

ORDERS FROM MAY 15 THROUGH  
JUNE 5, 1967.

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MAY 15, 1967.

*Miscellaneous Orders.*

No. ——. COLACASIDES *v.* MICHIGAN. Application for bail presented to MR. JUSTICE STEWART, and by him referred to the Court, denied. *Joseph W. Louisell* and *Ivan E. Barris* for applicant. *Frank J. Kelley*, Attorney General, and *Robert A. Derengoski*, Solicitor General, for the State of Michigan, in opposition.

No. 1169. ALITALIA-LINEE AEREE ITALIANE, S.P.A. *v.* LISI ET AL. C. A. 2d Cir. The Solicitor General is invited to file a brief expressing the views of the United States.

No. 25. UNITED STATES *v.* ARNOLD, SCHWINN & Co. ET AL. Appeal from D. C. N. D. Ill. (Probable jurisdiction noted, 382 U. S. 936.) Motion of O. M. Scott & Sons Co. for leave to file a brief, as *amicus curiae*, denied. *Thomas A. Rothwell* on the motion. *Harold D. Burgess*, *Robert C. Keck* and *James G. Hering* for Arnold, Schwinn & Co., and *Earl E. Pollock* for Schwinn Cycle Distributors Association in opposition to the motion.

No. 1521, Misc. THOMAS *v.* SUPREME COURT OF CALIFORNIA ET AL. Motion for leave to file petition for writ of mandamus and/or prohibition denied. Petitioner *pro se*. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Norman H. Kokolow*, Deputy Attorney General, for respondents.

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No. 31, Original. UTAH *v.* UNITED STATES. Motion for leave to file bill of complaint granted and the United States allowed sixty days to answer. *Phil L. Hansen*, Attorney General of Utah, on the motion. *Solicitor General Marshall* for the United States.

No. 491. BOARD OF SUPERVISORS OF SUFFOLK COUNTY ET AL. *v.* BIANCHI ET AL. Appeal from D. C. E. D. N. Y. (Probable jurisdiction noted, 385 U. S. 966.) Motion of Arthur McComb for leave to file brief, as *amicus curiae*, denied.

No. 1342. FEDERAL POWER COMMISSION *v.* SKELLY OIL CO. ET AL. C. A. 10th Cir. Motion of petitioner to expedite proceedings denied at this time insofar as it requests that responses to petition of the Federal Power Commission for writ of certiorari and to the other petitions for writs of certiorari dealing with the same proceeding be filed by May 20, 1967, whether or not such responses are, under the Rules of this Court, due by that date. *Solicitor General Marshall* for petitioner on the motion. Briefs in opposition to the motion were filed by *Robert E. May* and *Louis Flax* for Sun Oil Co., and *Bruce R. Merrill*, *Joseph C. Johnson* and *Thomas H. Burton* for Continental Oil Co., *Cecil N. Cook* for Midhurst Oil Corp., *Murray Christian* and *H. W. Varner* for Superior Oil Co., and *Paul W. Hicks*, *Robert W. Henderson* and *Donald K. Young* for Hunt Oil Co. et al. Reported below: 375 F. 2d 6.

No. 1602, Misc. BAKER *v.* GEORGIA;

No. 1617, Misc. HUMPHREY *v.* FIELD, CALIFORNIA MENS COLONY SUPERINTENDENT; and

No. 1625, Misc. SANDEFUR *v.* KROPP, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

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No. 1623, Misc. *BRYANS v. UNITED STATES*. C. A. 9th Cir. 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 denied.

No. 1631, Misc. *DICKERSON v. KROPP, WARDEN*. Sup. Ct. Mich. 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 denied.

No. 1543, Misc. *GARRISON v. UNITED STATES*; and

No. 1603, Misc. *WILTSIE v. WILSON, WARDEN*. Motions for leave to file petitions for writs of mandamus denied.

*Probable Jurisdiction Noted.* (See also No. 1088, *ante*, p. 94.)

No. 1109. *INTERSTATE CIRCUIT, INC. v. CITY OF DALLAS*; and

No. 1155. *UNITED ARTISTS CORP. v. CITY OF DALLAS*. Appeals from Ct. Civ. App. Tex., 5th Sup. Jud. Dist. Probable jurisdiction noted. Cases are consolidated and a total of two hours allotted for oral argument. *Grover Hartt, Jr.*, and *Edwin Tobolowsky* for appellant in No. 1109. *Paul Carrington* and *Dan McElroy* for appellant in No. 1155. *N. Alex Bickley* and *Ted P. MacMaster* for appellee in both cases. Reported below: 402 S. W. 2d 770.

*Certiorari Granted.* (See also No. 1116, *ante*, p. 96; No. 6, Misc., *ante*, p. 86; No. 710, Misc., *ante*, p. 90; No. 889, Misc., *ante*, p. 92; and No. 1059, Misc., *ante*, p. 91.)

No. 1157. *CASE-SWAYNE CO., INC. v. SUNKIST GROWERS, INC.* C. A. 9th Cir. Certiorari granted. *William H. Henderson* and *W. Glenn Harmon* for petitioner. *Charles E. Beardsley* and *Seth M. Hufstedler* for respondent. Reported below: 369 F. 2d 449.



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No. 1115. *WIRTZ, SECRETARY OF LABOR v. LOCAL 153, GLASS BOTTLE BLOWERS ASSOCIATION OF THE UNITED STATES AND CANADA, AFL-CIO*. C. A. 3d Cir. Certiorari granted. *Solicitor General Marshall, Assistant Attorney General Sanders, Nathan Lewin, Alan S. Rosenthal, Robert V. Zener and Charles Donahue, Edward D. Friedman and James R. Beaird* for petitioner. *Albert K. Plone* for respondent. Reported below: 372 F. 2d 86.

No. 1117. *WIRTZ, SECRETARY OF LABOR v. LOCAL UNION No. 125, LABORERS' INTERNATIONAL UNION OF NORTH AMERICA, AFL-CIO*. C. A. 6th Cir. Certiorari granted and case set for oral argument immediately following No. 1115. *Solicitor General Marshall, Assistant Attorney General Sanders, Nathan Lewin, Alan S. Rosenthal, Robert V. Zener and Charles Donahue* for petitioner. *Mortimer Riemer* for respondent. Reported below: 375 F. 2d 921.

No. 956, Misc. *SMITH v. ILLINOIS*. App. Ct. Ill., 1st Dist. Motion for leave to proceed *in forma pauperis* granted. Certiorari granted and case transferred to appellate docket. *Gerald W. Getty, Marshall J. Hartman and James J. Doherty* for petitioner. *William G. Clark*, Attorney General of Illinois, for respondent. Reported below: 70 Ill. App. 2d 289, 217 N. E. 2d 546.

*Certiorari Denied*. (See also No. 1088, *ante*, p. 94; and Misc. Nos. 1623 and 1631, *supra*.)

No. 891. *CORVALLIS SAND & GRAVEL CO. ET AL. v. HOISTING & PORTABLE ENGINEERS LOCAL UNION No. 701 ET AL.* Sup. Ct. Ore. Certiorari denied. *James C. Dezendorf* for petitioners. *Solicitor General Marshall, Arnold Ordman, Dominick L. Manoli and Norton J. Come* for the United States, as *amicus curiae*, in opposition. Reported below: 246 Ore. —, 419 P. 2d 38.

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No. 768. SULLIVAN ET UX. *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Edgar Shook* for petitioners. *Solicitor General Marshall* and *Assistant Attorney General Rogovin* for the United States. Reported below: 363 F. 2d 724.

No. 989. LAW MOTOR FREIGHT, INC., ET AL. *v.* CIVIL AERONAUTICS BOARD ET AL. C. A. 1st Cir. Certiorari denied. *Bryce Rea, Jr.*, and *Thomas M. Knebel* for petitioners. *Solicitor General Marshall*, *Assistant Attorney General Turner*, *Howard E. Shapiro*, *Joseph B. Goldman*, *O. D. Ozment*, *Warren L. Sharfman* and *Robert L. Toomey* for Civil Aeronautics Board, and *George C. Neal* and *Brian C. Elmer* for Emery Air Freight Corp., respondents. Reported below: 364 F. 2d 139.

No. 1102. HAHN ET UX. *v.* BIHLMIRE. Sup. Ct. Wis. Certiorari denied. *George Stephen Leonard* for petitioners. *Irvin B. Charne* for respondent. Reported below: 31 Wis. 2d 537, 143 N. W. 2d 433.

No. 1206. 305 EAST 43D STREET CORP. *v.* KARLSON. C. A. 2d Cir. Certiorari denied. *Edmund F. Lamb* for petitioner. *Stuart M. Speiser* for respondent. Reported below: 370 F. 2d 467.

No. 1160. NATIONAL MOTOR FREIGHT TRAFFIC ASSOCIATION, INC., ET AL. *v.* CIVIL AERONAUTICS BOARD ET AL. C. A. D. C. Cir. Certiorari denied. *Bryce Rea, Jr.*, *Thomas M. Knebel* and *Ronald R. Pentecost* for petitioners. *Solicitor General Marshall*, *Assistant Attorney General Turner*, *Howard E. Shapiro*, *Joseph B. Goldman*, *O. D. Ozment*, *Warren L. Sharfman* and *Robert L. Toomey* for Civil Aeronautics Board, and *George C. Neal* and *Brian C. Elmer* for Emery Air Freight Corp., respondents. Reported below: 126 U. S. App. D. C. 52, 374 F. 2d 266.

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No. 1104. *SWINDLEHURST v. AMERICAN FIDELITY FIRE INSURANCE CO. ET AL.* Sup. Ct. Mich. Certiorari denied. *H. Donald Bruce* for petitioner. *Fred Roland Allaben* for American Fidelity Fire Insurance Co., and *Stephen T. Roumell* for Sales, respondents.

No. 1180. *ANDERSON ET UX. v. COMMISSIONER OF INTERNAL REVENUE.* C. A. 6th Cir. Certiorari denied. *George D. Massar* for petitioners. *Solicitor General Marshall*, *Assistant Attorney General Rogovin* and *Robert N. Anderson* for respondent. Reported below: 371 F. 2d 59.

