

ORDERS FROM END OF OCTOBER TERM, 1968,
THROUGH FEBRUARY 13, 1970

CASES DISMISSED IN VACATION

No. 139. SIU FUNG LUK *v.* ROSENBERG, DISTRICT DIRECTOR OF IMMIGRATION AND NATURALIZATION SERVICE. C. A. 9th Cir. Petition for writ of certiorari dismissed June 25, 1969, pursuant to Rule 60 of the Rules of this Court. *Hiram W. Kwan* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Paul C. Summitt* for respondent. Reported below: 409 F. 2d 555.

No. 27. MANN *v.* VERMONT EDUCATIONAL BUILDINGS FINANCING AGENCY. Appeal from Sup. Ct. Vt. Appeal dismissed July 1, 1969, pursuant to Rule 60 of the Rules of this Court. *Neil J. Cohen* for appellant. *Chester S. Ketcham* for appellee. Reported below: 127 Vt. 262, 247 A. 2d 68. [For earlier order herein, see 394 U. S. 957.]

No. 503, Misc. CARTER *v.* UNITED STATES. C. A. 6th Cir. Petition for writ of certiorari dismissed July 11, 1969, pursuant to Rule 60 of the Rules of this Court.

No. 59, Misc. MALAGON-RAMIREZ *v.* UNITED STATES. C. A. 9th Cir. Petition for writ of certiorari dismissed July 25, 1969, pursuant to Rule 60 of the Rules of this Court. Reported below: 404 F. 2d 604.

No. 7, Misc. JOHNSON, AKA WATFORD *v.* VIRGINIA. Sup. Ct. App. Va. Petition for writ of certiorari dismissed August 1, 1969, pursuant to Rule 60 of the Rules of this Court. *J. Hugo Madison* and *Michael Meltsner* for petitioner. *Reno S. Harp III*, Assistant Attorney General of Virginia, for respondent. Reported below: 208 Va. 481, 158 S. E. 2d 725.

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No. 174, Misc. SMITH *v.* UNITED STATES. C. A. 4th Cir. Petition for writ of certiorari dismissed August 14, 1969, pursuant to Rule 60 of the Rules of this Court. *G. S. Crihfield* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Robert G. Maysack* for the United States.

No. 330, Misc. BRUNO *v.* LOUISIANA. Sup. Ct. La. Petition for writ of certiorari dismissed August 18, 1969, pursuant to Rule 60 of the Rules of this Court. *G. Wray Gill, Sr., and George M. Leppert* for petitioner. Reported below: 253 La. 669, 219 So. 2d 490.

No. 287. BILBAO-BASTIDA *v.* IMMIGRATION AND NATURALIZATION SERVICE. C. A. 9th Cir. Petition for writ of certiorari dismissed September 25, 1969, pursuant to Rule 60 of the Rules of this Court. *David Rein* for petitioner. *Solicitor General Griswold* for respondent. Reported below: 409 F. 2d 820.

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Certiorari Granted and Denied

No. 632. ALEXANDER ET AL. *v.* HOLMES COUNTY BOARD OF EDUCATION ET AL.; and

No. 713. HOLMES COUNTY BOARD OF EDUCATION ET AL. *v.* ALEXANDER ET AL. C. A. 5th Cir. Motion of Lawyers' Committee for Civil Rights Under Law for leave to file a brief as *amicus curiae* in No. 632 granted. Petition for a writ of certiorari in No. 632 granted, and cross-petition for a writ of certiorari in No. 713 denied. No. 632 set for oral argument on Thursday, October 23.

Case will be heard on the certified unprinted record as well as printed briefs already on file and typewritten copies of any further briefs the parties may desire to

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submit. Typewritten brief for the petitioners shall be on file by Friday, October 17, and the typewritten brief, or briefs, for respondents shall be on file by Wednesday, October 22. *Jack Greenberg, James M. Nabrit III, Norman C. Amaker, and Melvyn Zarr* for petitioners in No. 632. *A. F. Summer*, Attorney General of Mississippi, and *John C. Satterfield* for Holmes County Board of Education et al., and *Solicitor General Griswold* for the United States, respondents in No. 632. *Messrs. Summer and Satterfield* for petitioners Holmes County Board of Education et al. in No. 713. *John W. Douglas, Bethuel M. Webster, Cyrus R. Vance, Asa Sokolow, John Schafer, Louis F. Oberdorfer, John Doar, Richard C. Dinkelspiel, Arthur H. Dean, Lloyd N. Cutler, Bruce Bromley, Berl I. Bernhard, Timothy B. Dyk, and Michael R. Klein* for Lawyers' Committee for Civil Rights Under Law as *amicus curiae* in support of the petition in No. 632. Reported below: 417 F. 2d 852.

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Dismissals Under Rule 60

No. 2. PUBLIC UTILITY DISTRICT NO. 1 OF PEND OREILLE COUNTY *v.* CITY OF SEATTLE; and

No. 3. CITY OF SEATTLE *v.* PUBLIC UTILITY DISTRICT NO. 1 OF PEND OREILLE COUNTY. C. A. 9th Cir. Petitions for writs of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *A. L. Newbould* and *Richard S. White* for the City of Seattle in both cases. *Clarence C. Dill, William G. Ennis, and Bennett Boskey* for Public Utility District No. 1 of Pend Oreille County in both cases. *Solicitor General Griswold* filed a memorandum for the United States as *amicus curiae*, by invitation of the Court, 390 U. S. 935, in opposition to the petitions. Reported below: 382 F. 2d 666.

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No. 870, Misc. *BUNTER v. UNITED STATES*. C. A. D. C. Cir. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Robert G. Maysack* for the United States.

Miscellaneous Orders

No. 573, October Term, 1968. *NATIONAL LABOR RELATIONS BOARD v. GISSEL PACKING CO., INC., ET AL.*, 395 U. S. 575. Motions of respondents Gissel Packing Co., Inc., and Heck's Inc. to reassess costs in this case denied. Motion of respondents General Steel Products, Inc., and Crown Flex of North Carolina, Inc., to reassess costs in this case granted and no costs are assessed against those respondents. Gissel Packing Co., Inc., is assessed costs of \$2,705.24 and Heck's Inc. is assessed costs of \$1,981.06. THE CHIEF JUSTICE took no part in the consideration or decision of these motions. *Lewis P. Hamlin, Jr.*, for General Steel Products, Inc., et al., *John E. Jenkins, Jr.*, for Gissel Packing Co., Inc., and *Fred F. Holroyd* for Heck's Inc. on the motions. *Solicitor General Griswold* in opposition.

No. 1279, October Term, 1968. *UNITED STATES v. IDEAL BASIC INDUSTRIES, INC.*, 395 U. S. 936. Respondent is requested to file a response to petition for rehearing within 30 days. MR. JUSTICE WHITE and MR. JUSTICE MARSHALL took no part in the entry of this order.

No. —. *LEVY v. PARKER, WARDEN, ET AL.* Application for bail granted by MR. JUSTICE DOUGLAS pending action by this Court is continued pending disposition of case by the United States District Court for the Middle District of Pennsylvania. MR. JUSTICE MARSHALL took no part in the consideration or decision of this application.

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No. —. *ANDERSON v. RAIMONDI*. Motion for leave to file a bill of complaint under the original jurisdiction denied.

No. 15. *DEBACKER v. BRAINARD, SHERIFF*. Appeal from Sup. Ct. Neb. [Probable jurisdiction noted, 393 U. S. 1076.] Motion of National Council of Juvenile Court Judges for leave to file a brief as *amicus curiae* granted. *Alfred L. Scanlan* on the motion.

No. 19. *FIRST NATIONAL BANK IN PLANT CITY v. DICKINSON, COMPTROLLER OF FLORIDA, ET AL.*; and

No. 34. *CAMP, COMPTROLLER OF THE CURRENCY v. DICKINSON, COMPTROLLER OF FLORIDA, ET AL.* C. A. 5th Cir. [Certiorari granted, 393 U. S. 1079.] Motion of First National Bank of Gainesville, Georgia, et al. for leave to file a brief as *amici curiae* granted. *James A. Dunlap* on the motion.

No. 25. *ZUBER ET AL. v. ALLEN ET AL.*; and

No. 52. *HARDIN, SECRETARY OF AGRICULTURE v. ALLEN ET AL.* C. A. D. C. Cir. [Certiorari granted, 394 U. S. 958.] Motion of Lorton Blair et al. for leave to file a brief as *amici curiae* granted. Motions of respondents for additional time for oral argument and to postpone oral argument denied. Motion of State of Vermont for leave to participate in oral argument as *amicus curiae* denied, unless respondents cede to it part of their time for argument. MR. JUSTICE STEWART would grant motion of State of Vermont. THE CHIEF JUSTICE and MR. JUSTICE MARSHALL took no part in the consideration or decision of these motions. *Charles Ryan* for respondents on their motions in both cases. *James M. Jefford*, Attorney General, for the State of Vermont as *amicus curiae* on the motion in both cases. *Lawrence Hollman* and *Carlyle C. Ring, Jr.*, for Zuber et al. in opposition to respondents' motions.

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No. 31. BROCKINGTON *v.* RHODES, GOVERNOR OF OHIO, ET AL. Appeal from Sup. Ct. Ohio. [Probable jurisdiction noted, 393 U. S. 1078.] Further consideration of suggestion of mootness by certain appellees postponed to hearing of case.

No. 32. NATIONAL LABOR RELATIONS BOARD *v.* J. H. RUTTER-REX MANUFACTURING CO., INC., ET AL. C. A. 5th Cir. [Certiorari granted, 393 U. S. 1116.] Motion of Amalgamated Clothing Workers of America, AFL-CIO, for leave to participate in oral argument denied. *Jacob Sheinkman, Ralph N. Jackson, and James J. Graham* on the motion.

