the United States. Reported below: 340 F. 2d 126.

No. 1121, Misc. WHITE *v.* CROUSE, WARDEN. Sup. Ct. Kan. Certiorari denied. *Charles S. Scott* for petitioner. Reported below: 193 Kan. 674, 396 P. 2d 333.

No. 415, Misc. EASTMAN *v.* FAY, WARDEN. C. A. 2d Cir. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted and the judgment reversed for the reasons stated in their dissenting opinion in *Linkletter v. Walker*, *ante*, p. 640. *Leon B. Polsky* for petitioner. *Louis J. Lefkowitz*, Attorney General of New York, *Samuel A. Hirshowitz*, First Assistant Attorney General, *Barry Mahoney*, Assistant Attorney General, and *Brenda Soloff*, Deputy Assistant Attorney General, for respondent. Reported below: 333 F. 2d 28.

No. 1183, Misc. MOUNT *v.* PENNSYLVANIA. Sup. Ct. Pa. Certiorari denied. *Stephen M. Feldman* for petitioner. Reported below: 416 Pa. 343, 205 A. 2d 924.

381 U. S.

June 7, 1965.

No. 975, Misc. JONES *v.* VIRGINIA. Sup. Ct. App. Va. Certiorari denied. *Robert Lee Watt* and *Robert L. Murphy* for petitioner. *Ralph G. Louk* and *Donald C. Crounse* for respondent.

No. 373, Misc. CARNEY *v.* LAVALLEE, WARDEN. C. A. 2d Cir. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted and the judgment reversed for the reasons stated in their dissenting opinion in *Linkletter v. Walker*, ante, p. 640. Petitioner *pro se.* *Louis J. Lefkowitz*, Attorney General of New York, *Paxton Blair*, Solicitor General, and *Barry Mahoney*, Assistant Attorney General, for respondent.

No. 612, Misc. BERMAN *v.* FAY, WARDEN. C. A. 2d Cir. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted and the judgment reversed for the reasons stated in their dissenting opinion in *Linkletter v. Walker*, ante, p. 640. Petitioner *pro se.* *Frank S. Hogan* for respondent.

No. 513, Misc. CRAWFORD *v.* BANNAN, WARDEN. C. A. 6th Cir. Certiorari and other relief denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted and the judgment reversed for the reasons stated in their dissenting opinion in *Linkletter v. Walker*, ante, p. 640. Petitioner *pro se.* *Frank J. Kelley*, Attorney General of Michigan, *Robert A. Derengoski*, Solicitor General, and *James R. Ramsey*, Assistant Attorney General, for respondent. *Erwin Ellmann* for the American Civil Liberties Union of Michigan, as *amicus curiae*, in support of the petition. Reported below: 336 F. 2d 505.

June 7, 1965.

381 U. S.

No. 1169, Misc. *ROBERTS v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. *Douglas A. Jacobsen* for petitioner.

No. 748, Misc. *SOUTHERLAND v. GEORGIA*. Sup. Ct. Ga. Certiorari denied without prejudice to an application for a writ of habeas corpus in the appropriate United States District Court. *Chester E. Wallace* for petitioner. *Eugene Cook*, Attorney General of Georgia, and *Peyton S. Hawes, Jr.*, and *Alfred L. Evans, Jr.*, Assistant Attorneys General, for respondent.

Rehearing Denied.

No. 123. *FEDERAL POWER COMMISSION v. UNION ELECTRIC Co.*, *ante*, p. 90;

No. 363. *SIMONS v. MIAMI BEACH FIRST NATIONAL BANK, EXECUTOR*, *ante*, p. 81;

No. 871. *CAUER ET AL. v. BRENNER, COMMISSIONER OF PATENTS*, 380 U. S. 953;

No. 899. *MURPHY OIL CORP. v. UNITED STATES*, 380 U. S. 979;

No. 924. *ALLEGRETTI v. UNITED STATES*, *ante*, p. 911;

No. 925. *DARLAK v. UNITED STATES*, *ante*, p. 911;

No. 952. *SPOMAR v. UNITED STATES*, 380 U. S. 975;

No. 956. *UNITED PACKINGHOUSE, FOOD & ALLIED WORKERS, AFL-CIO v. WILSON & Co., INC.*, 380 U. S. 976;

No. 977. *BENDELARI v. UNITED STATES*, 380 U. S. 978;

No. 988. *ALLIED CENTRAL STORES, INC. v. COMMISSIONER OF INTERNAL REVENUE*, *ante*, p. 903;

No. 991. *SUMMERLIN v. UNITED STATES*, *ante*, p. 903;

No. 1013. *SCHWARTZ v. TANNER*, *ante*, p. 904;

No. 1094. *ATWOOD ET AL. v. HUMBLE OIL & REFINING Co.*, *ante*, p. 926; and

No. 237, Misc. *STEPHENS v. TEXAS*, 380 U. S. 980. Petitions for rehearing denied.

381 U. S.

June 7, 1965.

No. 481, Misc. BRADY *v.* OHIO, *ante*, p. 904;

No. 932, Misc. FERGUSON *v.* GEORGIA, *ante*, p. 905;

No. 982, Misc. EVANS *v.* KATZENBACH, ATTORNEY GENERAL, ET AL., *ante*, p. 920;

No. 994, Misc. ALLEN *v.* HOFFIUS ET AL., *ante*, p. 274;
and

No. 1050, Misc. SANTOS *v.* CALIFORNIA, *ante*, p. 919.
Petitions for rehearing denied.

No. 202. GRIFFIN *v.* CALIFORNIA, 380 U. S. 609. Petition for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

No. 677, Misc. LAWSON *v.* UNITED STATES, 380 U. S. 919, 989. Motion for leave to file second petition for rehearing denied.