No. 1190. *NUCCIO ET AL. v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *Jerome Lewis* for petitioners. *Solicitor General Marshall*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 373 F. 2d 168.

No. 1196. *DATLOF v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. *Robert M. Taylor* for petitioner. *Solicitor General Marshall*, *Acting Assistant Attorney General Pugh* and *Robert H. Solomon* for the United States. Reported below: 370 F. 2d 655.

No. 1204. *SHERMAN v. UNITED STATES.* C. A. 3d Cir. Certiorari denied. *Seymour Kanter* for petitioner. *Solicitor General Marshall*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 372 F. 2d 131.

No. 1200. *McFARLAND v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *Maurice Edelbaum* for petitioner. *Solicitor General Marshall*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 371 F. 2d 701.



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No. 1197. BRYANT-BUCKNER ASSOCIATES, INC. *v.* DANVILLE TOBACCO ASSOCIATION ET AL. C. A. 4th Cir. Certiorari denied. *Frederick Bernays Wiener* for petitioner. *Edwin B. Meade* for respondent Danville Tobacco Association, and *Earle Garrett, Jr., Allan Garrett, Earle Garrett III* and *G. Kenneth Miller* for respondent Producers Tobacco Co., Inc. Reported below: 372 F. 2d 634.

No. 1198. RELIANCE INSURANCE CO. *v.* BLOUNT BROTHERS CORP. C. A. 5th Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted. *Edward Gallagher* for petitioner. *Douglas Arant* for respondent. Reported below: 370 F. 2d 733.

No. 1194. CHASE *v.* UNITED STATES. C. A. 4th Cir. Motion for leave to dispense with printing petition granted. Certiorari denied. *Louis Koutoulakos* for petitioner. *Solicitor General Marshall, Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 372 F. 2d 453.

No. 1040. QUINAULT TRIBE OF INDIANS *v.* GALLAGHER, SHERIFF, ET AL. C. A. 9th Cir. Motion for leave to dispense with printing petition granted. Certiorari denied. *Charles A. Hobbs* for petitioner. *John J. O'Connell*, Attorney General of Washington, *pro se*, and *Jane Dowdle Smith*, Assistant Attorney General, for Gallagher et al., respondents. Briefs *amicus curiae*, in support of the petition, were filed by *James B. Hovis* for Confederated Tribes and Bands of Yakima Indian Nation, and *James J. McArdle* for Makah Indian Tribe. *Solicitor General Marshall, Assistant Attorney General Vinson, Nathan Lewin* and *Beatrice Rosenberg* filed a memorandum for the United States. Reported below: 368 F. 2d 648.

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No. 1205. SPIVAK ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Myron L. Shapiro* for petitioners. *Solicitor General Marshall, Assistant Attorney General Rogovin and Crombie J. D. Garrett* for the United States. Reported below: 370 F. 2d 612.

No. 1207. LAWRENCE *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *J. B. Tietz* for petitioner. *Solicitor General Marshall, Assistant Attorney General Vinson, Beatrice Rosenberg and Jerome M. Feit* for the United States. Reported below: 370 F. 2d 388.

No. 1212. SYMONETTE SHIPYARDS, LTD. *v.* CLARK ET AL. C. A. 5th Cir. Certiorari denied. *W. F. Parker* for petitioner. *Arthur Roth, Charlotte J. Roth and Joseph S. Marcus* for respondents. Reported below: 365 F. 2d 464.

No. 1112. FOSTER *v.* LYKES BROS. STEAMSHIP CO., INC. C. A. 5th Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted. *Charles R. Maloney* for petitioner. *William E. Wright* for respondent. Reported below: 368 F. 2d 326.

No. 1062. SCHMITZ ET AL. *v.* SOCIETE INTERNATIONALE POUR PARTICIPATIONS INDUSTRIELLES ET COMMERCIALES, S. A., ET AL. C. A. D. C. Cir. Certiorari denied. MR. JUSTICE CLARK and MR. JUSTICE FORTAS took no part in the consideration or decision of this petition. *Daniel W. O'Donoghue and Ross O'Donoghue* for petitioners. *John J. Wilson and Frank H. Strickler* for Societe Internationale Pour Participations Industrielles et Commerciales, S. A., and *Solicitor General Marshall, Assistant Attorney General Sanders, Morton Hollander and Richard S. Salzman* for the Secretary of the Treasury, respondents.



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No. 1275. CREDITORS' COMMITTEE OF DRIVE-IN DEVELOPMENT CORP. ET AL. *v.* NATIONAL BOULEVARD BANK OF CHICAGO. C. A. 7th Cir. Certiorari denied. *G. Kent Yowell* for petitioners. Reported below: 371 F. 2d 215.

No. 1210. SARFATY ET AL. *v.* NOWAK, MAYOR OF CALUMET CITY, ET AL. C. A. 7th Cir. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted. *John Powers Crowley* and *Anna R. Lavin* for petitioners. Reported below: 369 F. 2d 256.

No. 1132. FLORISTS' NATIONWIDE TELEPHONE DELIVERY NETWORK—AMERICA'S PHONE-ORDER FLORISTS, INC. *v.* FLORISTS' TELEGRAPH DELIVERY ASSOCIATION; and

No. 1248. FLORISTS' TELEGRAPH DELIVERY ASSOCIATION *v.* FLORISTS' NATIONWIDE TELEPHONE DELIVERY NETWORK—AMERICA'S PHONE-ORDER FLORISTS, INC. C. A. 7th Cir. Certiorari denied. MR. JUSTICE FORTAS took no part in the consideration or decision of these petitions. *Thomas C. McConnell* and *Francis J. McConnell* for petitioner in No. 1132 and for respondent in No. 1248. *Norman Diamond* and *Melville C. Williams* for petitioner in No. 1248 and for respondent in No. 1132. Reported below: 371 F. 2d 263.

No. 884, Misc. PETTIT *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Marshall*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Julia P. Cooper* for the United States.

No. 1201. PEPE *v.* NEW YORK. Ct. App. N. Y. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Hyman Bravin* and *Irving Anolik* for petitioner. *Frank S. Hogan* for respondent.

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No. 1158. *HURST v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Ellis G. Arnall* for petitioner. *Solicitor General Marshall, Assistant Attorney General Vinson, Beatrice Rosenberg and Jerome M. Feit* for the United States. Reported below: 370 F. 2d 161; 371 F. 2d 1018.

No. 848, Misc. *BOWERS v. RUNDLE, CORRECTIONAL SUPERINTENDENT*. C. A. 3d Cir. Certiorari denied. Petitioner *pro se*. *Arlen Specter* for respondent. Reported below: 361 F. 2d 218.

No. 988, Misc. *SCHIEBELHUT v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Marshall, Assistant Attorney General Vinson, Beatrice Rosenberg and Ronald L. Gainer* for the United States. Reported below: 357 F. 2d 743.

No. 1170, Misc. *DURHAM v. VIRGINIA*. Cir. Ct., Frederick County, Va. Certiorari denied. *David G. Simpson* for petitioner. *Joseph A. Massie, Jr.*, for respondent.

No. 1431, Misc. *VIDA v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Jerome Goldman* for petitioner. *Solicitor General Marshall, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States. Reported below: 370 F. 2d 759.

No. 1350, Misc. *KING v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. *Richard M. Millman* for petitioner. *Solicitor General Marshall, Assistant Attorney General Vinson, Beatrice Rosenberg and Robert G. May-sack* for the United States. Reported below: 125 U. S. App. D. C. 168, 369 F. 2d 213.

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No. 1178, Misc. BELTOWSKI *v.* MINNESOTA. Sup. Ct. Minn. Certiorari denied. Petitioner *pro se.* Douglas M. Head, Attorney General of Minnesota, George M. Scott and Henry W. McCarr, Jr., for respondent.

No. 1438, Misc. GARRISON *v.* LACEY ET AL. C. A. 10th Cir. Certiorari denied. Petitioner *pro se.* Solicitor General Marshall for respondents.

No. 1473, Misc. CARTER *v.* WISCONSIN. Sup. Ct. Wis. Certiorari denied. Reported below: 33 Wis. 2d 80, 146 N. W. 2d 466.

No. 1476, Misc. McCONNELL *v.* PATTERSON, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 370 F. 2d 41.

No. 1477, Misc. DAVIDSON *v.* INDIANA. Sup. Ct. Ind. Certiorari denied. William C. Erbecker for petitioner. Reported below: — Ind. —, —, 220 N. E. 2d 340, 221 N. E. 2d 814.

No. 1479, Misc. BLOOMER *v.* KANSAS. Sup. Ct. Kan. Certiorari denied. Reported below: 197 Kan. 668, 421 P. 2d 58.

No. 1486, Misc. GORDON *v.* KENTUCKY. Ct. App. Ky. Certiorari denied.

No. 1496, Misc. RIVERA *v.* NEW YORK. Ct. App. N. Y. Certiorari denied.

No. 1499, Misc. NIETO *v.* CALIFORNIA. Dist. Ct. App. Cal., 2d App. Dist. Certiorari denied. Caryl Warner for petitioner. Reported below: 247 Cal. App. 2d 364, 55 Cal. Rptr. 546.



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No. 1504, Misc. *PLETCHER v. RUSSELL*, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Certiorari denied. Reported below: 371 F. 2d 549.

No. 1505, Misc. *KUK v. WARDEN*, NEVADA STATE PRISON. Sup. Ct. Nev. Certiorari denied. Reported below: — Nev. —, 423 P. 2d 675.

No. 1507, Misc. *RODRIGUEZ v. DUNBAR*, CORRECTIONS DIRECTOR, ET AL. C. A. 9th Cir. Certiorari denied.

No. 1508, Misc. *HAINES v. FRYE*, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 1509, Misc. *BELTOWSKI v. LARSON*, JUDGE. C. A. 8th Cir. Certiorari denied.

No. 1511, Misc. *CROSBY v. BRIERLEY*, COUNTY SUPERINTENDENT, ET AL. C. A. 3d Cir. Certiorari denied.