No. 33. SULLIVAN ET AL. *v.* LITTLE HUNTING PARK, INC., ET AL. Sup. Ct. App. Va. [Certiorari granted, 394 U. S. 942.] Motion of Anti-Defamation League of B'nai B'rith et al. for leave to file a brief as *amici curiae* granted. *Arnold Forster* for Anti-Defamation League of B'nai B'rith, *Sol Rabkin* for National Committee Against Discrimination in Housing, Inc., *Melvin L. Wulf* for American Civil Liberties Union, and *Edwin J. Lukas* for American Jewish Committee on the motion.

No. 39. HALL ET UX. *v.* BEALS, CLERK AND RECORDER OF EL PASO COUNTY, ET AL. Appeal from D. C. Colo. [Probable jurisdiction noted, 394 U. S. 1011.] Motion of Bipartisan Committee on Absentee Voting for leave to participate in oral argument as *amicus curiae* denied. *Joseph L. Rauh, Jr., and John Silard* on the motion.

No. 40. CONWAY *v.* CALIFORNIA ADULT AUTHORITY ET AL. C. A. 9th Cir. [Certiorari granted, 393 U. S. 1062.] Motion of petitioner for an injunction and for appointment of new counsel denied. Typewritten brief submitted by petitioner ordered filed.

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No. 41. CHOCTAW NATION ET AL. *v.* OKLAHOMA ET AL.; and

No. 59. CHEROKEE NATION OR TRIBE OF INDIANS IN OKLAHOMA *v.* OKLAHOMA ET AL. [Certiorari granted, 394 U. S. 972.] Motion of Wilkinson, Cragun & Barker for leave to file a brief as *amicus curiae* granted. Motion of the Solicitor General for leave to participate in oral argument as *amicus curiae* granted and 20 minutes allotted for that purpose. Twenty additional minutes allotted to counsel for respondents. *Charles A. Hobbs* for Wilkinson, Cragun & Barker on its motion in both cases. *J. D. McLaughlin* for petitioners in No. 41 and *Peyton Ford* for petitioner in No. 59 in opposition. *Solicitor General Griswold* on his motion in both cases.

No. 50. NORTH CAROLINA *v.* ALFORD. Appeal from C. A. 4th Cir. [Probable jurisdiction noted, 394 U. S. 956]; and

No. 268. PARKER *v.* NORTH CAROLINA. Ct. App. N. C. [Certiorari granted, 395 U. S. 974.] Motion of Albert Bobby Childs et al. for leave to file a brief as *amici curiae* granted. *Jack Greenberg, James M. Nabrit III, Michael Meltsner, Norman C. Amaker, Charles Stephen Ralston, and Anthony G. Amsterdam* on the motion in both cases.

No. 53. BAIRD *v.* STATE BAR OF ARIZONA. Sup. Ct. Ariz. [Certiorari granted, 394 U. S. 957.] Motion of Peter D. Baird for leave to argue *pro hac vice* granted. *John P. Frank* on the motion.

No. 265. BODDIE ET AL. *v.* CONNECTICUT ET AL. Appeal from D. C. Conn. [Probable jurisdiction noted, 395 U. S. 974.] Motion of Center on Social Welfare Policy and Law et al. for leave to file a brief as *amici curiae* granted.

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No. 81. *SIMMONS ET UX. v. WEST HAVEN HOUSING AUTHORITY*. Appeal from App. Div., Cir. Ct. Conn. [Probable jurisdiction noted, 394 U. S. 957.] Motion of the State of Connecticut for leave to participate in oral argument as *amicus curiae* in support of judgment granted. Motion of National Legal Aid and Defender Assn. for leave to file a brief as *amicus curiae* granted. Motion of Center on Social Welfare Policy and Law et al. for leave to file a brief as *amici curiae* granted. *Robert K. Killian*, Attorney General, and *F. Michael Ahern*, Assistant Attorney General, for the State of Connecticut on its motion.

No. 266. *SANKS ET AL. v. GEORGIA ET AL.* Appeal from Sup. Ct. Ga. [Probable jurisdiction noted, 395 U. S. 974.] Motion of Center on Social Welfare Policy and Law et al. for leave to file a brief as *amici curiae* granted.

No. 85. *ASSOCIATION OF DATA PROCESSING SERVICE ORGANIZATIONS, INC., ET AL. v. CAMP, COMPTROLLER OF THE CURRENCY OF THE UNITED STATES, ET AL.* C. A. 8th Cir. [Certiorari granted, 395 U. S. 976.] Motion of Sierra Club for leave to file a brief as *amicus curiae* granted. *Matthew P. Mitchell* and *Leland R. Selna, Jr.*, on the motion.

No. 125. *MARTIN MARIETTA CORP. v. FEDER ET AL.* C. A. 2d Cir. The Solicitor General is invited to file a brief expressing the views of the United States.

No. 214. *TV PIX, INC., ET AL. v. TAYLOR ET AL.* Appeal from D. C. Nev. The Solicitor General is invited to file a brief expressing the views of the United States.

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No. 270. BRADY *v.* UNITED STATES. C. A. 10th Cir. [Certiorari granted, 395 U. S. 976.] Motion for appointment of counsel granted. It is ordered that *Peter J. Adang, Esquire*, of Albuquerque, New Mexico, be appointed to serve as counsel for petitioner in this case.

No. 189. MINOR *v.* UNITED STATES. C. A. 2d Cir. [Certiorari granted, 395 U. S. 932.] Motion for appointment of counsel under the Criminal Justice Act granted. It is ordered that *Phylis Skloot Bamberger*, of New York, New York, a member of the Bar of this Court, be appointed to serve as counsel for petitioner in this case.

No. 252, Misc. HILLER *v.* CICCONE, MEDICAL CENTER DIRECTOR; and

No. 317, Misc. FURTAK *v.* MANCUSI, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

No. 220, Misc. NORMAN *v.* UNITED STATES. C. A. 9th Cir. Motion of petitioner for leave to file supplement to petition for certiorari granted.

No. 2, Misc. CHANDLER, U. S. DISTRICT JUDGE *v.* JUDICIAL COUNCIL OF THE TENTH CIRCUIT OF THE UNITED STATES. Motion of *Carl L. Shipley, pro se*, for leave to file a brief as *amicus curiae* granted. Motion of *Solicitor General Griswold, pro se*, for leave to participate in oral argument as *amicus curiae* granted and 30 minutes allotted for that purpose. Thirty additional minutes allotted to counsel for petitioner. Case removed from current argument list and it is ordered that briefs and oral arguments be presented by counsel for the parties. MR. JUSTICE MARSHALL took no part in the consideration or decision of this order. [For earlier order herein, see 395 U. S. 956.]

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No. 201, Misc. GALLEGOS *v.* ARIZONA EX REL. EYMAN, WARDEN. Motion for leave to file petition for writ of mandamus and other relief denied.

No. 149, Misc. IN RE DISBARMENT OF SULLIVAN. It having been reported to the Court that Thomas W. Sullivan, of Montgomery, Alabama, has been disbarred from the practice of the law by the Supreme Court of the State of Alabama; and this Court by order of April 28, 1969 [394 U. S. 995], having suspended the said Thomas W. Sullivan from the practice of the law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent, who has filed a return; now, upon consideration of the rule to show cause and the return aforesaid;

It is ordered that the said Thomas W. Sullivan be, and he is hereby, disbarred, and that his name be stricken from the roll of attorneys admitted to practice in this Court.

No. 437, Misc. FARRELL, ADMINISTRATOR, ET AL. *v.* WYATT, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus and/or prohibition denied. *Lee S. Kreindler* on the motion. *Solicitor General Griswold*, *Assistant Attorney General Ruckelshaus*, and *Morton Hollander* in opposition.

Probable Jurisdiction Noted or Postponed

No. 84. UNITED STATES *v.* JORN. Appeal from D. C. Utah. Motion of appellee for leave to proceed *in forma pauperis* granted. Probable jurisdiction noted. *Solicitor General Griswold*, *Assistant Attorney General Walters*, and *Joseph M. Howard* for the United States. *Gerald R. Miller* for appellee.

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No. 103. UNITED STATES *v.* ARMOUR & CO. ET AL. Appeal from D. C. N. D. Ill. Probable jurisdiction noted. *Solicitor General Griswold, Deputy Assistant Attorney General Hammond, and Howard E. Shapiro* for the United States. *Herbert A. Bergson, Howard Adler, Jr., James H. Kelley, Carol Garfiel, and Edwin E. McAmis* for appellee General Host Corp.

No. 179. ROGERS, SECRETARY OF STATE *v.* BELLEI. Appeal from D. C. D. C. Probable jurisdiction noted. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Charles Gordon* for appellant. *O. John Rogge* for appellee. Reported below: 296 F. Supp. 1247.

No. 131. DANDRIDGE, CHAIRMAN, MARYLAND BOARD OF PUBLIC WELFARE, ET AL. *v.* WILLIAMS ET AL. Appeal from D. C. Md. Motion of appellees for leave to proceed *in forma pauperis* granted. Probable jurisdiction noted.* *Francis B. Burch, Attorney General of Maryland, Robert F. Sweeney, Deputy Attorney General, and George W. Liebmann and Michael McWilliams, Assistant Attorneys General, for appellants.* Reported below: 297 F. Supp. 450.

No. 185. REETZ, COMMISSIONER OF FISH AND GAME OF ALASKA, ET AL. *v.* BOZANICH ET AL. Appeal from D. C. Alaska. Probable jurisdiction noted and case set for oral argument with No. 301 [probable jurisdiction noted, *infra*, p. 812]. *G. Kent Edwards, Attorney General of Alaska, and Robert L. Hartig, Assistant Attorney General, for appellants. Seth Warner Morrison III* for appellees. Reported below: 297 F. Supp. 300.

*[REPORTER'S NOTE: The portion of the orders of October 13, 1969, that provided that No. 131 and No. 540 (*infra*, p. 815) be set down for argument together was rescinded by order of October 20, 1969, *post*, p. 874.]

