

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.