No. 1513, Misc. *SEITERLE v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. *Earl Klein* for petitioner. Reported below: 65 Cal. 2d 333, 420 P. 2d 217.

No. 1518, Misc. *HARDEMAN v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied. *Melvin M. Belli* for petitioner. Reported below: 244 Cal. App. 2d 1, 53 Cal. Rptr. 168.

No. 1536, Misc. *CHROMIAK v. FIELD*, STATE INSTITUTION SUPERINTENDENT. C. A. 9th Cir. Certiorari denied.

No. 1519, Misc. *OVERSTREET v. SOUTHERN RAILWAY Co.* C. A. 5th Cir. Certiorari denied. *W. S. Murphy* for petitioner. *Charles A. Horsky* and *M. M. Roberts* for respondent. Reported below: 371 F. 2d 411.

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No. 1533, Misc. BEASLEY *v.* WILSON, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 370 F. 2d 320.

No. 1535, Misc. PHELPS *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. Solicitor General Marshall, Assistant Attorney General Vinson and Beatrice Rosenberg for the United States. Reported below: 373 F. 2d 194.

No. 1538, Misc. PARRISH *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. John J. Dwyer for petitioner. Solicitor General Marshall, Assistant Attorney General Vinson and Beatrice Rosenberg for the United States. Reported below: 372 F. 2d 453.

No. 1546, Misc. WILLIAMS *v.* OLIVER, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 1549, Misc. STILTNER *v.* RHAY, PENITENTIARY SUPERINTENDENT, ET AL. Sup. Ct. Wash. Certiorari denied.

No. 1560, Misc. GROLEAU *v.* UNITED STATES ET AL. C. A. D. C. Cir. Certiorari denied. Petitioner *pro se*. Solicitor General Marshall, Assistant Attorney General Vinson and Beatrice Rosenberg for the United States et al.

No. 1629, Misc. COWENS *v.* WAINWRIGHT, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied. Reported below: 373 F. 2d 34.

No. 1569, Misc. STILTNER *v.* RHAY, PENITENTIARY SUPERINTENDENT. Sup. Ct. Wash. Certiorari denied.

No. 1580, Misc. FODREY *v.* PEYTON, PENITENTIARY SUPERINTENDENT. C. A. 4th Cir. Certiorari denied.

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No. 1582, Misc. *SCOTT v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. *Donald I. Strauber* for petitioner.

No. 1589, Misc. *FITZGERALD v. CALIFORNIA ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 823, Misc. *BLESSING v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Petitioner *pro se*. *Frank J. Kelley*, Attorney General of Michigan, *Robert A. Derengoski*, Solicitor General, and *Curtis G. Beck*, Assistant Attorney General, for respondent. Reported below: 378 Mich. 51, 142 N. W. 2d 709.

No. 939, Misc. *KUSHMER v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Petitioner *pro se*. *Solicitor General Marshall*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Robert G. May-sack* for the United States. Reported below: 365 F. 2d 153.

No. 1080, Misc. *SENK v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Reported below: 423 Pa. 129, 223 A. 2d 97.

No. 1556, Misc. *CASTRO 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. *Frank S. Hogan* for respondent. Reported below: 19 N. Y. 2d 14, 224 N. E. 2d 80.

No. 1487, Misc. *McSHANE ET AL. v. CLEAVER ET AL.* Dist. Ct. App. Cal., 5th App. Dist. Certiorari and other relief denied.



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*Rehearing Denied.*

No. 467, October Term, 1962. *ALVADO ET AL. v. GENERAL MOTORS CORP.* Motion for leave to file fifth petition for rehearing denied. MR. JUSTICE FORTAS took no part in the consideration or decision of this motion. [See, *e. g.*, 384 U. S. 1028.]

No. 1091. *OGLETREE ET AL. v. OHIO*, 386 U. S. 1007;

No. 1092. *FRANKLIN ET AL. v. McDANIEL*, 386 U. S. 993;

No. 275, Misc. *SMITH v. OHIO*, 386 U. S. 1008;

No. 1076, Misc. *BJORNSEN v. LAVALLEE, WARDEN*, 386 U. S. 998;

No. 1210, Misc. *PITTMAN v. UNITED STATES*, 386 U. S. 995;

No. 1247, Misc. *EVERETT v. UNITED STATES*, 386 U. S. 1013; and

No. 1439, Misc. *SMITH v. WILSON, WARDEN*, 386 U. S. 1002. Petitions for rehearing denied.

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*Miscellaneous Orders.*

No. ——. *LEVY v. CORCORAN*, U. S. DISTRICT JUDGE. Application for a stay presented to MR. CHIEF JUSTICE WARREN, and by him referred to the Court, denied. *Anthony G. Amsterdam* and *Charles Morgan, Jr.*, for applicant. *Solicitor General Marshall* for the United States in opposition.

No. 1298, Misc. *OSBORN v. CALIFORNIA MENS COLONY SUPERINTENDENT*. Motion for leave to file petition for writ of habeas corpus denied. Petitioner *pro se*. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Jack K. Weber*, Deputy Attorney General, for respondent.

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No. —. WALLACE, GOVERNOR OF ALABAMA *v.* LEE ET AL. D. C. M. D. Ala. Application for a stay presented to MR. JUSTICE BLACK, and by him referred to the Court, denied. *MacDonald Gallion*, Attorney General of Alabama, *Gordon Madison*, Assistant Attorney General, *Nicholas S. Hare*, Special Assistant Attorney General, *John C. Satterfield* and *Maury Smith* for applicant. *Charles S. Ralston*, *Jack Greenberg*, *James M. Nabrit III* and *Fred D. Gray* for Lee et al., and *Solicitor General Marshall* and *Assistant Attorney General Doar* for the United States in opposition. Reported below: 267 F. Supp. 458.

No. 895. KATZ *v.* UNITED STATES. C. A. 9th Cir. (Certiorari granted, 386 U. S. 954.) Motion of petitioner for leave to proceed further herein *in forma pauperis* granted. *Burton Marks* on the motion.

No. 1643, Misc. RIVERA *v.* GOVERNMENT OF THE VIRGIN ISLANDS; and

No. 1652, Misc. ALLEN *v.* RUSSELL, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

No. 1539, Misc. BOLES *v.* BURNETT, CHIEF JUSTICE. Motion for leave to file petition for writ of mandamus and/or prohibition denied.

*Certiorari Granted.* (See also No. 274, *ante*, p. 237; No. 1003, *ante*, p. 231; No. 24, Misc., *ante*, p. 241; No. 33, Misc., *ante*, p. 242; No. 48, Misc., *ante*, p. 243; and No. 354, Misc., *ante*, p. 236.)

No. 1218. INTERNATIONAL LONGSHOREMEN'S ASSOCIATION, LOCAL 1291, ET AL. *v.* PHILADELPHIA MARINE TRADE ASSOCIATION. C. A. 3d Cir. Certiorari granted and case set for oral argument immediately following No. 892. *Abraham E. Freedman* and *Martin J. Vigderman* for petitioners. Reported below: 368 F. 2d 932.

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*Certiorari Denied.* (See also No. 1174, *ante*, p. 235; No. 1182, *ante*, p. 235; and No. 1199, *ante*, p. 240.)

No. 1122. *BROWN ET AL., DBA GEM DAIRY v. UNITED STATES ET AL.* C. A. 10th Cir. *Certiorari* denied. *George Louis Creamer* for petitioners. *Solicitor General Marshall, Assistant Attorney General Sanders, Alan S. Rosenthal* and *Richard S. Salzman* for the United States et al. Reported below: 367 F. 2d 907.

No. 1124. *BISSELL ET AL. v. McELLAGOTT, ADMINISTRATOR, ET AL.* C. A. 8th Cir. *Certiorari* denied. *Alan B. Slayton* for Bissell et al., and *Tom B. Kretsinger* for Gampher et al., petitioners. *Solicitor General Marshall* for respondent United States. Reported below: 369 F. 2d 115.

No. 1130. *NOREN ET AL. v. MCCARTHY, MANAGER OF UNITED STATES LAND OFFICE.* C. A. 9th Cir. *Certiorari* denied. *Edson Abel* for petitioners. *Solicitor General Marshall, Assistant Attorney General Weisl* and *Roger P. Marquis* for respondent. Reported below: 370 F. 2d 845.

No. 1150. *GOODMAN v. UNITED STATES;*

No. 1151. *COHEN v. UNITED STATES;* and

No. 1152. *COUGHLIN v. UNITED STATES.* Ct. Cl. *Certiorari* denied. *E. Barrett Prettyman, Jr.,* and *James E. Murray* for petitioners in all three cases. *Solicitor General Marshall, Assistant Attorney General Sanders, Morton Hollander* and *John C. Eldridge* for the United States in all three cases. *Elmer Neumann* for American Federation of Government Employees, as *amicus curiae*, in support of the petitions in all three cases. Reported below: 177 Ct. Cl. 599, 369 F. 2d 976.

No. 1220. *DELFINO v. UNITED STATES.* C. A. 1st Cir. *Certiorari* denied. Petitioner *pro se.* *Solicitor General Marshall* for the United States.



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No. 1173. *STILL ET AL. v. ROSSVILLE CRUSHED STONE Co., INC.* C. A. 6th Cir. Certiorari denied. *Joe Timberlake* for petitioners. *Frank M. Gleason* for respondent. Reported below: 370 F. 2d 324.

No. 1214. *STRATHMORE SECURITIES, INC., ET AL. v. SECURITIES AND EXCHANGE COMMISSION.* C. A. D. C. Cir. Certiorari denied. *Maurice J. Mahoney* for petitioners. *Solicitor General Marshall, Philip A. Loomis, Jr., and Walter P. North* for respondent.

No. 1215. *BABCOCK ET UX. v. PHILLIPS.* C. A. 10th Cir. Certiorari denied. *Gene W. Reardon* for petitioners. *Solicitor General Marshall, Assistant Attorney General Rogovin and Harry Baum* for respondent. Reported below: 372 F. 2d 240.

