

392 U. S.

June 10, 1967.

SERIO *v.* UNITED STATES.

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

No. 200, Misc. Decided June 10, 1968.

Certiorari granted; 126 U. S. App. D. C. 297, 377 F. 2d 936, vacated and remanded.

*Solicitor General Marshall, Assistant Attorney General Vinson, Beatrice Rosenberg, and Paul C. Summitt* for the United States.

## PER CURIAM.

The motion to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment of the United States Court of Appeals for the District of Columbia Circuit is vacated and the case is remanded to that court for further consideration in light of *Bruton v. United States*, 391 U. S. 123. See *Roberts v. Russell*, *ante*, p. 293.

MR. JUSTICE BLACK dissents.

MR. JUSTICE HARLAN and MR. JUSTICE WHITE dissent for the reasons stated in MR. JUSTICE WHITE's dissenting opinion in *Bruton v. United States*, 391 U. S. 123, 138 (1968).

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