

389 U. S.

October 23, 1967.

POTOMAC NEWS CO. *v.* UNITED STATES.

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FOURTH CIRCUIT.

No. 164. Decided October 23, 1967.

Certiorari granted; 373 F. 2d 635, reversed.

Stanley M. Dietz for petitioner.*Solicitor General Marshall, Assistant Attorney General Vinson and Jerome M. Feit* for the United States.

PER CURIAM.

The petition for a writ of certiorari is granted and the judgment of the United States Court of Appeals for the Fourth Circuit is reversed. *Redrup v. New York*, 386 U. S. 767.

MR. JUSTICE HARLAN concurs in the judgment of reversal upon the premises stated in his separate opinion in *Roth v. United States*, 354 U. S. 476, 496, and in his dissenting opinion in *Memoirs v. Massachusetts*, 383 U. S. 413, 455, 457.

THE CHIEF JUSTICE dissents.

MR. JUSTICE MARSHALL took no part in the consideration or decision of this case.