No. 1219. *BEALL PIPE & TANK CORP. v. SHELL OIL Co.* C. A. 9th Cir. Certiorari denied. *Kenneth E. Roberts* for petitioner. *Arden E. Shenker* for respondent. Reported below: 370 F. 2d 742.

No. 1222. *GARY AIRCRAFT CORP. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 5th Cir. Certiorari denied. *L. G. Clinton, Jr.,* for petitioner. *Solicitor General Marshall, Arnold Ordman, Dominick L. Manoli and Norton J. Come* for respondent. Reported below: 368 F. 2d 223.

No. 1225. *COLSON CORP. v. EVEREST & JENNINGS, INC., ET AL.* C. A. 7th Cir. Certiorari denied. *Barry L. Kroll* for petitioner. *Allan D. Mockabee* for respondents. Reported below: 371 F. 2d 240.

No. 1226. *MALLON ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Robert V. Blade* for petitioners. *Solicitor General Marshall* for the United States.

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No. 1228. TOOL RESEARCH & ENGINEERING CORP. *v.* HONCOR CORP. C. A. 9th Cir. Certiorari denied. *Sidney Dorfman* for petitioner. *Wm. Douglas Sellers* for respondent. Reported below: 367 F. 2d 449.

No. 1232. HELAMS *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Porter B. Byrum* for petitioner. *Solicitor General Marshall, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States. Reported below: 372 F. 2d 780.

No. 1235. MARTIN ET AL. *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Richard E. Gorman* for petitioners. *Solicitor General Marshall, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States. Reported below: 372 F. 2d 63.

No. 1237. CORSON ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 3d Cir. Certiorari denied. *Robert M. Taylor* for petitioners. *Solicitor General Marshall, Assistant Attorney General Rogovin and Joseph M. Howard* for respondent. Reported below: 369 F. 2d 367.

No. 1239. JACKSON COUNTY PUBLIC WATER SUPPLY DISTRICT, No. 1 *v.* ONG AIRCRAFT CORP. ET AL. K. C. Ct. App. Mo. Certiorari denied. *Albert Thomson* for petitioner. *Roy P. Swanson* for respondent Ong Aircraft Corp. Reported below: 409 S. W. 2d 226.

No. 1244. ROCCO *v.* LIFE MAGAZINE ET AL. Ct. App. Cal., 2d App. Dist. Certiorari denied. Petitioner *pro se*. *Homer I. Mitchell and Harold R. Medina, Jr.*, for respondents.

No. 1200, Misc. FRANKLIN *v.* ARIZONA. Ct. App. Ariz. Certiorari denied.

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No. 1247. *STEVENS v. FRICK*. C. A. 2d Cir. Certiorari denied. *Simon H. Rifkind* for petitioner. *David B. Buerger* for respondent. Reported below: 372 F. 2d 378.

No. 1256. *DULAINE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Marshall* for the United States. Reported below: 371 F. 2d 824.

No. 1264. *O'BRIEN ET AL. v. GREAT NORTHERN RAILWAY CO. ET AL.* Sup. Ct. Mont. Certiorari denied. *Alfred B. Coate* for petitioners. *Edwin S. Booth* for respondents. Reported below: — Mont. —, 421 P. 2d 710.

No. 1267. *SCOLERI v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Frank G. Whalen* for petitioner. *Solicitor General Marshall*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 374 F. 2d 859.

No. 1288. *ARROYO v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 7th Cir. Certiorari denied. *Nathan T. Notkin* for petitioner. *Solicitor General Marshall*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for respondent.

No. 1221, Misc. *VELASQUEZ v. RHAY, PENITENTIARY SUPERINTENDENT*. Sup. Ct. Wash. Certiorari denied. Petitioner *pro se*. *John J. O'Connell*, Attorney General of Washington, and *Stephen C. Way* and *Lee D. Rickabaugh*, Assistant Attorneys General, for respondent.

No. 1230, Misc. *HERRINGTON v. NEW YORK*. Ct. App. N. Y. Certiorari denied.



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No. 1069, Misc. *TIVEY v. RHAY, PENITENTIARY SUPERINTENDENT*. Sup. Ct. Wash. Certiorari denied. Petitioner *pro se*. *John J. O'Connell*, Attorney General of Washington, and *Stephen C. Way* and *Lee D. Rickabaugh*, Assistant Attorneys General, for respondent.

No. 1217. *INTERNATIONAL RAILWAYS OF CENTRAL AMERICA v. UNITED FRUIT Co.*; and

No. 1320. *UNITED FRUIT Co. v. INTERNATIONAL RAILWAYS OF CENTRAL AMERICA*. C. A. 2d Cir. Certiorari denied. MR. JUSTICE STEWART took no part in the consideration or decision of these petitions. *Aaron Lewittes* for petitioner in No. 1217 and for respondent in No. 1320. *Ralph M. Carson* for petitioner in No. 1320 and for respondent in No. 1217. Reported below: 373 F. 2d 408.

No. 378. *WATERMAN STEAMSHIP CORP. v. SKIBINSKI*. C. A. 2d Cir. Motions of American Merchant Marine Institute, Inc., and American Trial Lawyers Association for leave to file briefs, as *amici curiae*, granted. Certiorari denied. *Sidney A. Schwartz* for petitioner. *William A. Blank* and *Wilfred L. Davis* for respondent. *Cornelius P. Coughlan* for American Merchant Marine Institute, Inc., as *amicus curiae*, in support of the petition. *Arthur J. Mandell* for American Trial Lawyers Association, as *amicus curiae*, in opposition to the petition. Reported below: 360 F. 2d 539.

No. 1344, Misc. *ENGLISH v. TENNESSEE*; and

No. 1502, Misc. *GRANT v. TENNESSEE*. Sup. Ct. Tenn. Certiorari denied. Petitioners *pro se*. *George F. McCannless*, Attorney General of Tennessee, and *Edgar P. Calhoun*, Assistant Attorney General, for respondent in No. 1344, Misc. Reported below: — Tenn. —, —, 411 S. W. 2d 702.

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No. 1330. GRACE LINE, INC., ET AL. *v.* SCOPAZ ET AL. C. A. 2d Cir. Certiorari denied. *Louis J. Gusmano* for petitioners. *Chester A. Hahn* for respondents. Reported below: 372 F. 2d 403.

No. 1279, Misc. LAWRENCE *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied. Petitioner *pro se.* *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Bradley A. Stoutt*, Deputy Attorney General, for respondent.

No. 1300, Misc. MILES *v.* OLIVER, WARDEN. Sup. Ct. Cal. Certiorari denied. Petitioner *pro se.* *Thomas C. Lynch*, Attorney General of California, *Doris H. Maier*, Assistant Attorney General, and *Nelson P. Kempsky*, Deputy Attorney General, for respondent.

No. 1308, Misc. STILTNER *v.* WASHINGTON ET AL. C. A. 9th Cir. Certiorari denied. Petitioner *pro se.* *John J. O'Connell*, Attorney General of Washington, and *Stephen C. Way*, Assistant Attorney General, for respondents. Reported below: 371 F. 2d 420.

No. 1348, Misc. PINO *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. Petitioner *pro se.* *Solicitor General Marshall*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 125 U. S. App. D. C. 225, 370 F. 2d 247.

No. 1458, Misc. KILPATRICK *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Richard D. Andrews* for petitioner. *Solicitor General Marshall*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Jerome M. Feit* for the United States. Reported below: 372 F. 2d 93.

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No. 1353, Misc. *CHEELY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Marshall, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States. Reported below: 367 F. 2d 547.

No. 1320, Misc. *SHEPPARD v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. *George Howard, Jr.*, for petitioner. *Joe Purcell*, Attorney General of Arkansas, for respondent.

No. 1389, Misc. *HANKINS v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Marshall, Assistant Attorney General Vinson, Beatrice Rosenberg and Robert G. Maysack* for the United States.

No. 1399, Misc. *HARRELL v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *John J. Cleary* for petitioner. *Solicitor General Marshall, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States. Reported below: 371 F. 2d 160.

No. 1429, Misc. *WEIYMANN ET AL. v. ALLGOOD, WARDEN, ET AL.* C. A. 5th Cir. Certiorari denied. Reported below: 367 F. 2d 394.

No. 1471, Misc. *HALL v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Marshall, Assistant Attorney General Vinson, Beatrice Rosenberg and Robert G. Maysack* for the United States. Reported below: 372 F. 2d 603.

No. 1489, Misc. *SHIPP v. CITY OF TOLEDO*. Sup. Ct. Ohio. Certiorari denied. Petitioner *pro se*. *John J. Burkhardt* for respondent.



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No. 1526, Misc. *MANNING v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Marshall* for the United States. Reported below: 371 F. 2d 811.

No. 1520, Misc. *SCHILDHAUS v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Acting Solicitor General Spritzer*, *Acting Assistant Attorney General Pugh* and *Robert N. Anderson* for respondent. Reported below: 370 F. 2d 549.

No. 1537, Misc. *NADILE v. NEW YORK*. Ct. App. N. Y. Certiorari denied.

No. 1540, Misc. *KINNETT v. KENTUCKY*. Ct. App. Ky. Certiorari denied. *Robert D. Simmons* for petitioner. Reported below: 408 S. W. 2d 417.

No. 1541, Misc. *NELSON v. MILLER, CAPTAIN, UNITED STATES NAVY, ET AL.* C. A. 3d Cir. Certiorari denied. *James J. Orlow* for petitioner. *Solicitor General Marshall* for respondents. Reported below: 373 F. 2d 474.

No. 1544, Misc. *ROHDE v. OREGON*. Sup. Ct. Ore. Certiorari denied. Petitioner *pro se*. *George Van Hoomissen* and *Jacob B. Tanzer* for respondent. Reported below: 245 Ore. 593, 421 P. 2d 690.

No. 1552, Misc. *SUMPTER v. CITY OF CLEVELAND*. Sup. Ct. Ohio. Certiorari denied. *Frank C. Lyons* and *Alexander H. Martin, Jr.*, for petitioner. *Donald J. Guittar* for respondent.