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No. 236. *EVANS ET AL. v. CORNMAN ET AL.* Appeal from D. C. Md. Probable jurisdiction noted. The Solicitor General is invited to file a brief expressing the views of the United States. *Francis B. Burch*, Attorney General of Maryland, *Robert F. Sweeney*, Deputy Attorney General, and *George W. Liebmann*, Assistant Attorney General, for appellants. *Richard Schifter* for appellees. Reported below: 295 F. Supp. 654.

No. 301. *PIKE v. BRUCE CHURCH, INC.* Appeal from D. C. Ariz. Motion of Western Growers Assn. for leave to file a brief as *amicus curiae* granted. Probable jurisdiction noted and case set for oral argument with No. 185 [probable jurisdiction noted, *supra*, p. 811]. *George C. Lyon* for Western Growers Assn. on the motion. *Gary K. Nelson*, Attorney General of Arizona, *Thomas A. Miller*, Assistant Attorney General, and *Rex E. Lee* for appellant. *Jacob Abramson* for appellee.

No. 305. *UNITED STATES v. SISSON.* Appeal from D. C. Mass. Further consideration of question of jurisdiction in this case postponed to the hearing of the case on the merits. Case placed on summary calendar and set for oral argument with No. 76 [certiorari granted, *infra*, p. 816]. In addition to questions presented on the merits, counsel requested to discuss in their briefs and oral arguments, not only the issue of jurisdiction under the "arresting a judgment" subdivision of 18 U. S. C. § 3731, but also the questions whether jurisdiction exists under either the "motion in bar" subdivision or the "decision . . . setting aside, or dismissing" subdivision of 18 U. S. C. § 3731. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Roger A. Pauley* for the United States. *John G. S. Flym* for appellee. Reported below: 297 F. Supp. 902.

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No. 43, Misc. VALE *v.* LOUISIANA. Appeal from Sup. Ct. La. Motion for leave to proceed *in forma pauperis* granted. Further consideration of question of jurisdiction postponed to hearing of case on the merits and review limited to the search and seizure question. Case transferred to appellate docket. *Jack P. F. Gremillion*, Attorney General of Louisiana, *William P. Schuler*, Assistant Attorney General, *Jim Garrison*, and *Louise Korns* for appellee. Reported below: 252 La. 1056, 215 So. 2d 811.

*Certiorari Granted.** (See also No. 264, Misc., *ante*, p. 9.)

No. 153.* McMANN, WARDEN, ET AL. *v.* ROSS ET AL. C. A. 2d Cir. Motion of respondents for leave to proceed *in forma pauperis* granted. *Certiorari* granted. *Louis J. Lefkowitz*, Attorney General of New York, *Samuel A. Hirshowitz*, First Assistant Attorney General, and *Lillian Z. Cohen* and *Brenda Soloff*, Assistant Attorneys General, for petitioners. *Thomas D. Barr* for Ross, and *Gretchen White Oberman* for Dash et al., respondents. *Frank S. Hogan*, *pro se*, and *Michael R. Juviler* for the District Attorney of New York County in support of the petition. Reported below: 408 F. 2d 48 and 658, and 409 F. 2d 1016.

No. 74. TAGGART ET AL. *v.* WEINACKER'S, INC. Sup. Ct. Ala. *Certiorari* granted. *S. G. Lippman* and *Bernard Dunau* for petitioners. *Edwin J. Curran, Jr.*, for respondent. Reported below: 283 Ala. 171, 214 So. 2d 913.

*[REPORTER'S NOTE: An order granting *certiorari* in No. 212, *Trammell v. Alabama*, issued on October 13, 1969, was revoked the same day. The reference which previously appeared in No. 153, to the fact that that case was set down for oral argument with No. 212 has accordingly been eliminated.]

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No. 88. UNITED STATES *v.* REYNOLDS ET UX. C. A. 6th Cir. Certiorari granted. *Solicitor General Griswold, Acting Assistant Attorney General Taylor, Raymond N. Zagone, and Robert S. Lynch* for the United States. *D. Nelson Sutton* for respondents. Reported below: 404 F. 2d 303.

No. 104. UNITED STATES *v.* ESTATE OF DONNELLY ET AL. C. A. 6th Cir. Certiorari granted. *Solicitor General Griswold, Assistant Attorney General Walters, Joseph J. Connolly, and Crombie J. D. Garrett* for the United States. *Daniel N. Pevos* for respondents *Carlson et al.* Reported below: 406 F. 2d 1065.

No. 108. COLONNADE CATERING CORP. *v.* UNITED STATES. C. A. 2d Cir. Certiorari granted. *O. John Rogge and Jerome M. Stember* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Roger A. Pauley* for the United States. Reported below: 410 F. 2d 197.

No. 231. INTERNATIONAL LONGSHOREMEN'S ASSOCIATION, LOCAL 1416, AFL-CIO *v.* ARIADNE SHIPPING Co., LTD., ET AL. Dist. Ct. App. Fla., 3d Dist. Certiorari granted. *Louis Waldman and Seymour M. Waldman* for petitioner. *Thomas H. Anderson* for respondents. Reported below: 215 So. 2d 51.

No. 234. CZOSEK ET AL. *v.* O'MARA ET AL. C. A. 2d Cir. Certiorari granted. *Clarence M. Mulholland and Richard R. Lyman* for petitioners. *William B. Mahoney* for O'Mara et al., and *Thomas G. Rickert* for Erie Lackawanna Railroad Co., respondents. Reported below: 407 F. 2d 674.

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No. 282. UNITED STATES *v.* DAVIS ET UX. C. A. 6th Cir. Certiorari granted. *Solicitor General Griswold, Assistant Attorney General Walters, Harris Weinstein, and Melva M. Graney* for the United States. *Robert G. McCullough and William Waller* for respondents. Reported below: 408 F. 2d 1139.

No. 300. TATE ET AL. *v.* HICKEL, SECRETARY OF THE INTERIOR, ET AL. C. A. 10th Cir. Certiorari granted. *Omer Luellen* for petitioners. *Solicitor General Griswold, Assistant Attorney General Kashiwa, S. Billingsley Hill, and Robert S. Lynch* for respondent Hickel. Reported below: 407 F. 2d 394.

No. 395. UNITED STATES *v.* SECKINGER, TRADING AS M. O. SECKINGER CO. C. A. 5th Cir. Certiorari granted. *Solicitor General Griswold, Assistant Attorney General Ruckelshaus, and Morton Hollander* for the United States. *Frank S. Cheatham, Jr.*, for respondent. Reported below: 408 F. 2d 146.

No. 540. ROSADO ET AL. *v.* WYMAN, COMMISSIONER OF SOCIAL SERVICES OF NEW YORK, ET AL. C. A. 2d Cir. Application for stay presented to MR. JUSTICE HARLAN, and by him referred to the Court, denied. Certiorari and motion to expedite granted.* *Lee A. Albert and Robert P. Borsody* for petitioners. *Louis J. Lefkowitz, Attorney General of New York, Samuel A. Hirshowitz, First Assistant Attorney General, Amy Juviler, Assistant Attorney General, and Philip Weinberg* for respondents. Reported below: 414 F. 2d 170.

*[REPORTER'S NOTE: The portion of the orders of October 13, 1969, that provided that No. 131 (*supra*, at 811) and No. 540 be set down for argument together was rescinded by order of October 20, 1969, *post*, p. 874.]

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No. 75. *IN RE STOLAR*. Sup. Ct. Ohio. Certiorari granted and case set for oral argument immediately following No. 53 [*Baird v. State Bar of Arizona*, certiorari granted, 394 U. S. 957]. *Leonard B. Boudin* for petitioner. *Paul W. Brown*, Attorney General of Ohio, *Shelby V. Hutchins*, and *William H. Schneider* in opposition.

No. 76. *WELSH v. UNITED STATES*. C. A. 9th Cir. Certiorari granted and case set for oral argument with No. 305 [probable jurisdiction postponed, *supra*, p. 812]. *J. B. Tietz* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Sidney M. Glazer* for the United States. Reported below: 404 F. 2d 1078.

No. 51, Misc. *DICKEY v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Motion for leave to proceed *in forma pauperis* granted. Certiorari granted and case transferred to appellate docket. *John D. Buchanan, Jr.*, for petitioner. *Earl Faircloth*, Attorney General of Florida, and *George R. Georgieff*, Assistant Attorney General, for respondent. Reported below: 215 So. 2d 772.

No. 53, Misc. *BACHELLAR ET AL. v. MARYLAND*. Ct. Sp. App. Md. Motion for leave to proceed *in forma pauperis* granted. Certiorari granted and case transferred to appellate docket. *Fred E. Weisgal* and *Anthony G. Amsterdam* for petitioners. *Francis B. Burch*, Attorney General of Maryland, and *Edward F. Borgerding* and *H. Edgar Lentz*, Assistant Attorneys General, for respondent. Reported below: 3 Md. App. 626, 240 A. 2d 623.

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No. 221. HICKEL, SECRETARY OF THE INTERIOR *v.* OIL SHALE CORP. ET AL. C. A. 10th Cir. Certiorari granted. MR. JUSTICE WHITE and MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Solicitor General Griswold, Assistant Attorney General Kashiwa, Peter L. Strauss, Roger P. Marquis, and Edmund B. Clark* for petitioner. *Fowler Hamilton, Richard W. Hulbert, and Donald L. Morgan* for Oil Shale Corp. et al., *Gail L. Ireland* for Napier et al., and *Fred M. Winner* for Umpleby et al., respondents. Reported below: 406 F. 2d 759.

No. 230. H. K. PORTER Co., INC., DISSTON DIVISION-DANVILLE WORKS *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. D. C. Cir. Certiorari granted. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Donald C. Winson* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, and Norton J. Come* for National Labor Relations Board, and *Bernard Kleiman, Elliot Bredhoff, Michael Gottesman, and George H. Cohen* for United Steelworkers of America, AFL-CIO, respondents. Reported below: 134 U. S. App. D. C. 227, 414 F. 2d 1123.

