

January 13, 1969.

393 U. S.

ADKINS TRANSFER CO., INC., ET AL. *v.*
DORNBOS ET AL.

APPEAL FROM THE SUPREME COURT OF MICHIGAN.

No. 738. Decided January 13, 1969.

Appeal dismissed.

H. Winston Hathaway for appellants.*Harold S. Sawyer* for appellees Dornbos et al., and
Robert E. Plunkett for appellee The Kroger Co.

PER CURIAM.

The motions to dismiss are granted and the appeal is dismissed for want of a final judgment.

MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that the appeal should be dismissed for want of a substantial federal question.

MR. JUSTICE STEWART is of the opinion that further consideration of the question of jurisdiction should be postponed to the hearing of the case on the merits.

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

BROWN *v.* COINER, WARDEN.

APPEAL FROM THE SUPREME COURT OF APPEALS OF
WEST VIRGINIA.

No. 871, Misc. Decided January 13, 1969.

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.