No. 1655, Misc. *FARGO v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 1563, Misc. *BROWN v. INDIANA*. Sup. Ct. Ind. Certiorari denied. *Max Cohen* for petitioner. *John J. Dillon*, Attorney General of Indiana, and *Douglas B. McFadden*, Deputy Attorney General, for respondent. Reported below: — Ind. —, 221 N. E. 2d 676.

No. 1567, Misc. *ABNEY v. MARYLAND*. Ct. App. Md. Certiorari denied. Reported below: 244 Md. 444, 223 A. 2d 792.

No. 1568, Misc. *McINTOSH v. OHIO*. Sup. Ct. Ohio. Certiorari denied. Petitioner *pro se*. *Melvin G. Rueger* and *Calvin W. Prem* for respondent.

No. 1620, Misc. *GONZALES v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. *John J. Browne* for petitioner. Reported below: 410 S. W. 2d 435.

No. 1634, Misc. *DORADO v. CALIFORNIA ADULT AUTHORITY ET AL.* Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 1656, Misc. *STILTNER v. WASHINGTON STATE BOARD OF PRISON TERMS AND PAROLES*. C. A. 9th Cir. Certiorari denied.

No. 1591, Misc. *HAWKS v. PEYTON, PENITENTIARY SUPERINTENDENT*. C. A. 4th Cir. Certiorari denied. Reported below: 370 F. 2d 123.

No. 999, Misc. *CANADA v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. Petitioner *pro se*. *Darrell F. Smith*, Attorney General of Arizona, and *James S. Tegart*, Assistant Attorney General, for respondent.

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No. 1665, Misc. *SCHACK v. FLORIDA*. C. A. 5th Cir. Certiorari denied.

No. 1590, Misc. *WENDELL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *John G. Clancy* for petitioner. *Solicitor General Marshall* for the United States. Reported below: 370 F. 2d 472.

No. 1361, Misc. *WHITTLESEY ET AL. v. UNITED STATES*. C. A. D. C. Cir. Motion for leave to file amended petition granted. Certiorari denied. *Frank D. Reeves* and *Herbert O. Reid, Sr.*, for petitioners. *Solicitor General Marshall*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States.

*Rehearing Denied.*

No. 110. *NATIONAL WOODWORK MANUFACTURERS ASSOCIATION ET AL. v. NATIONAL LABOR RELATIONS BOARD*, 386 U. S. 612;

No. 111. *NATIONAL LABOR RELATIONS BOARD v. NATIONAL WOODWORK MANUFACTURERS ASSOCIATION ET AL.*, 386 U. S. 612;

No. 646. *INDIANA & MICHIGAN ELECTRIC CO. v. FEDERAL POWER COMMISSION*, 385 U. S. 972;

No. 1019. *BERMAN v. BOARD OF ELECTIONS, CITY OF NEW YORK, ET AL.*, 386 U. S. 481;

No. 1034. *STEWART ET AL. v. INDUSTRIAL COMMISSION OF ILLINOIS ET AL.*, 386 U. S. 683;

No. 1075. *STICKLER v. TEHAN, SHERIFF*, 386 U. S. 992;

No. 1409, Misc. *ANDERSON v. UNITED STATES*, 386 U. S. 1025. Petitions for rehearing denied.

No. 1014. *WALKER v. ARKANSAS*, 386 U. S. 682. Motion to present oral argument in support of rehearing and petition for rehearing denied.



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*Dismissal Under Rule 60.*

No. 1420, Misc. *McVAIL v. CAVELL*, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court.

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*Miscellaneous Orders.*

No. —. *IN RE SHOTT*. It is ordered that Edgar I. Shott, Jr., of Cincinnati, Ohio, be permitted to resign voluntarily from the Bar of this Court. It is further ordered that his name be stricken from the roll of attorneys admitted to practice in this Court.

No. —. *PIERCE v. PINTO*, PRISON FARM SUPERINTENDENT. Application for bail denied. MR. JUSTICE DOUGLAS took no part in the consideration or decision of this application.

No. 371. *CROWN COAT FRONT CO., INC. v. UNITED STATES*, 386 U. S. 503. Motion for allowance of costs denied. *Edwin J. McDermott* for petitioner. *Solicitor General Marshall* for the United States in opposition.

No. 1308. *OBER ET AL. v. NAGY ET AL.* The Solicitor General is invited to file a brief expressing the views of the United States.

No. 1820, Misc. *IN RE DISBARMENT OF QUIMBY*. It is ordered that Charles H. Quimby III of Washington, District of Columbia, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

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No. 1679, Misc. GAUZE *v.* OLIVER, WARDEN, ET AL.;  
No. 1684, Misc. KEY *v.* ARIZONA ET AL.; and

No. 1697, Misc. GREENLEE *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 denied.

No. 1605, Misc. POPE *v.* PARKER, WARDEN, ET AL.;  
No. 1653, Misc. LEWIS *v.* ILLINOIS ET AL.; and

No. 1670, Misc. HUDSON *v.* TEXAS ET AL. Motions for leave to file petitions for writs of mandamus denied.

No. 1677, Misc. SKOLNICK *v.* FEDERAL CIRCUIT JUDGES OF SEVENTH JUDICIAL CIRCUIT; and

No. 1678, Misc. SKOLNICK *v.* CUMMINGS ET AL. Motions for leave to file petitions for writs of mandamus and/or prohibition denied.

No. 1604, Misc. MORGAN *v.* UNITED STATES. Motion for leave to file petition for writ of prohibition and/or mandamus denied. Petitioner *pro se*. *Solicitor General Marshall, Assistant Attorney General Rogovin, Joseph M. Howard and John P. Burke* for the United States in opposition.

*Probable Jurisdiction Noted.*

No. 1208. LEE, CORRECTIONS COMMISSIONER, ET AL. *v.* WASHINGTON ET AL. Appeal from D. C. M. D. Ala. Probable jurisdiction noted. *MacDonald Gallion*, Attorney General of Alabama, *Gordon Madison*, Assistant Attorney General, *Nicholas S. Hare*, Special Assistant Attorney General, for Lee et al., and *J. M. Breckenridge* for Austin, appellants. *Charles Morgan, Jr.*, for appellees. Reported below: 263 F. Supp. 327.

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No. 1236. UNITED STATES *v.* JACKSON ET AL. Appeal from D. C. Conn. Probable jurisdiction noted. *Solicitor General Marshall, Assistant Attorney General Vinson, Robert S. Rifkind, Beatrice Rosenberg and Sidney M. Glazer* for the United States. Reported below: 262 F. Supp. 716.

*Certiorari Granted.* (See also Nos. 43 and 64, *ante*, p. 425.)

No. 952. PROTECTIVE COMMITTEE FOR INDEPENDENT STOCKHOLDERS OF TMT TRAILER FERRY, INC. *v.* ANDERSON, TRUSTEE IN BANKRUPTCY. C. A. 5th Cir. *Certiorari* granted. *Irwin L. Langbein* for petitioner. *William P. Simmons, Jr.*, for respondent. *Solicitor General Marshall, Daniel M. Friedman, Philip A. Loomis, Jr., David Ferber, Paul Gonson and Robert W. Cox* filed a memorandum for the Securities and Exchange Commission. Reported below: 364 F. 2d 936.

No. 1161. TERRY ET AL. *v.* OHIO. Sup. Ct. Ohio. *Certiorari* granted and case set for oral argument immediately following No. 1192. *Jack G. Day* for petitioners. *John T. Corrigan* for respondent. *Bernard A. Berkman* for American Civil Liberties Union of Ohio, as *amicus curiae*, in support of the petition.

*Certiorari Denied.* (See also No. 1557, Misc., *ante*, p. 423; No. 1565, Misc., *ante*, p. 424; No. 1572, Misc., *ante*, p. 426; and No. 1606, Misc., *ante*, p. 425; and Misc. Nos. 1679, 1684 and 1697, *supra*.)

No. 1153. KYER *v.* UNITED STATES. Ct. Cl. *Certiorari* denied. *Warren E. Magee* for petitioner. *Solicitor General Marshall* for the United States. Reported below: 177 Ct. Cl. 747, 369 F. 2d 714.



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No. 1120. *BEIGEL v. UNITED STATES*; and

No. 1254. *LAPI v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Eugene Feldman* for petitioner in No. 1120. *Frank A. Lopez* for petitioner in No. 1254. *Solicitor General Marshall, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States in both cases. Reported below: 370 F. 2d 751.

No. 1240. *CREAM CREST-BLANDING DAIRIES, INC. v. NATIONAL DAIRY PRODUCTS CORP.* C. A. 6th Cir. Certiorari denied. *Douglas K. Reading* for petitioner. *Gordon B. Wheeler* for respondent. Reported below: 370 F. 2d 332.

No. 1242. *GREEN v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied.

No. 1243. *JACKSON v. NEW YORK*. Ct. App. N. Y. Certiorari denied.

No. 1245. *WAX v. ILLINOIS*. App. Ct. Ill., 4th Dist. Certiorari denied. *Charles A. Bellows* for petitioner. Reported below: 75 Ill. App. 2d 163, 220 N. E. 2d 600.

No. 1249. *BOARD OF TRANSPORTATION OF NEW CASTLE COUNTY v. CIVIL AERONAUTICS BOARD*. C. A. D. C. Cir. Certiorari denied. *Robert M. Beckman* for petitioner. *Solicitor General Marshall, Assistant Attorney General Turner, Howard E. Shapiro, Joseph B. Goldman, O. D. Ozment, Warren L. Sharfman and Frederic D. Houghteling* for respondent. Reported below: 125 U. S. App. D. C. 268, 371 F. 2d 733.

No. 1260. *MACK TRUCKS, INC. v. BENDIX-WESTINGHOUSE AUTOMOTIVE AIR BRAKE CO. ET AL.* C. A. 3d Cir. Certiorari denied. *Joseph B. Bagley* for petitioner. Reported below: 372 F. 2d 18.

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No. 1250. AMERICAN GUILD OF VARIETY ARTISTS *v.* SMITH, DBA SMITH ENTERTAINMENT AGENCY ET AL. C. A. 8th Cir. Certiorari denied. *Albert F. Kimball* for petitioner. *Jerome G. Raidt* for respondent. Reported below: 368 F. 2d 511.

