

May 20, 1968.

391 U. S.

Circuit for further consideration in light of *Federal Power Commission v. Sunray DX Oil Co.*, ante, p. 9.

MR. JUSTICE MARSHALL took no part in the consideration or decision of these cases.

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BRANIGIN ET AL. v. DUDDLESTON ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF INDIANA.

No. 1252. Decided May 20, 1968.\*

284 F. Supp. 176, affirmed.

*John J. Dillon*, Attorney General of Indiana, and *Charles S. White* for appellants in No. 1252. *Marshall F. Kizer* for appellant in No. 1263.

*Leslie Duvall* and *William H. Sparrenberger* for appellees in both cases.

PER CURIAM.

The motions to affirm are granted and the judgment is affirmed.

MR. JUSTICE HARLAN, for reasons contained in his memorandum of March 4, 1968 (390 U. S. 932, *sub nom. Branigin v. Grills*), in which he acquiesced in the denial of stays of enforcement of the District Court's judgment, also acquiesces in the Court's affirmance of that judgment.

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\*Together with No. 1263, *Summers v. Duddleston et al.*, also on appeal from the same court.