

March 10, 1969.

394 U. S.

JOHNSON *v.* VOYLES, SHERIFF, ET AL.ON PETITION FOR WRIT OF CERTIORARI TO THE SUPREME
COURT OF TEXAS.

No. 429, Misc. Decided March 10, 1969.

Certiorari granted; vacated and remanded.

Crawford C. Martin, Attorney General of Texas, *Nola White*, First Assistant Attorney General, *Robert C. Flowers* and *Allo B. Crow, Jr.*, Assistant Attorneys General, and *Stanley Kirk* for respondents.

PER CURIAM.

The motion for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated and the case is remanded to the Supreme Court of Texas for further consideration in light of *Smith v. Hooey*, 393 U. S. 374.