No. 1252. FAGER *v.* OHIO. Sup. Ct. Ohio. Certiorari denied. *Robert W. Jones* for petitioner.

No. 1261. RIMERMAN *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Joseph S. Rosenthal* and *Allen Surinsky* for petitioner. *Solicitor General Marshall* for the United States. Reported below: 374 F. 2d 251.

No. 1262. WILCOX ET AL. *v.* TRANSAMERICAN FREIGHT LINES, INC. C. A. 6th Cir. Certiorari denied. *Jack B. Josselson* for petitioners. *Ambrose H. Lindhorst* for respondent. Reported below: 371 F. 2d 403.

No. 1263. PUBLIC SERVICE CO. OF INDIANA, INC. *v.* FEDERAL POWER COMMISSION. C. A. 7th Cir. Certiorari denied. *Cameron F. MacRae* for petitioner. *Solicitor General Marshall*, *Richard A. Solomon*, *Peter H. Schiff*, *Drexel D. Journey* and *Israel Convisser* for respondent. Reported below: 375 F. 2d 100.

No. 1268. BOARD OF EDUCATION OF OKLAHOMA CITY PUBLIC SCHOOLS, INDEPENDENT DISTRICT NO. 89, ET AL. *v.* DOWELL ET AL. C. A. 10th Cir. Certiorari denied. *Coleman Hayes* for petitioners. *Jack Greenberg*, *James M. Nabrit III* and *U. Simpson Tate* for respondents. Reported below: 375 F. 2d 158.

No. 1310. KIBBY ET AL. *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Gerald L. Seegers* for petitioners. *Solicitor General Marshall* for the United States. Reported below: 372 F. 2d 598.

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No. 1285. GROENDYKE TRANSPORT, INC. *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 10th Cir. Certiorari denied. *Peter H. Ratner* for petitioner. *Solicitor General Marshall, Arnold Ordman, Dominick L. Manoli* and *Norton J. Come* for respondent National Labor Relations Board. Reported below: 372 F. 2d 137.

No. 1340. SUNKIST GROWERS, INC. *v.* CASE-SWAYNE Co., INC. C. A. 9th Cir. Certiorari denied. *Charles E. Beardsley* and *Seth M. Hufstedler* for petitioner. *William H. Henderson* and *W. Glenn Harmon* for respondent. Reported below: 369 F. 2d 449.

No. 1105. MCBRIDE *v.* SMITH, COMMANDANT, UNITED STATES COAST GUARD. C. A. 2d Cir. Certiorari denied. MR. JUSTICE BLACK, MR. JUSTICE DOUGLAS and MR. JUSTICE BRENNAN are of the opinion that certiorari should be granted. *Melvin L. Wulf* and *Marvin M. Karparkin* for petitioner. *Solicitor General Marshall, Assistant Attorney General Yeagley, Kevin T. Maroney* and *Lee B. Anderson* for respondent. Reported below: 369 F. 2d 65.

No. 1253. TOLAN *v.* UNITED STATES. C. A. 9th Cir. Motion to dispense with printing petition granted. Certiorari denied. *Finton J. Phelan, Jr.*, for petitioner. *Solicitor General Marshall, Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 370 F. 2d 799.

No. 1272. GREEN STREET ASSOCIATION ET AL. *v.* DALEY ET AL. C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Richard F. Watt* for petitioners. *Raymond F. Simon* for Daley et al., and *Solicitor General Marshall* for Weaver et al., respondents. Reported below: 373 F. 2d 1.



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No. 1324. *MASTINI v. AMERICAN TELEPHONE & TELEGRAPH CO. ET AL.* C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Henry R. Ashton* for respondents. Reported below: 369 F. 2d 378.

No. 1386. *POWELL ET AL. v. McCORMACK ET AL.* C. A. D. C. Cir. Motion for leave to file supplement to petition granted. Motion of American Civil Liberties Union et al. for leave to file a brief, as *amici curiae*, granted. Motion of Congress for Racial Equality for leave to file a brief, as *amicus curiae*, granted. Motion of Harlem Lawyers Association, Inc., for leave to file a brief, as *amicus curiae*, granted. Motion of National Bar Association for leave to file a brief, as *amicus curiae*, granted. Motion of New York City Chapter of National Lawyers Guild for leave to file a brief, as *amicus curiae*, granted. Certiorari to the United States Court of Appeals for the District of Columbia Circuit, prior to the judgment, denied. *Arthur Kinoy, William M. Kunstler, Jean Camper Cahn, Robert L. Carter, Hubert T. Delany, Herbert O. Reid, Sr., Frank D. Reeves and Henry R. Williams* for petitioners. *Bruce Bromley, John R. Hupper, Thomas D. Barr, Victor M. Earle III, Lloyd N. Cutler, John H. Pickering, Louis F. Oberdorfer, Max O. Truitt, Jr., and Timothy B. Dyk* for respondents. Briefs of *amici curiae*, in support of the petition, were filed by *Louis J. Lefkowitz*, Attorney General of New York, *pro se*; *J. Lee Rankin*, Corporation Counsel of the City of New York, *pro se*; *Ernest Angell, Osmond K. Fraenkel, Edward J. Ennis, Marvin M. Karparkin, Lawrence Speiser and Joseph B. Robison* for American Civil Liberties Union et al.; *Floyd McKissick* for Congress of Racial Equality; *Frederick E. Samuel* for Harlem Lawyers Association, Inc.; *Revius Ortique* for National Bar Association; and *Ralph Shapiro and David M. Freedman* for New York City Chapter of National Lawyers Guild.

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No. 1313. *PERTH AMBOY DRY DOCK Co. v. HANSEN*. Sup. Ct. N. J. Certiorari denied. *Isidor Kalisch* for petitioner. Reported below: 48 N. J. 389, 226 A. 2d 4.

No. 1212, Misc. *RASCON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Petitioner *pro se*. *Thomas C. Lynch*, Attorney General of California, and *Edsel W. Haws* and *Raymond M. Momboisse*, Deputy Attorneys General, for respondent.

No. 1213, Misc. *MISTRETTA v. WILKINS, WARDEN*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Louis J. Lefkowitz*, Attorney General of New York, and *Murray Sylvester*, Assistant Attorney General, for respondent.

No. 1245, Misc. *KIMMONS v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. Petitioner *pro se*. *Earl Faircloth*, Attorney General of Florida, and *George R. Georgieff*, Assistant Attorney General, for respondent. Reported below: 190 So. 2d 308.

No. 1355, Misc. *FULWOOD v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. *John H. Myers* for petitioner. *Solicitor General Marshall*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States. Reported below: 125 U. S. App. D. C. 183, 369 F. 2d 960.

No. 1367, Misc. *HORTON v. NEW YORK*; and

No. 1386, Misc. *ALVAREZ v. NEW YORK*. Ct. App. N. Y. Certiorari denied. *Rolon W. Reed* and *Leon B. Polsky* for petitioner in No. 1367, Misc. *Patrick M. Wall* for petitioner in No. 1386, Misc. *Frank S. Hogan* for respondent in both cases. Reported below: 18 N. Y. 2d 355, 221 N. E. 2d 909; 19 N. Y. 2d 600, 224 N. E. 2d 884.

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No. 1311, Misc. *RANDEL v. BETO, CORRECTIONS DIRECTOR*. C. A. 5th Cir. Certiorari denied. *Tom Martin Davis, Jr.*, for petitioner. *Crawford C. Martin*, Attorney General of Texas, and *R. L. Lattimore* and *Howard M. Fender*, Assistant Attorneys General, for respondent.

No. 1319, Misc. *HAYES, AKA HASAN v. HENDRICK, COUNTY PRISONS SUPERINTENDENT*. C. A. 3d Cir. Certiorari denied. Petitioner *pro se*. *Arlen Specter* for respondent.

No. 1411, Misc. *LIPKA, ADMINISTRATRIX, ET AL. v. UNITED STATES ET AL.* C. A. 2d Cir. Certiorari denied. *George S. Lettko* for petitioner *Lipka et al.* *Acting Solicitor General Spritzer*, *Assistant Attorney General Sanders*, *Alan S. Rosenthal* and *Martin Jacobs* for the United States. Reported below: 369 F. 2d 288.

No. 1452, Misc. *MILLS v. CICCONE, WARDEN*. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Marshall* for respondent.

No. 1456, Misc. *CHOPPING v. FIRST NATIONAL BANK OF LANDER*. Sup. Ct. Wyo. Certiorari denied. *John J. Spriggs, Sr.*, and *John J. Spriggs, Jr.*, for petitioner. Reported below: 419 P. 2d 710.

No. 1457, Misc. *GINGER v. CIRCUIT COURT FOR THE COUNTY OF WAYNE ET AL.* C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Aloysius J. Suchy* and *George H. Cross* for Circuit Court for the County of Wayne et al., and *Peter P. Gilbert* for State Bar of Michigan et al., respondents. Reported below: 372 F. 2d 620, 621.

No. 1468, Misc. *FAUSTIN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Marshall* for the United States. Reported below: 371 F. 2d 820.



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No. 1470, Misc. *VERZINO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Joseph I. Stone* for petitioner. *Solicitor General Marshall, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States. Reported below: 370 F. 2d 751.

No. 1561, Misc. *CHARLTON ET AL. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Dale M. Quillen* for petitioners. *Solicitor General Marshall, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States. Reported below: 372 F. 2d 663.

No. 1575, Misc. *WACKER v. BISSON, CONSUL GENERAL, DOMINION OF CANADA*. C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *M. Hepburn Many* for respondent. Reported below: 370 F. 2d 552.

No. 1584, Misc. *POULSON v. TURNER, WARDEN*. Sup. Ct. Utah. Certiorari denied. *William G. Fowler* for petitioner.

No. 1585, Misc. *FLETCHER v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Petitioner *pro se*. *Michael F. Dillon* for respondent.

No. 1586, Misc. *BURNSIDE v. SIGLER, WARDEN*. Sup. Ct. Neb. Certiorari denied.