No. 480, Misc. JONES ET AL. *v.* STATE BOARD OF EDUCATION OF TENNESSEE ET AL. C. A. 6th Cir. Motion for leave to proceed *in forma pauperis* granted. Certiorari granted as to petitioner Jones, certiorari denied as to other petitioners, and case transferred to appellate docket. *Reber F. Boulton, Jr., Charles Morgan, Jr., Richard Bellman, Melvin L. Wulf, and Eleanor H. Norton* for petitioners. *George F. McCanless, Attorney General of Tennessee, Thomas E. Fox, Deputy Attorney General, and Robert H. Roberts, Assistant Attorney General,* for respondents. Reported below: 407 F. 2d 834.

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No. 69, Misc. *HILL v. CALIFORNIA*. Sup. Ct. Cal. Motion for leave to proceed *in forma pauperis* granted. Certiorari granted and case transferred to appellate docket. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Ronald M. George*, Deputy Attorney General, for respondent. Reported below: 69 Cal. 2d 550, 446 P. 2d 521.

Certiorari Denied. (See also No. 136, *ante*, p. 3; No. 142, *ante*, p. 3; No. 191, *ante*, p. 1; No. 238, *ante*, p. 6; No. 308, *ante*, p. 7; No. 320, *ante*, p. 8; No. 324, *ante*, p. 8; No. 272, Misc., *ante*, p. 10; No. 336, Misc., *ante*, p. 11; and No. 480, Misc., *supra*, p. 817.)

No. 77. *HASKIN v. SUPERIOR COURT OF CALIFORNIA, COUNTY OF ORANGE (HASKIN, REAL PARTY IN INTEREST)*. Ct. App. Cal., 4th App. Dist. Certiorari denied. *Edward Mosk* for petitioner. *Robert F. Nuttman* for respondent.

No. 80. *HEYD, SHERIFF v. BROWN ET AL.* C. A. 5th Cir. Certiorari denied. *Jim Garrison* and *Louise Kornis* for petitioner. *Russell J. Schonekas* for respondents. Reported below: 406 F. 2d 346.

No. 92. *AMERICAN EMPIRE INSURANCE CO. OF SOUTH DAKOTA ET AL. v. FIDELITY & DEPOSIT CO. OF MARYLAND*. C. A. 5th Cir. Certiorari denied. *W. Warren Cole, Jr.*, for petitioners. *Harry T. Gray* and *Francis P. Conroy* for respondent. Reported below: 408 F. 2d 72.

No. 94. *PYNE v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Edward J. Calihan, Jr.*, for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Jerome M. Feit*, and *Ronald L. Gainer* for the United States. Reported below: 408 F. 2d 220.

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No. 89. *NEHRING v. EMPRESA LINEAS MARITIMAS ARGENTINAS ET AL.* C. A. 5th Cir. Certiorari denied. *W. Jiles Roberts* for petitioner. *Carl O. Bue, Jr.*, for Empresa Lineas Maritimas Argentinas et al., and *Robert Eikel* for Strachan Shipping Co., respondents. Reported below: 401 F. 2d 767.

No. 97. *BUSSIE v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied. *Charles B. Evins, R. Eugene Pincham, Earl E. Strayhorn*, and *Sam Adam* for petitioner. *William J. Scott*, Attorney General of Illinois, and *Joel M. Flaum* and *Thomas J. Immel*, Assistant Attorneys General, for respondent. Reported below: 41 Ill. 2d 323, 243 N. E. 2d 196.

No. 98. *LONG BEACH BANANA DISTRIBUTORS, INC., ET AL. v. ATCHISON, TOPEKA & SANTA FE RAILWAY CO. ET AL.* C. A. 9th Cir. Certiorari denied. *Herbert A. Bernhard* for petitioners. *Frederic H. Sturdy* for Southern Pacific Co. et al., and *John J. Balluff* for Atchison, Topeka & Santa Fe Railway Co., respondents. Reported below: 407 F. 2d 1173.

No. 105. *NORTHEASTERN CONSOLIDATED CO. v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. *Paul A. Teschner* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Walters*, *Jonathan S. Cohen*, and *Robert I. Waxman* for the United States. Reported below: 406 F. 2d 76.

No. 110. *SNYDER ET AL. v. HICKEL, SECRETARY OF THE INTERIOR.* C. A. 10th Cir. Certiorari denied. *John P. Frank* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Kashiwa*, *Roger P. Marquis*, and *George R. Hyde* for respondent. Reported below: 405 F. 2d 1179.

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No. 106. *CAMPBELL SOUP CO. v. INTERNATIONAL ASSOCIATION OF MACHINISTS, DISTRICT No. 8, AFL-CIO*. C. A. 7th Cir. Certiorari denied. *Theophil C. Kammholz* for petitioner. *Sheldon M. Charone* for respondent. Reported below: 406 F. 2d 1223.

No. 111. *LOWE v. WELTNER*. Ct. App. Ga. Certiorari denied. *Charles E. Muskett* for petitioner. Reported below: 118 Ga. App. 635, 164 S. E. 2d 919.

No. 112. *DOTSON v. DUTY*. C. A. 6th Cir. Certiorari denied. *Jean L. Auxier* for petitioner. Reported below: 406 F. 2d 816.

No. 113. *SOUTHWESTERN PORTLAND CEMENT Co. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 5th Cir. Certiorari denied. *James F. Hulse* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, and Norton J. Come* for respondent. Reported below: 407 F. 2d 131.

No. 114. *STANDARD FRUIT & STEAMSHIP Co. v. UNITED FRUIT Co. ET AL.* C. A. 5th Cir. Certiorari denied. *Eberhard P. Deutsch, Robert M. Moore, and René H. Himel, Jr.*, for petitioner. *Hugh B. Cox, James H. McGlothlin, and Michael Boudin* for United Fruit Co., and *Solicitor General Griswold, Assistant Attorney General McLaren, and Howard E. Shapiro* for the United States, respondents. Reported below: 410 F. 2d 553.

No. 115. *A. R. INDUSTRIES v. SUPERIOR COURT OF CALIFORNIA, COUNTY OF SACRAMENTO (CERVANTES, REAL PARTY IN INTEREST)*. Ct. App. Cal., 3d App. Dist. Certiorari denied. *Burton J. Stanley* for petitioner. *John Quincy Brown, Jr.*, for Cervantes. Reported below: 268 Cal. App. 2d 328, 73 Cal. Rptr. 920.

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No. 118. *WALSH v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Franklin Smith* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Robert G. Maysack* for the United States. Reported below: 409 F. 2d 9.

No. 120. *FRANKO v. MAHONING COUNTY BAR ASSN.* Sup. Ct. Ohio. Certiorari denied. *Eugene Gressman* for petitioner. *John H. Ranz* for respondent.

No. 126. *WATSCO, INC. v. HENRY VALVE CO.* C. A. 2d Cir. Certiorari denied. *Samuel J. Stoll* for petitioner. *John D. Dewey* for respondent. Reported below: 404 F. 2d 1104.

No. 130. *ASHER v. INDIANA*. Sup. Ct. Ind. Certiorari denied. *William C. Erbecker* and *James Manahan* for petitioner. *Theodore L. Sendak*, Attorney General of Indiana, and *William F. Thompson*, Deputy Attorney General, for respondent. Reported below: — Ind. —, 244 N. E. 2d 89.

No. 133. *COOPER v. LESLIE SALT CO. ET AL.* Sup. Ct. Cal. Certiorari denied. *David B. Caldwell* for petitioner. *Bruce M. Casey, Jr.*, for respondents *Leslie Salt Co. et al.*, *Bert W. Levit* for respondents *T. Jack Foster et al.*, and *Frank Piombo* for respondents *Estero Municipal Improvement District et al.* Reported below: 70 Cal. 2d 627 and 645, 451 P. 2d 406 and 417.

No. 134. *IN RE MARVIN*. Sup. Ct. N. J. Certiorari denied. *Melvin L. Wulf*, *Sanford J. Rosen*, and *Robert E. Knowlton* for petitioner. *Arthur J. Sills*, Attorney General of New Jersey, *Marilyn Loftus Schauer*, First Assistant Attorney General, and *Stephen Skillman*, Assistant Attorney General, in opposition. Reported below: 53 N. J. 147, 249 A. 2d 377.

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No. 137. *DE NARVAEZ v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Elmer Fried* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Mervyn Hamburg* for the United States. Reported below: 407 F. 2d 185.

No. 138. *JOHNSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Wallace N. Springer, Jr.*, for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Edward Fenig* for the United States. Reported below: 410 F. 2d 38.

No. 140. *JACKMAN ET AL. v. BODINE ET AL.* Sup. Ct. N. J. Certiorari denied. *Lawrence I. Lerner* for petitioners *Scrimmager et al.*, and *Melvin L. Wulf* for certain other petitioners. *Arthur J. Sils, Attorney General of New Jersey, and Stephen G. Weiss, Assistant Attorney General*, for respondent *Burkhardt*, and *Mr. Sils and William Miller* for respondent *Apportionment Commission*. Reported below: 53 N. J. 585, 252 A. 2d 209. [For earlier order herein, see 395 U. S. 918.]

No. 141. *TAGAWA v. MAUI PUBLISHING Co., LTD.* Sup. Ct. Hawaii. Certiorari denied. *Meyer M. Ueoka* for petitioner. Reported below: 50 Haw. 648, 448 P. 2d 337.

No. 145. *TANNEHILL v. ROBERTS ET AL.* Ct. App. La., 4th Cir. Certiorari denied. *Donald V. Organ* for petitioner. *James A. Crooks* for respondent *Trinity Universal Insurance Co.* Reported below: 216 So. 2d 656.

