

October 14, 1968.

393 U. S.

PENJASKA ET AL. *v.* GOODBODY & CO.

APPEAL FROM THE SUPREME COURT OF MICHIGAN.

No. 270. Decided October 14, 1968.

Appeal dismissed and certiorari denied.

## PER CURIAM.

The motion to dismiss is granted and 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.

BATES ET AL. *v.* NELSON, WARDEN.

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

No. 86, Misc. Decided October 14, 1968.

Certiorari granted; 385 F. 2d 771, vacated and remanded.

*Richard Gladstein, Norman Leonard, and Ruth Jacobs* for petitioners.

*Thomas C. Lynch*, Attorney General of California, *Albert W. Harris, Jr.*, Assistant Attorney General, and *Charles R. B. Kirk*, Deputy Attorney General, for respondent.

## PER CURIAM.

The motions to supplement the petition for a writ of certiorari and for leave to proceed *in forma pauperis* are granted. The petition for a writ of certiorari is also granted. The judgment is vacated and the case is remanded to the Court of Appeals for further consideration in light of *Burgett v. Texas*, 389 U. S. 109; *Bruton v. United States*, 391 U. S. 123; and *Roberts v. Russell*, 392 U. S. 293.