No. 1587, Misc. *RODES v. RODES*. Ct. App. N. Y. Certiorari denied.

No. 1597, Misc. *BLANCHARD, DBA INFERNO CO. v. TEXSTEAM CORP. ET AL.* C. A. 5th Cir. Certiorari denied. Petitioner *pro se*. *J. V. Martin* and *A. H. Evans* for Texsteam Corp., and *Ned L. Conley* for Schoenfeld, respondents. Reported below: 352 F. 2d 983.

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No. 1598, Misc. *WARD v. MANCUSI, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 1599, Misc. *FAIR v. FLORIDA*. C. A. 5th Cir. Certiorari denied.

No. 1600, Misc. *GILMORE v. REAGAN ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 1601, Misc. *HARDEN v. NEW YORK*. Ct. App. N. Y. Certiorari denied.

No. 1608, Misc. *TROGLIO v. SHERWIN-WILLIAMS CO.* C. A. 3d Cir. Certiorari denied. Petitioner *pro se*. *Irving Olds Murphy* for respondent. Reported below: 369 F. 2d 695.

No. 1611, Misc. *MORGAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Marshall, Assistant Attorney General Rogovin, Joseph M. Howard and John P. Burke* for the United States.

No. 1616, Misc. *BROWN v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied.

No. 1630, Misc. *HUSKEY v. YANKWICH, U. S. DISTRICT JUDGE*. C. A. 9th Cir. Certiorari denied.

No. 1698, Misc. *BARNES v. WAINWRIGHT, CORRECTIONS DIRECTOR*. Sup. Ct. Fla. Certiorari denied.

No. 1495, Misc. *ALFORD v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Leon B. Polsky* for petitioner. *Solicitor General Marshall, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States. Reported below: 373 F. 2d 508.

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*Rehearing Denied.*

No. 206. HOUSTON INSULATION CONTRACTORS ASSOCIATION *v.* NATIONAL LABOR RELATIONS BOARD, 386 U. S. 664;

No. 413. NATIONAL LABOR RELATIONS BOARD *v.* HOUSTON INSULATION CONTRACTORS ASSOCIATION, 386 U. S. 664;

No. 981. FELBER *v.* ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK, 386 U. S. 1005;

No. 1049. DACEY ET AL. *v.* GRIEVANCE COMMITTEE OF THE BAR OF FAIRFIELD COUNTY, 386 U. S. 683;

No. 1067. MILLER BREWING CO. *v.* JONES, DIRECTOR OF REVENUE OF ILLINOIS, 386 U. S. 684;

No. 1101. EVANSON ET AL. *v.* NORTHWEST HOLDING CO., 386 U. S. 1004; and

No. 1126. WASHINGTON *v.* GOLDEN STATE MUTUAL LIFE INSURANCE CO., 386 U. S. 1007. Petitions for rehearing denied.

No. 711. FORSTER MFG. CO., INC., ET AL. *v.* FEDERAL TRADE COMMISSION, 385 U. S. 1003. Motion for leave to file petition for rehearing denied.

No. 1359, Misc. SKOLNICK *v.* ROBSON, U. S. DISTRICT JUDGE, 386 U. S. 1002;

No. 1362, Misc. HONEA *v.* FLORIDA, 386 U. S. 1012;

No. 1372, Misc. TKACZYK ET AL. *v.* GALLAGHER ET AL., 386 U. S. 1013;

No. 1393, Misc. KROHN *v.* CHASE MANHATTAN BANK, 386 U. S. 1023;

No. 1400, Misc. SARTAIN *v.* PITCHESS, SHERIFF, 386 U. S. 1025;

No. 1408, Misc. CAREY *v.* GEORGE WASHINGTON UNIVERSITY, 386 U. S. 1013; and

No. 1410, Misc. FOGGY *v.* ARIZONA, 386 U. S. 1025. Petitions for rehearing denied.



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No. 1004, Misc. *JACQUEZ v. WILSON, WARDEN*, 386 U. S. 1009; and

No. 1310, Misc. *PRICE v. ALLGOOD, WARDEN*, 386 U. S. 998. Motions for leave to file petitions for rehearing denied.

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*Miscellaneous Orders.*

No. 29, Original. *TEXAS ET AL. v. COLORADO*. This case is held without action on the motion for leave to file a bill of complaint until October 16, 1967, or further order of the Court.

No. 83. *UNITED STATES v. ROBEL*. D. C. W. D. Wash. Case is restored to the calendar for reargument and counsel are directed to brief and argue, in addition to the questions presented, the question whether the delegation of authority to the Secretary of Defense to designate "defense facilities" satisfies pertinent constitutional standards. [For earlier order herein, see 384 U. S. 937.]

No. 1119. *BANKS v. CHICAGO GRAIN TRIMMERS ASSOCIATION, INC., ET AL.* C. A. 7th Cir. The Solicitor General is invited to file a further brief expressing the views of the United States in light of Title 33 U. S. C. § 933 (g). [For earlier order herein, see 386 U. S. 1002.]

No. 1624, Misc. *WILLIAMS v. WILSON, WARDEN*; and

No. 1736, Misc. *WELSH v. CALIFORNIA ET AL.* Motions for leave to file petitions for writs of habeas corpus denied.

No. 1752, Misc. *LESER v. UNITED STATES*. Motion for leave to file petition for writ of habeas corpus and other relief denied.

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No. 1346, Misc. IN RE DISBARMENT OF REKEWEG. It having been reported to the Court that Wilmer D. Rekeweg, of Paulding, State of Ohio, has been disbarred from the practice of law in all of the courts of the State of Ohio by judgment of the Supreme Court of Ohio, duly entered on the 27th day of April, 1966, and this Court by order of February 13, 1967, having suspended the said Wilmer D. Rekeweg 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, who has filed a return thereto; now, upon consideration of the rule to show cause and the return aforesaid;

It is ordered that the said Wilmer D. Rekeweg 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. 1845, Misc. IN RE DISBARMENT OF LOMBARD. It is ordered that Earl J. Lombard, of Washington, District of Columbia, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 1846, Misc. IN RE DISBARMENT OF McCULLOUGH. It is ordered that James M. McCullough, of Chevy Chase, State of Maryland, be suspended from the practice of law in this Court and that a rule issue, returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 1607, Misc. IN RE WHITTINGTON. Ct. App. Ohio, Fairfield County. Motion for stay of execution and other relief denied. *Judson C. Kistler* on the motion.

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No. 1738, Misc. GREEN *v.* HOOEY, JUDGE, ET AL. Motion for leave to file petition for writ of mandamus denied.

*Certiorari Granted.* (See also No. 513, *ante*, p. 572; No. 1043, Misc., *ante*, p. 574; No. 1073, Misc., *ante*, p. 575; and No. 1144, Misc., *ante*, p. 571.)

No. 1301. TCHEREPNIN ET AL. *v.* KNIGHT ET AL. C. A. 7th Cir. *Certiorari* granted. *Arnold I. Shure, Anthony Bradley Eben and Robert A. Sprecher* for petitioners. *Albert E. Jenner, Jr., Charles J. O'Laughlin* for respondents City Savings Association et al., and *William G. Clark*, Attorney General of Illinois, for respondents Knight et al. *Solicitor General Marshall, Philip A. Loomis, Jr., David Ferber, Edward B. Wagner and Richard E. Nathan* for the Securities and Exchange Commission, as *amicus curiae*, in support of the petition. Reported below: 371 F. 2d 374.

*Certiorari Denied.* (See also No. 1579, Misc., *ante*, p. 571.)

No. 488. UNITED STATES *v.* CITIZENS NATIONAL BANK OF EVANSVILLE, EXECUTOR. C. A. 7th Cir. *Certiorari* denied. *Solicitor General Marshall, Jack S. Levin, Robert N. Anderson, Morton K. Rothschild and Albert J. Beveridge III* for the United States. *Edwin W. Johnson and John L. Carroll* for respondent. Reported below: 359 F. 2d 817.

No. 1175. HINCHCLIFF *v.* CLARKE, INTERNAL REVENUE AGENT, ET AL. C. A. 6th Cir. *Certiorari* denied. *William Patrick Clyne* for petitioner. *Solicitor General Marshall, Assistant Attorney General Rogovin, Joseph M. Howard and John M. Brant* for respondent United States. Reported below: 371 F. 2d 697.



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No. 1184. *DOMANY ET AL. v. OTIS ELEVATOR CO. ET AL.* C. A. 6th Cir. Certiorari denied. *Edward I. Stillman* for petitioners. *Sumner Canary* for Otis Elevator Co., and *Russell E. Leasure* for Sears, Roebuck & Co., respondents. Reported below: 369 F. 2d 604.

No. 1230. *SCHAFITZ v. FEDERAL COMMUNICATIONS COMMISSION.* C. A. D. C. Cir. Certiorari denied. *Carl L. Shipley* for petitioner. *Solicitor General Marshall* and *Henry Geller* for respondent.

No. 1277. *FERMIN v. UNITED STATES.* Ct. Cl. Certiorari denied. Petitioner *pro se.* *Solicitor General Marshall* for the United States.

No. 1241. *DUTTON, WARDEN v. MOSLEY.* C. A. 5th Cir. Certiorari denied. *Arthur K. Bolton*, Attorney General of Georgia, and *G. Ernest Tidwell*, Executive Assistant Attorney General, for petitioner. Reported below: 367 F. 2d 913.

No. 1251. *NATIONAL LABOR RELATIONS BOARD v. GARWIN CORP. ET AL.;*

No. 1257. *GARWIN CORP. ET AL. v. NATIONAL LABOR RELATIONS BOARD ET AL.;* and

No. 1327. *LOCAL 57, INTERNATIONAL LADIES' GARMENT WORKERS' UNION, AFL-CIO v. NATIONAL LABOR RELATIONS BOARD.* C. A. D. C. Cir. Certiorari denied. *Solicitor General Marshall*, *Arnold Ordman*, *Dominick L. Manoli*, *Norton J. Come* and *Lawrence M. Joseph* for petitioner in No. 1251 and for respondent in Nos. 1257 and 1327. *Guy Farmer* and *Joseph A. Perkins* for petitioners in No. 1257 and for respondents in No. 1251. *Morris P. Glushien* and *Max Zimny* for petitioner in No. 1327. Reported below: 126 U. S. App. D. C. 81, 374 F. 2d 295.