No. 147. *GRANDERSON v. ORLEANS PARISH SCHOOL BOARD*. Sup. Ct. La. Certiorari denied. *Revius O. Ortique, Jr.*, for petitioner.

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No. 144. *BABB v. MARELLI, TRUSTEE*. C. A. 7th Cir. Certiorari denied. *David R. Babb*, petitioner, *pro se*.

No. 149. *ABRAMSON v. EXCHANGE NATIONAL BANK OF CHICAGO ET AL.*; and

No. 208. *EXCHANGE NATIONAL BANK OF CHICAGO v. ABRAMSON ET AL.* C. A. 8th Cir. Certiorari denied. *Sidney P. Abramson*, petitioner, *pro se*, in No. 149 and respondent, *pro se*, in No. 208. *Edgar Bernhard* for Exchange National Bank of Chicago, petitioner in No. 208 and respondent in No. 149. Reported below: 408 F. 2d 1099.

No. 150. *HARRY F. BERGGREN & SONS, INC. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 8th Cir. Certiorari denied. *J. Max Harding* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, Norton J. Come, and Linda Sher* for respondent. Reported below: 406 F. 2d 239.

No. 154. *GAY v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *William G. Line* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 408 F. 2d 923.

No. 155. *NEIWIRTH v. HYDROCARBON CHEMICALS, INC., ET AL.*; and

No. 217. *STARR ET AL. v. HYDROCARBON CHEMICALS, INC., ET AL.* C. A. 3d Cir. Certiorari denied. *Max L. Rosenstein* for petitioner in No. 155, and *Edwin Fradkin, pro se*, and for other petitioners in No. 217. *Michael R. Griffinger* for respondent Clemence, Trustee in Bankruptcy, and *Solicitor General Griswold, Philip A. Loomis, Jr., David Ferber, and Paul Gonson* for respondent Securities and Exchange Commission, in both cases. Reported below: 411 F. 2d 203.

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No. 151. *MARTIN ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Maurice J. Walsh, Carl M. Walsh, and Eleanor Waters Walsh* for petitioners. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Edward Fenig* for the United States. Reported below: 408 F. 2d 949.

No. 152. *ANGELUS FUNERAL HOME v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 9th Cir. Certiorari denied. *Leo Branton, Jr., and William B. Murrish* for petitioner. *Solicitor General Griswold, Assistant Attorney General Walters, Harry Baum, and Bennet N. Hollander* for respondent. Reported below: 407 F. 2d 210.

No. 156. *TAUFERNER ET UX. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Eks Ayn Anderson* for petitioners. *Solicitor General Griswold, Assistant Attorney General Walters, Jonathan S. Cohen, and Edward Lee Rogers* for the United States. Reported below: 407 F. 2d 243.

No. 159. *CROWN MACHINE & TOOL Co. v. D & S INDUSTRIES, INC., ET AL.* C. A. 9th Cir. Certiorari denied. *Howard T. Markey* for petitioner. *Carl Hoppe* for respondents. Reported below: 409 F. 2d 1307.

No. 162. *RICHARD v. TRAVELERS INSURANCE CO. ET AL.* Sup. Ct. La. Certiorari denied. *J. Minos Simon* for petitioner. *J. J. Davidson, Jr.*, for respondents. Reported below: 253 La. 641, 219 So. 2d 175.

No. 163. *AGORANOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Eli H. Subin* for petitioner. *Solicitor General Griswold, Assistant Attorney General Walters, and Joseph M. Howard* for the United States. Reported below: 409 F. 2d 833.

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No. 157. VALLEYDALE PACKERS, INC., OF BRISTOL *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 5th Cir. Certiorari denied. *George V. Gardner* and *Asa Ambrister* for petitioner. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli*, *Norton J. Come*, and *Elliott Moore* for respondent. Reported below: 402 F. 2d 768.

No. 165. MOJAVE URANIUM CO. *v.* MESA PETROLEUM Co. Sup. Ct. Utah. Certiorari denied. *Delbert M. Draper, Jr.*, for petitioner. *Clarence C. Neslen* for respondent. Reported below: 22 Utah 2d 239, 451 P. 2d 587.

No. 167. HART ET AL. *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *George W. Wulff* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Kirby W. Patterson* for the United States. Reported below: 409 F. 2d 221.

No. 168. BELVEAL ET AL. *v.* SOCONY MOBIL OIL CORP. (NOW MOBIL OIL CORP.) ET AL. Ct. Civ. App. Tex., 8th Sup. Jud. Dist. Certiorari denied. *John G. Patterson* for petitioners. *Wm. B. Browder, Jr.*, for Mobil Oil Corp., and *E. B. Mitchell, Jr.*, *Gerald Fitz-Gerald*, and *William L. Kerr* for Athey et al., respondents. Reported below: 430 S. W. 2d 529.

No. 174. SHEINER *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Albert A. Blinder* and *Stephen Hochhauser* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 410 F. 2d 337.

No. 178. K-S-H PLASTICS, INC. *v.* CAROLITE, INC., ET AL. C. A. 9th Cir. Certiorari denied. *Owen J. Ooms* for petitioner. *W. Robert Spensley* for respondents. Reported below: 408 F. 2d 54.

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No. 170. *PREFERRED INSURANCE CO. v. BENTLEY, INSURANCE COMMISSIONER OF GEORGIA, ET AL.* Sup. Ct. Ga. Certiorari denied. *Alfred C. Bennett* and *Irvin Waldman* for petitioner. *Walter G. Cooper* for respondents. Reported below: 225 Ga. 160, 166 S. E. 2d 340.

No. 176. *GRIFFITH v. BOARD OF COMMISSIONERS OF THE ALABAMA STATE BAR.* Sup. Ct. Ala. Certiorari denied. *Carl A. Elliott* for petitioner. *M. Roland Nachman, Jr.*, for respondent. Reported below: 283 Ala. 527, 219 So. 2d 357.

No. 184. *SULLIVAN v. BOARD OF COMMISSIONERS OF THE ALABAMA STATE BAR.* Sup. Ct. Ala. Certiorari denied. *Fred Blanton, Jr.*, for petitioner. *Reginald T. Hamner* for respondent. Reported below: 283 Ala. 514, 219 So. 2d 346.

No. 186. *IOWA PUBLIC SERVICE CO. v. IOWA STATE COMMERCE COMMISSION ET AL.* C. A. 8th Cir. Certiorari denied. *Mark W. Putney* for petitioner. *Leo J. Steffen, Jr.*, for Iowa State Commerce Commission et al., and *Solicitor General Griswold, Assistant Attorney General Ruckelshaus*, and *Morton Hollander* for Aldrich et al., respondents. Reported below: 407 F. 2d 916.

No. 192. *MESCH v. UNITED STATES.* C. A. 10th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit*, and *Robert G. Maysack* for the United States. Reported below: 407 F. 2d 1290.

No. 193. *THORNE, RECEIVER v. AETNA LIFE INSURANCE CO.* C. A. 7th Cir. Certiorari denied. *Roland Obenchain, Jr.*, for petitioner. *Joseph T. Helling* for respondent. Reported below: 407 F. 2d 809.

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No. 195. SULLIVAN *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *Thomas J. Carley* and *Gabriel T. Pap* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Walters*, *Meyer Rothwacks*, and *Howard M. Koff* for respondent.

No. 197. O'NEAL *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *T. Malone Sharpe* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Mervyn Hamburg* for the United States. Reported below: 411 F. 2d 131.

No. 203. MOSES ET AL., EXECUTORS *v.* MANUFACTURERS LIFE INSURANCE CO. C. A. 4th Cir. Certiorari denied. *Philip Wittenberg* for petitioners. *M. M. Weinberg, Jr.*, for respondent. Reported below: 407 F. 2d 1142.

No. 205. TENNESSEE VALLEY SAND & GRAVEL CO. *v.* CRAFTON. C. A. 5th Cir. Certiorari denied. *George B. Matthews* for petitioner. *Truman Hobbs* for respondent. Reported below: 408 F. 2d 1096.

No. 209. MARYLAND CASUALTY CO. *v.* RUSH STREET RUGBY SHOP, LTD., ET AL. C. A. 7th Cir. Certiorari denied. *Norman A. Miller* and *Frederic H. Stafford* for petitioner. *James A. Chatz* for respondents. Reported below: 409 F. 2d 540.

No. 213. FRANCE, TRUSTEE IN BANKRUPTCY *v.* UNION BANK & SAVINGS CO. C. A. 7th Cir. Certiorari denied. *Sol Rothberg* for petitioner. *Paul W. Philips* for respondent. Reported below: 408 F. 2d 209.

No. 216. GEORGE W. CHAPMAN, INC. *v.* SHENK ET AL. C. A. 4th Cir. Certiorari denied. *Harry Marfut* for petitioner. *A. Garland Williams* for respondents.

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No. 220. JEFFERSON STANDARD LIFE INSURANCE CO. v. UNITED STATES. C. A. 4th Cir. Certiorari denied. *Fred W. Peel* for petitioner. *Solicitor General Griswold, Assistant Attorney General Walters, Gilbert E. Andrews, and Thomas L. Stapleton* for the United States. *William B. Harman, Jr., and Kenneth L. Kimble* for American Life Convention et al. as *amici curiae* in support of the petition. Reported below: 408 F. 2d 842.

No. 222. BUNCHER, DBA BUNCHER CO. v. NATIONAL LABOR RELATIONS BOARD. C. A. 3d Cir. Certiorari denied. *John G. Wayman* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, Norton J. Come, and Elliott Moore* for respondent. *Milton A. Smith* for Chamber of Commerce of the United States as *amicus curiae* in support of the petition. Reported below: 405 F. 2d 787.

No. 223. GOETT, ADMINISTRATRIX v. UNION CARBIDE CORP. ET AL. C. A. 4th Cir. Certiorari denied. *Ernest Franklin Pauley and Harvey Goldstein* for petitioner.

