

October 20, 1969

396 U. S.

BEACHAM *v.* BRATERMAN ET AL.APPEAL FROM THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF FLORIDA

No. 404. Decided October 20, 1969

300 F. Supp. 182, affirmed.

*Bruce S. Rogow* for appellant.*Earl Faircloth*, Attorney General of Florida, and  
*T. T. Turnbull* and *James McQuirk*, Assistant Attorneys  
General, for appellees.

PER CURIAM.

The motion to affirm is granted and the judgment is  
affirmed.MR. JUSTICE DOUGLAS is of the opinion that probable  
jurisdiction should be noted.WHIDDON *v.* UNITED STATESON PETITION FOR WRIT OF CERTIORARI TO THE UNITED  
STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

No. 267, Misc. Decided October 20, 1969

Certiorari granted; vacated and remanded to District Court.

*Solicitor General Griswold* for the United States.

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  
United States District Court for the Eastern District of  
Texas for resentencing. *Prince v. United States*, 352  
U. S. 322, and *Hefin v. United States*, 358 U. S. 415.