

March 4, 1968.

390 U. S.

## RAINWATER ET AL. v. FLORIDA.

ON PETITION FOR WRIT OF CERTIORARI TO THE DISTRICT COURT OF APPEAL OF FLORIDA, THIRD DISTRICT.

No. 18. Decided March 4, 1968.

Certiorari granted; 186 So. 2d 278, vacated and remanded.

*Alfred L. Scanlan* and *J. Edward Worton* for petitioners.*Solicitor General Marshall* filed a memorandum for the United States.

## PER CURIAM.

The petition for a writ of certiorari is granted, the judgment of the court below is vacated, and the case is remanded for further consideration in the light of *Marchetti v. United States*, ante, p. 39. Cf. *Hoffa v. United States*, 387 U. S. 231; *Kolod v. United States*, ante, p. 136.

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

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ROBERTS v. WARDEN, MARYLAND  
PENITENTIARY.APPEAL FROM THE UNITED STATES COURT OF APPEALS FOR  
THE FOURTH CIRCUIT.

No. 950, Misc. Decided March 4, 1968.

Appeal dismissed and certiorari denied.

## PER CURIAM.

The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for a writ of certiorari, certiorari is denied.