No. 224. GOTTHELF ET UX. v. COMMISSIONER OF INTERNAL REVENUE; and

No. 293. COMMISSIONER OF INTERNAL REVENUE v. GOTTHELF. C. A. 2d Cir. Certiorari denied. *Harvey M. Sklaver* for petitioners in No. 224. *Solicitor General Griswold, Assistant Attorney General Walters, C. Guy Tadlock, and Bennet N. Hollander* for petitioner in No. 293 and for respondent in No. 224. Reported below: 407 F. 2d 491.

No. 228. TRI-WALL CONTAINERS, INC. v. UNITED STATES. Ct. Cl. Certiorari denied. *Charles B. Spencer* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 187 Ct. Cl. 326, 408 F. 2d 748.

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No. 229. *DOBBINS ET AL. v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *H. H. Gearing* for petitioners. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Jerome M. Feit* for the United States. Reported below: 408 F. 2d 973.

No. 232. *ROSS v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. *Edward J. Calihan, Jr.*, for petitioner. Reported below: 103 Ill. App. 2d 430, 243 N. E. 2d 697.

No. 233. *SIMON v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Anna R. Lavin and Edward J. Calihan, Jr.*, for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for the United States. Reported below: 409 F. 2d 474.

No. 237. *COLLINS v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied. *John Caughlan* for petitioner. *James E. Kennedy* for respondent.

No. 243. *TEXAS OIL & GAS CORP. ET AL. v. PHILLIPS PETROLEUM Co.* C. A. 10th Cir. Certiorari denied. *Geo. L. Verity* for petitioners. *Edward J. Fauss* for respondent. Reported below: 406 F. 2d 1303.

No. 246. *PATTERSON v. INDIANA*. Sup. Ct. Ind. Certiorari denied. *Palmer K. Ward* for petitioner. *Theodore L. Sendak*, Attorney General of Indiana, and *William F. Thompson*, Deputy Attorney General, for respondent. Reported below: — Ind. —, 244 N. E. 2d 221.

No. 251. *MAGNETIC HEATING CORP. ET AL. v. FOSTER*. C. A. 2d Cir. Certiorari denied. *Charles H. Walker* and *William K. Kerr* for petitioners. *Alexander Kahan* for respondent. Reported below: 410 F. 2d 12.

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No. 247. *MILLER v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Daniel P. Reardon, Jr.*, for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Robert G. Maysack* for the United States. Reported below: 410 F. 2d 1290.

No. 252. *DEJORIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *J. Leonard Fleet and Julius L. Goldstein* for petitioner. *Solicitor General Griswold, Assistant Attorney General Walters, and Gilbert E. Andrews* for the United States. Reported below: 409 F. 2d 2.

No. 253. *PHILLIPS ET UX. v. LATHAM*. Ct. Civ. App. Tex., 11th Sup. Jud. Dist. Certiorari denied. *Fred S. Abney* for petitioners. Reported below: 433 S. W. 2d 775.

No. 254. *ACUFF v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Howard G. Swafford* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Kirby W. Patterson* for the United States. Reported below: 410 F. 2d 463.

No. 255. *WAX v. PATE, WARDEN*. C. A. 7th Cir. Certiorari denied. *Charles A. Bellows* for petitioner. Reported below: 409 F. 2d 498.

No. 257. *GENERAL METAL PRODUCTS CO. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 6th Cir. Certiorari denied. *Carroll C. Gilpin* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, and Norton J. Come* for respondent. Reported below: 410 F. 2d 473.

No. 262. *WILSON v. CITY OF PORT LAVACA, TEXAS, ET AL.* C. A. 5th Cir. Certiorari denied. *Willett Wilson* for petitioner. Reported below: 409 F. 2d 1362.

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No. 256. *McCLUSKEY v. NORFOLK & WESTERN RAILWAY Co.* C. A. 6th Cir. Certiorari denied. *Rankin M. Gibson* for petitioner. *John M. Curphey* for respondent. Reported below: 408 F. 2d 1025.

No. 258. *KNAUFF, EXECUTRIX, ET AL. v. UTAH CONSTRUCTION & MINING Co. ET AL.* C. A. 10th Cir. Certiorari denied. *Edward T. Lazear* for petitioners. *Francis R. Kirkham, John B. Bates, and James F. Kirkham* for Utah Construction & Mining Co. et al., and *Gerald R. Miller* for Cranmer, respondents. Reported below: 408 F. 2d 958.

No. 259. *SAAB AKTIEBOLAG, FORMERLY SVENSKA AEROPLAN AKTIEBOLAGET (SAAB) v. MERGENTHALER LINO-TYPE Co.* C. A. 2d Cir. Certiorari denied. *Ira Milton Jones* and *Howard W. Churchill* for petitioner. *Luther E. Morrison* for respondent. Reported below: 410 F. 2d 979.

No. 263. *CRUMLEY v. ALABAMA.* Ct. App. Ala. Certiorari denied. *Fred Blanton, Jr.*, for petitioner. *MacDonald Gallion*, Attorney General of Alabama, and *Robert P. Bradley* and *Walter S. Turner*, Assistant Attorneys General, for respondent. Reported below: 44 Ala. App. 692, 220 So. 2d 862.

No. 274. *KETRON v. TENNESSEE.* Sup. Ct. Tenn. Certiorari denied. *Preston H. Taylor* for petitioner.

No. 277. *KNAACK ET AL. v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. *R. Eugene Pincham, Earl J. Strayhorn, and Charles B. Evins* for petitioners. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for the United States. Reported below: 409 F. 2d 418.

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No. 264. *MILLER ET UX. v. CAMP, COMPTROLLER OF THE CURRENCY*. C. A. 3d Cir. Certiorari denied. *Mitchell A. Kramer* for petitioners. *Solicitor General Griswold* for respondent. Reported below: 407 F. 2d 223.

No. 272. *BARASH v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Louis Bender* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Kirby W. Patterson* for the United States. Reported below: 412 F. 2d 26.

No. 273. *CARRIL v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Albert J. Krieger* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Mervyn Hamburg* for the United States. Reported below: 419 F. 2d 548.

No. 276. *STATE FARM MUTUAL AUTOMOBILE INSURANCE Co. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 7th Cir. Certiorari denied. *George G. Gallantz and Marvin Dicker* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, Norton J. Come, and Linda Sher* for respondent. Reported below: 411 F. 2d 356.

No. 278. *RIDGEWOOD MANAGEMENT Co., INC. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 5th Cir. Certiorari denied. *John H. Benckenstein* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, and Norton J. Come* for respondent. Reported below: 410 F. 2d 738.

No. 286. *CANOVA v. TRAVELERS INSURANCE Co.* C. A. 5th Cir. Certiorari denied. *Sam J. D'Amico* for petitioner. Reported below: 406 F. 2d 410.

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No. 280. CITY OF DETROIT ET AL. *v.* AMBASSADOR STEEL CO. ET AL. Ct. App. Mich. Certiorari denied. *Julius C. Pliskow* for petitioners City of Detroit et al. *Carroll D. Little* for respondents Ambassador Steel Co. et al., *Stanley M. Weingarden* for respondents Advance Steel Co. et al., *Erwin B. Ellmann* for respondent American Steel Corp., *Steven I. Victor* for respondent Contractors Steel Co., and *Seymour J. Frank* for respondent Kasle Steel Corp. Reported below: 14 Mich. App. 657, 165 N. W. 2d 875.

No. 281. TYNE *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 7th Cir. Certiorari denied. *Thomas J. Carley* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Walters*, and *Meyer Rothwacks* for respondent. Reported below: 409 F. 2d 485.

No. 283. JOHN KLANN MOVING & TRUCKING Co. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 6th Cir. Certiorari denied. *Bernard S. Goldfarb* for petitioner. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli*, *Norton J. Come*, and *Nancy M. Sherman* for respondent. Reported below: 411 F. 2d 261.

No. 289. MARGOLES *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *John P. Diuguid* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Edward Fenig* for the United States. Reported below: 407 F. 2d 727.

No. 294. SOUTHEASTERN CANTEEN CO. ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. Certiorari denied. *John J. Kendrick* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Walters*, *Jonathan S. Cohen*, and *Michael B. Arkin* for respondent. Reported below: 410 F. 2d 615.

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No. 295. *WHEELER-VAN LABEL CO., SUBSIDIARY OF STECHER-TRAUNG-SCHMIDT CORP. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 2d Cir. Certiorari denied. *Richard L. Epstein* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli,* and *Norton J. Come* for respondent. Reported below: 408 F. 2d 613.

No. 297. *PURER & CO. ET AL. v. AKTIEBOLAGET ADDO ET AL.* C. A. 9th Cir. Certiorari denied. *Joseph W. Fairfield* for petitioners. *Harold A. Black* for respondents. Reported below: 410 F. 2d 871.

No. 298. *ROSENTHAL ET AL. v. ASH, TRUSTEE IN BANKRUPTCY, ET AL.* C. A. 7th Cir. Certiorari denied. *Albert E. Jenner, Jr., Gilbert H. Hennessey, Jr.,* and *John J. Crown* for petitioners. *Malcolm M. Gaynor* for Ash et al., and *Edwin A. Rothschild* and *Ralph R. Mickelson* for Holleb, respondents. Reported below: 410 F. 2d 1182.

No. 299. *REGAN v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *John T. Casey* for petitioner. *Solicitor General Griswold, Assistant Attorney General Walters,* and *Grant W. Wiprud* for the United States. Reported below: 410 F. 2d 744.

No. 302. *MAYNARD v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *J. B. Tietz* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit,* and *Robert G. Maysack* for the United States. Reported below: 409 F. 2d 505.

No. 303. *TURNER v. MISSISSIPPI.* Sup. Ct. Miss. Certiorari denied. *Raymond L. Brown* for petitioner. Reported below: 220 So. 2d 295.

