

386 U. S.

March 13, 1967.

WHEATON *v.* CALIFORNIA.

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

No. 46. Decided March 13, 1967.

Certiorari granted; vacated and remanded.

Byron J. Walters for petitioner.

Thomas C. Lynch, Attorney General of California,
William E. James, Assistant Attorney General, and
C. Anthony Collins, Deputy Attorney General, for
respondent.

PER CURIAM.

The petition for a writ of certiorari is granted. The judgment is vacated and the case remanded for further consideration in the light of *Chapman v. California, ante*, p. 18.

MR. JUSTICE STEWART would grant certiorari and reverse the judgment for the reasons stated in his opinion concurring in the result in *Chapman v. California, ante*, at 42.