

February 27, 1967.

386 U. S.

## PHILLIPS ET VIR v. CALIFORNIA.

ON PETITION FOR WRIT OF CERTIORARI TO THE DISTRICT  
COURT OF APPEAL OF CALIFORNIA, SECOND  
APPELLATE DISTRICT.

No. 684, Misc. Decided February 27, 1967.

Certiorari granted; 240 Cal. App. 2d 197, 49 Cal. Rptr. 480, reversed.

Appellants *pro se*.

*Thomas C. Lynch*, Attorney General of California,  
*William E. James*, Assistant Attorney General, and  
*S. Clark Moore*, Deputy Attorney General, for appellee.

PER CURIAM.

The motion for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is reversed. *Chapman v. California*, ante, p. 18.

MR. JUSTICE BLACK and MR. JUSTICE CLARK are of the opinion that the judgment should be vacated and the case remanded for further consideration in light of *Chapman v. California*, *supra*.

MR. JUSTICE HARLAN would affirm the judgment below for the reasons set forth in his dissenting opinion in *Chapman v. California*, *supra*, at 45.