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No. 309. BREEN *v.* OTIS ELEVATOR CO. ET AL. Sup. Ct. La. Certiorari denied. *Steven R. Plotkin* for petitioner. *Charles K. Reasonover* for respondents. Reported below: 253 La. 874, 220 So. 2d 458.

No. 311. WASHINGTON TERMINAL CO. *v.* TAYLOR. C. A. D. C. Cir. Certiorari denied. *Stephen A. Trimble* for petitioner. *James R. Scullen* for respondent. Reported below: 113 U. S. App. D. C. 110, 409 F. 2d 145.

No. 312. MEYERS *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Alan H. Levine* and *Thomas H. Baer* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Edward Fenig* for the United States. Reported below: 410 F. 2d 693.

No. 313. KALISH *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *George T. Altman* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Walters*, *Jonathan S. Cohen*, and *Stuart A. Smith* for the United States. Reported below: 411 F. 2d 606.

No. 315. HAYES *v.* UNITED STATES ET AL. C. A. 7th Cir. Certiorari denied. *David P. Schippers* and *Samuel J. Betar* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Walters*, *Joseph M. Howard*, and *John P. Burke* for the United States et al. Reported below: 408 F. 2d 932.

No. 317. B. F. DIAMOND CONSTRUCTION CO., INC., ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 5th Cir. Certiorari denied. *Daniel R. Coffman, Jr.*, for petitioners. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli*, and *Norton J. Come* for respondent. Reported below: 410 F. 2d 462.

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No. 314. *BARNES ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 7th Cir. Certiorari denied. *George D. Crowley* for petitioners. *Solicitor General Griswold* and *Assistant Attorney General Walters* for respondent. Reported below: 408 F. 2d 65.

No. 319. *CROUGHAN v. MURPHY, POLICE COMMISSIONER OF THE CITY OF NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. *Denis M. Hurley* and *John F. Haggerty* for petitioner. *J. Lee Rankin*, *Stanley Buchsbaum*, and *Edmund B. Hennefeld* for respondent.

No. 322. *MONTECATINI EDISON S. P. A. v. E. I. DU PONT DE NEMOURS & Co.* C. A. 3d Cir. Certiorari denied. *Edward S. Irons* and *Mary Helen Sears* for petitioner. *James M. Tunnell, Jr.*, for respondent. Reported below: 410 F. 2d 187.

No. 323. *MCCARTY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *John C. Moran* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Walters*, and *Joseph M. Howard* for the United States. Reported below: 409 F. 2d 793.

No. 325. *FRANCO v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Richard Kanner* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, and *Beatrice Rosenberg* for the United States. Reported below: 413 F. 2d 282.

No. 328. *STUYVESANT INSURANCE Co. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Dean E. Richards* and *James Manahan* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 410 F. 2d 524.

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No. 327. *SHER v. NEW YORK*. Ct. App. N. Y. Certiorari denied. *Mario Matthew Cuomo* for petitioner. *William Cahn* for respondent. Reported below: 24 N. Y. 2d 454, 248 N. E. 2d 887.

No. 332. *BERNE v. GOVERNMENT OF THE VIRGIN ISLANDS*. C. A. 3d Cir. Certiorari denied. *Thomas W. Finucan* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for respondent. Reported below: 412 F. 2d 1055.

No. 333. *PANACCIONE v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Daniel E. Isles* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Mervyn Hamburg* for the United States. Reported below: 412 F. 2d 407.

No. 334. *BOENKER v. OHIO*. Sup. Ct. Ohio. Certiorari denied. *Harvey H. Starkoff* for petitioner. *John T. Corrigan* and *Harvey R. Monck* for respondent.

No. 336. *McKEE v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied. *Richard J. Bruckner* for petitioner. Reported below: 183 Neb. 754, 164 N. W. 2d 434.

No. 339. *SHOEMAKER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *J. B. Tietz* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Robert G. Maysack* for the United States. Reported below: 413 F. 2d 274.

No. 344. *KANDALL v. UNITED STATES*. Ct. Cl. Certiorari denied. *Carl L. Shipley* and *Rufus W. Peckham, Jr.*, for petitioner. *Solicitor General Griswold* for the United States. Reported below: 186 Ct. Cl. 900.

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No. 341. MERRILL LYNCH, PIERCE, FENNER & SMITH, INC. *v.* BUTTREY, TRUSTEE IN BANKRUPTCY. C. A. 7th Cir. Certiorari denied. *Alan W. Boyd* and *Thomas M. Scanlon* for petitioner. *Hugh A. Thornburg* for respondent. Reported below: 410 F. 2d 135.

No. 342. EXCHANGE NATIONAL BANK OF ATCHISON *v.* HIBERNIA NATIONAL BANK OF NEW ORLEANS. C. A. 5th Cir. Certiorari denied. *H. Hepburn Many*, *John M. Phillips*, and *O. John Rogge* for petitioner. Reported below: 407 F. 2d 840.

No. 345. AMALGAMATED TRANSIT UNION, LOCAL DIVISION 1338, ET AL. *v.* DALLAS PUBLIC TRANSIT BOARD ET AL. Ct. Civ. App. Tex., 5th Sup. Jud. Dist. Certiorari denied. *Earle W. Putnam* and *L. N. D. Wells, Jr.*, for petitioners. *N. Alex Bickley* and *Ted P. MacMaster* for respondents Dallas Public Transit Board et al. Reported below: 430 S. W. 2d 107.

No. 346. HICKMAN GARMENT CO. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 6th Cir. Certiorari denied. *Marvin Posner* for petitioner. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli*, *Norton J. Come*, and *Eugene B. Granof* for respondent. Reported below: 408 F. 2d 379.

No. 353. R. G. BARRY CORP. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 6th Cir. Certiorari denied. *Glenn L. Greene, Jr.*, for petitioner. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli*, and *Norton J. Come* for respondent.

No. 359. HOLOCHUCK *v.* UNITED AIRCRAFT CORP. C. A. 2d Cir. Certiorari denied. *Lee S. Kreindler* for petitioner. *Daniel Huttenbrauck* for respondent.

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No. 348. WASHINGTON *v.* GOLDEN STATE MUTUAL LIFE INSURANCE Co. Sup. Ct. Tex. Certiorari denied. *Robert W. Hainsworth* for petitioner. *Finis E. Cowan* and *Joe R. Greenhill, Jr.*, for respondent.

No. 351. DURHAM ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *B. Clarence Mayfield* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Mervyn Hamburg* for the United States. Reported below: 413 F. 2d 1003.

No. 350. SMITH ET UX. *v.* PENNSYLVANIA PUBLIC UTILITY COMMISSION ET AL. Sup. Ct. Pa. Certiorari denied. *J. Willison Smith, Jr.*, and *Bayard M. Graf* for petitioners. *Anthony L. Marino* for Pennsylvania Public Utility Commission, and *Charles E. Thomas*, *Vincent P. McDevitt*, *Eugene J. Bradley*, and *Edwin W. Scott* for Philadelphia Electric Co., respondents. Reported below: 434 Pa. 41, 252 A. 2d 589.

No. 354. LACY *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Gerald K. Fugit* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Jerome M. Feit* for the United States. Reported below: 410 F. 2d 103.

No. 356. KIRK ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Joe Hobson* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Jerome M. Feit*, and *Robert G. Maysack* for the United States.

No. 361. PROCTOR *v.* PROCTOR. Super. Ct. Pa. Certiorari denied. *E. Eugene Mason* for petitioner. Reported below: 213 Pa. Super. 171, 245 A. 2d 684.

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No. 364. *CAMPBELL v. GOOCH ET AL.* C. A. 3d Cir. Certiorari denied. *Solicitor General Griswold* for respondents.

No. 365. *BRANN & STUART Co. v. CONSOLIDATED SUN RAY, INC.* Sup. Ct. Pa. Certiorari denied. *Fred M. Vinson, Jr.*, for petitioner. *Morris Wolf* for respondent. Reported below: 433 Pa. 574, 253 A. 2d 105.

No. 366. *SPAHR ET AL. v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Bruce I. Hochman* for petitioners. *Solicitor General Griswold, Assistant Attorney General Walters, Joseph M. Howard, and John P. Burke* for the United States. Reported below: 409 F. 2d 1303.

No. 370. *FARRELL ET AL., ADMINISTRATORS v. PIEDMONT AVIATION, INC., ET AL.* C. A. 2d Cir. Certiorari denied. *Lee S. Kreindler* for petitioners. *Douglas B. Bowring* for respondent Rapidair, Inc., and *John M. Aherne* and *John J. Martin* for respondent Lanseair, Inc. Reported below: 411 F. 2d 812.

No. 371. *JOHN S. BARNES CORP. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 7th Cir. Certiorari denied. *Theophil C. Kammholz* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, and Norton J. Come* for respondent.

No. 372. *NEW YORK STATE LIQUOR AUTHORITY v. FINN'S LIQUOR SHOP, INC.* Ct. App. N. Y. Certiorari denied. *Louis J. Lefkowitz*, Attorney General of New York, *Samuel A. Hirshowitz*, First Assistant Attorney General, and *Brenda Soloff*, Assistant Attorney General, for petitioner. *Samuel B. Waterman* for respondent. Reported below: 24 N. Y. 2d 647, 249 N. E. 2d 440.

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No. 367. EDMOR PROPERTIES, INC. *v.* METROPOLITAN DADE COUNTY. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. *Alfred M. Carvajal* for petitioner.

No. 377. NOGA, SPECIAL ADMINISTRATOR *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *James C. Hagedorn* for petitioner. *Solicitor General Griswold, Assistant Attorney General Ruckelshaus, and Morton Hollander* for the United States. Reported below: 411 F. 2d 943.

No. 380. SANFORD *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *Gabriel T. Pap* for petitioner. *Solicitor General Griswold, Assistant Attorney General Walters, and Elmer J. Kelsey* for respondent. Reported below: 412 F. 2d 201.

