

386 U. S.

February 13, 1967.

STONEHAM *v.* TEXAS.

APPEAL FROM THE COURT OF CRIMINAL APPEALS OF TEXAS.

No. 18, Misc. Decided February 13, 1967.

389 S. W. 2d 468, appeal dismissed.

Charles E. Benson for appellant.

PER CURIAM.

The appeal is dismissed.

THE CHIEF JUSTICE, MR. JUSTICE DOUGLAS, and MR. JUSTICE FORTAS would reverse the judgment of the court below for the reasons stated in the opinion of THE CHIEF JUSTICE in *Spencer v. Texas*, 385 U. S. 554, 569.

BEER *v.* ATTORNEY GENERAL OF CALIFORNIA.APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA.

No. 858, Misc. Decided February 13, 1967.

Affirmed.

PER CURIAM.

An application for a stay addressed to MR. JUSTICE DOUGLAS, and by him referred to the Court, is denied.

The judgment is affirmed.

MR. JUSTICE DOUGLAS is of the opinion that probable jurisdiction should be noted.