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No. 1238. *RUSH ET AL. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. Reported below: 370 F. 2d 520.

No. 1266. *OREGON v. BREWTON*. Sup. Ct. Ore. Certiorari denied. *George Van Hoomissen* and *Jacob B. Tanzer* for petitioner. Reported below: — Ore. —, 422 P. 2d 581.

No. 1271. *SOMOLINOS v. HITT ET AL.* Sup. Ct. P. R. Certiorari denied.

No. 1280. *OERTLE ET AL. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Pat Malloy* for Oertle and *Robert S. Rizley* for McCague, petitioners. *Solicitor General Marshall*, *Assistant Attorney General Rogovin*, *Joseph M. Howard* and *John M. Brant* for the United States. Reported below: 370 F. 2d 719.

No. 1305. *PAROUTIAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Robert J. Carluccio* for petitioner. *Acting Solicitor General Spritzer* for the United States. Reported below: 370 F. 2d 631.

No. 1283. *SEAS SHIPPING Co., INC. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. *John Logan O'Donnell* for petitioner. *Solicitor General Marshall*, *Assistant Attorney General Rogovin*, *Harry Baum* and *Loring W. Post* for respondent. Reported below: 371 F. 2d 528.

No. 1298. *HEIDRICH v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *James L. Guilmartin* and *Stanley Jay Bartel* for petitioner. *Solicitor General Marshall*, *Assistant Attorney General Rogovin*, *Joseph M. Howard* and *Burton Berkley* for the United States. Reported below: 373 F. 2d 540.

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No. 1282. *ROMANO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Abraham Glasser* and *Jerome Lewis* for petitioner. *Solicitor General Marshall*, *Assistant Attorney General Vinson* and *Beatrice Rosenberg* for the United States.

No. 1303. *CITY OF NEW ORLEANS ET AL. v. UNITED STATES ET AL.* C. A. 5th Cir. Certiorari denied. *Alvin J. Liska* for petitioners. *Solicitor General Marshall*, *Assistant Attorney General Rogovin* and *Harold C. Wilkenfeld* for the United States, and *Eugene D. Saunders* and *David J. Conroy* for Chrysler Corp., respondents. Reported below: 371 F. 2d 21.

No. 1304. *IN RE BRAUER*. Sup. Ct. N. J. Certiorari denied. *Abraham Glasser* for petitioner. *Arthur J. Sills*, Attorney General of New Jersey, and *Richard Newman*, Deputy Attorney General, for Supreme Court of New Jersey. Reported below: 48 N. J. 186, 225 A. 2d 1.

No. 1306. *FENTON v. A/S GLITTRE ET AL.* C. A. 2d Cir. Certiorari denied. *Jacob Rassner* for petitioner. *J. Ward O'Neill* for respondent A/S Glittre. Reported below: 370 F. 2d 146.

No. 1307. *DALE BOAT YARDS, INC. v. SZUMSKI*. Sup. Ct. N. J. Certiorari denied. *Edward B. Meredith* for petitioner. *Herman M. Wilson* for respondent. Reported below: 48 N. J. 401, 226 A. 2d 11.

No. 1370. *GOLAY & Co., INC. v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. 7th Cir. Certiorari denied. *William E. Roberts* for petitioner. *Solicitor General Marshall*, *Arnold Ordman*, *Dominick L. Manoli* and *Norton J. Come* for respondent National Labor Relations Board. Reported below: 371 F. 2d 259.



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No. 1309. *REGINELLI v. PENNSYLVANIA*. Super. Ct. Pa. Certiorari denied. Reported below: 208 Pa. Super. 344, 222 A. 2d 605.

No. 1322. *McCAFFREY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *George J. Francis* and *Frances De Lost* for petitioner. *Solicitor General Marshall*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Ronald L. Gainer* for the United States. Reported below: 372 F. 2d 482.

No. 1326. *LUFTIG v. McNAMARA, SECRETARY OF DEFENSE, ET AL.* C. A. D. C. Cir. Certiorari denied. *Stanley Faulkner* and *Selma W. Samols* for petitioner. *Solicitor General Marshall* for respondents. Reported below: 126 U. S. App. D. C. 4, 373 F. 2d 664.

No. 1352. *NORTHERN STATES POWER CO. ET AL. v. RURAL ELECTRIFICATION ADMINISTRATION ET AL.* C. A. 8th Cir. Certiorari denied. *Kenneth W. Green* and *Joe A. Walters* for petitioners. *Solicitor General Marshall*, *Assistant Attorney General Sanders*, *Alan S. Rosenthal* and *Harvey L. Zuckman* for respondents. Reported below: 373 F. 2d 686.

No. 1305, Misc. *SUAREZ v. FOLLETTE, WARDEN*. C. A. 2d Cir. Certiorari denied. Petitioner *pro se*. *Louis J. Lefkowitz*, Attorney General of New York, for respondent. Reported below: 371 F. 2d 426.

No. 1278, Misc. *BARNEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Marshall*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Marshall Tamor Golding* for the United States. Reported below: 371 F. 2d 166.

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No. 1233, Misc. *SHANE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Marshall, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States. Reported below: 367 F. 2d 285.

No. 1267, Misc. *MOCCIO v. NEW YORK*. Ct. App. N. Y. Certiorari denied. *Robert M. de Poto* for petitioner. *William Cahn* for respondent. Reported below: 18 N. Y. 2d 839, 222 N. E. 2d 605.

No. 1347, Misc. *YOUNG v. JUDICIAL CIRCUIT COURT OF MOBILE COUNTY*. Sup. Ct. Ala. Certiorari denied. Petitioner *pro se*. *MacDonald Gallion, Attorney General of Alabama, and John C. Tyson III, Assistant Attorney General*, for respondent.

No. 1363, Misc. *NARRO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *James R. Gillespie* for petitioner. *Solicitor General Marshall, Assistant Attorney General Vinson, Beatrice Rosenberg and Marshall Tamor Golding* for the United States. Reported below: 370 F. 2d 329.

No. 1615, Misc. *PHILLIPS v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied.

No. 1610, Misc. *COX v. KENTUCKY*. Ct. App. Ky. Certiorari denied. Reported below: 411 S. W. 2d 320.

No. 1523, Misc. *OSBORNE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Morris A. Shenker and Murry L. Randall* for petitioner. *Solicitor General Marshall, Assistant Attorney General Vinson, Beatrice Rosenberg and Philip R. Monahan* for the United States. Reported below: 371 F. 2d 913.

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No. 1501, Misc. *FEE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Marshall, Assistant Attorney General Vinson, Beatrice Rosenberg and Robert G. Maysack* for the United States.

No. 1516, Misc. *BROWN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Brooks Taylor* for petitioner. *Solicitor General Marshall* for the United States. Reported below: 367 F. 2d 144, 145.

No. 1528, Misc. *WALSH v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. *Charles F. Choate* for petitioner. *Solicitor General Marshall, Assistant Attorney General Vinson, Beatrice Rosenberg and Julia P. Cooper* for the United States. Reported below: 371 F. 2d 436.

No. 1542, Misc. *TOWNES v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Marshall, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States. Reported below: 372 F. 2d 930.

No. 1547, Misc. *BROWN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *S. Carter McMorris* for petitioner. *Solicitor General Marshall, Assistant Attorney General Vinson and Beatrice Rosenberg* for the United States. Reported below: 372 F. 2d 478.

No. 1618, Misc. *CARICO v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. Reported below: 418 P. 2d 702.

No. 1664, Misc. *FERGANCHICK ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *William A. Dougherty* for petitioners. *Solicitor General Marshall* for the United States. Reported below: 374 F. 2d 559.



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No. 1667, Misc. PRENDEZ *v.* CALIFORNIA. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 1628, Misc. HOWARD *v.* NORTON, WARDEN, ET AL. C. A. 8th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Marshall* for respondents.

No. 1666, Misc. NOLEN *v.* WILSON, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 372 F. 2d 15.

No. 1671, Misc. BROWN *v.* WILSON, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 1688, Misc. DODD *v.* RHAY, PENITENTIARY SUPERINTENDENT. Sup. Ct. Wash. Certiorari denied.

No. 1703, Misc. STILTNER *v.* RHAY, PENITENTIARY SUPERINTENDENT, ET AL. C. A. 9th Cir. Certiorari denied.

No. 1710, Misc. CHEADLE *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Petitioner *pro se*. *Solicitor General Marshall*, *Assistant Attorney General Vinson*, *Beatrice Rosenberg* and *Robert G. Maysack* for the United States. Reported below: 370 F. 2d 314.

No. 1729, Misc. FLORES *v.* BETO, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied. Reported below: 374 F. 2d 225.

No. 1734, Misc. HERNANDEZ *v.* WILSON, WARDEN. Sup. Ct. Cal. Certiorari denied.

No. 1735, Misc. DEVOE *v.* FLORIDA. Sup. Ct. Fla. Certiorari denied.

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June 5, 1967.

*Rehearing Denied.*

No. 18. UTAH PIE CO. *v.* CONTINENTAL BAKING CO. ET AL., 386 U. S. 685. Petitions for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of these petitions.

No. 750. GRANELLO ET AL. *v.* UNITED STATES, 386 U. S. 1019. Petition for rehearing denied. MR. JUSTICE BRENNAN took no part in the consideration or decision of this petition.

No. 870. CURTIS ET AL. *v.* BOEGER, WARDEN, 386 U. S. 914, 978. Motion for leave to file second petition for rehearing denied.

No. 1488, Misc. LORENZANA *v.* PUERTO RICO, 386 U. S. 1040; and

No. 1574, Misc. JOHNSON *v.* SCHNECKLOTH, SUPERINTENDENT, ET AL., 386 U. S. 1028. Petitions for rehearing denied.

No. 303, Misc. CURRY *v.* UNITED STATES, 385 U. S. 873. Motion for leave to file petition for rehearing denied.