No. 385. ORDER OF RAILWAY CONDUCTORS & BRAKEMEN ET AL. *v.* CLINCHFIELD RAILROAD CO. C. A. 6th Cir. Certiorari denied. *Herbert S. Thatcher* for petitioners. *Dennis G. Lyons* for respondent. Reported below: 407 F. 2d 985.

No. 405. LODWICK *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Walter A. Raymond* and *Kenneth C. West* for petitioner. *Solicitor General Griswold, Assistant Attorney General Walters, Joseph M. Howard, and John P. Burke* for the United States. Reported below: 410 F. 2d 1202.

No. 479. SIMASKO *v.* TOWNSHIP OF HARRISON, MACOMB COUNTY. Ct. App. Mich. Certiorari denied. *Ray H. Boman* for petitioner. *John B. Bruff* for respondent. Reported below: 15 Mich. App. 534, 166 N. W. 2d 635.

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No. 491. *MORGAN v. UNITED STATES FIDELITY & GUARANTY Co.* Sup. Ct. Miss. Certiorari denied. *Charles Clark* for petitioner. *Joseph A. Covington, Junior O'Mara,* and *Phineas Stevens* for respondent. Reported below: 222 So. 2d 820.

No. 47. *TOBACCO INSTITUTE, INC., ET AL. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.*;

No. 48. *NATIONAL ASSOCIATION OF BROADCASTERS ET AL. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.*;

No. 49. *AMERICAN BROADCASTING COMPANIES, INC. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.*; and

No. 51. *NATIONAL BROADCASTING Co., INC. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.* C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of these petitions. *Paul A. Porter, Abe Krash, Daniel A. Rezneck,* and *Jerome I. Chapman* for petitioners Tobacco Institute, Inc., et al., *Eugene R. Anderson* and *Janet C. Brown* for petitioner American Tobacco Co., *James N. Ravlin* for petitioner Brown & Williamson Tobacco Corp., *Donald J. Cohn* for petitioner Liggett & Myers Inc., *Carleton A. Harkrader* for petitioner P. Lorillard Co., *Porter R. Chandler* for petitioner R. J. Reynolds Tobacco Co., and *Alfred S. Forsyth* for petitioner United States Tobacco Co., in No. 47; *Howard C. Westwood, Herbert Dym,* and *Douglas A. Anello* for petitioners in No. 48; *James A. McKenna, Jr.,* and *Vernon L. Wilkinson* for petitioner in No. 49; and *Lawrence J. McKay, Raymond L. Falls, Jr., Corydon B. Dunham, Jr.,* and *Howard Monderer* for petitioner in No. 51. *Solicitor General Griswold, Assistant Attorney General McLaren, Henry Geller, John H. Conlin,* and *Lenore G. Ehrig* for the United States et al., respondents in all four cases. Reported below: 132 U. S. App. D. C. 14, 405 F. 2d 1082. [For earlier order herein, see 395 U. S. 973.]

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No. 416. *RIFFE v. WILSHIRE OIL CO. OF TEXAS*. C. A. 10th Cir. Certiorari denied. *Gerald G. Stamper* for petitioner. *Richard H. Shaw* for respondent. Reported below: 406 F. 2d 1061.

No. 107. *HAYMAN v. COMMISSIONER OF INTERNAL REVENUE*. C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. *Solicitor General Griswold*, *Assistant Attorney General Walters*, *Crombie J. D. Garrett*, and *Benjamin M. Parker* for respondent.

No. 219. *TIJERINA ET AL. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. *Morton Stavis*, *Arthur Kinoy*, *William M. Kunstler*, *Dennis J. Roberts*, and *William L. Higgs* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Roger A. Pauley* for the United States. Reported below: 407 F. 2d 349.

No. 122. *FREEMAN ET AL. v. GOULD SPECIAL SCHOOL DISTRICT OF LINCOLN COUNTY, ARKANSAS, ET AL.* C. A. 8th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Burl C. Rotenberry*, *George Howard, Jr.*, and *Philip J. Hirschkop* for petitioners. *Robert V. Light* and *Herschel H. Friday* for respondents. Reported below: 405 F. 2d 1153.

No. 211. *BROADWAY ENTERPRISE, INC. v. LIQUOR CONTROL COMMISSION OF OHIO*. Sup. Ct. Ohio. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *William J. Abraham* for petitioner. *Paul W. Brown*, Attorney General of Ohio, *James E. Rattan*, Assistant Attorney General, and *Shelby V. Hutchins* for respondent.

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No. 56. EDMUNDSON ET AL. *v.* TENNESSEE EX REL. BATTLE. Sup. Ct. Tenn. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Armistead F. Clay* for petitioners. *George F. McCannless*, Attorney General of Tennessee, and *Thomas E. Fox*, Deputy Attorney General, for respondent.

No. 169. NOWELL *v.* NOWELL. Sup. Ct. Conn. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Frederick Bernays Wiener* for petitioner. *Edgar W. Bassick III* for respondent. Reported below: 157 Conn. 470, 254 A. 2d 889.

No. 177. ROSENBERG ET AL. *v.* MINICHELLO, EXECUTRIX, ET AL. C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *James M. Marsh* for petitioners. *Irving I. Waxman* for respondent Stevens. Reported below: 410 F. 2d 106.

No. 181. SHIFFLETT ET AL. *v.* MINOR ET AL. Ct. App. Md. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Richard D. Payne* for petitioners. Reported below: 252 Md. 158, 249 A. 2d 159.

No. 194. VETERANS OF THE ABRAHAM LINCOLN BRIGADE ET AL. *v.* ATTORNEY GENERAL OF THE UNITED STATES ET AL. C. A. D. C. Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Leonard B. Boudin*, *Victor Rabinowitz*, and *David Rein* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Yeagley*, *Kevin T. Maroney*, and *Lee B. Anderson* for respondents. Reported below: 133 U. S. App. D. C. 222, 409 F. 2d 1139.

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No. 198. *HIRSCHKOP v. VIRGINIA*. Sup. Ct. App. Va. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Arthur Kinoy, Melvin L. Wulf*, and *Morton Stavis* for petitioner. Reported below: 209 Va. 678, 166 S. E. 2d 322.

No. 227. *CITY OF AUDUBON PARK, KENTUCKY, ET AL. v. AMERICAN AIRLINES, INC., ET AL.* C. A. 6th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Henry J. Burt, Jr.*, for petitioners. *Wilson W. Wyatt* and *Stuart E. Lampe* for respondents. Reported below: 407 F. 2d 1306.

No. 244. *HUNT v. ARIZONA*. C. A. 6th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Beauford James George, Jr.*, and *Clark Shanahan* for petitioner. *Gary K. Nelson*, Attorney General of Arizona, and *Carl Waag*, Assistant Attorney General, for respondent. Reported below: 408 F. 2d 1086.

No. 260. *GULF OIL CORP. ET AL. v. UNITED STATES ET AL.* C. A. 3d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Leo T. Kissam* for Gulf Oil Corp., *A. Donald MacKinnon* for Humble Oil & Refining Co., *John E. F. Wood* for Mobil Oil Corp., and *Harold F. McGuire* for Sinclair Refining Co., petitioners. *Solicitor General Griswold* and *Acting Assistant Attorney General Hammond* for respondent United States. Reported below: See 296 F. Supp. 538.

No. 335. *ESCHMANN v. MOYER ET AL.* Sup. Ct. La. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Floyd J. Reed* for petitioner. Reported below: 253 La. 818, 220 So. 2d 86.

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No. 291. UNITED MINE WORKERS OF AMERICA v. RIVERSIDE COAL Co., INC. C. A. 6th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Edward L. Carey, Harrison Combs, Willard P. Owens, and E. H. Rayson* for petitioner. Reported below: 410 F. 2d 267.

No. 296. KADLEC ET AL. v. ILLINOIS BELL TELEPHONE Co. C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Harry R. Booth* for petitioners. *James R. Bryant, Jr.*, for respondent. Reported below: 407 F. 2d 624.

No. 373. SCHWARTZMAN v. NEW YORK. Ct. App. N. Y. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Abraham Glasser and Stanley J. Reiben* for petitioner. *William Cahn* for respondent. Reported below: 24 N. Y. 2d 241, 247 N. E. 2d 642.

No. 437. ATKINS v. GREENVILLE SHIPBUILDING CORP. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Fountain D. Dawson and Samuel C. Gainsburgh* for petitioner. *J. Robertshaw* for respondent. Reported below: 411 F. 2d 279.

No. 91. WAINWRIGHT, CORRECTIONS DIRECTOR v. CAPPETTA. C. A. 5th Cir. Motions of respondent for leave to proceed *in forma pauperis* and for leave to file a *pro se* brief in opposition to petition for writ of certiorari granted. Certiorari denied. *Earl Faircloth*, Attorney General of Florida, and *Raymond L. Marky*, Assistant Attorney General, for petitioner. *Robert G. Petree* for respondent. Reported below: 406 F. 2d 1238.

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No. 61. HENDERSON, WARDEN *v.* PRYOR. C. A. 6th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. *Edward P. A. Smith* for petitioner. Reported below: 403 F. 2d 46. [For earlier order herein, see 394 U. S. 969.]

No. 248. HEROLD, STATE HOSPITAL DIRECTOR *v.* SCHUSTER. C. A. 2d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. *Louis J. Lefkowitz*, Attorney General of New York, *Samuel A. Hirshowitz*, First Assistant Attorney General, *Maria L. Marcus*, Assistant Attorney General, and *Arlene R. Silverman*, Deputy Assistant Attorney General, for petitioner. *George J. Alexander* and *Melvin L. Wulf* for respondent. Reported below: 410 F. 2d 1071.

No. 326. MYERS, CORRECTIONAL SUPERINTENDENT *v.* GOCKLEY. C. A. 3d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. *Angelo J. Baro* for petitioner. Reported below: 411 F. 2d 216.

No. 109. DORSEY *v.* NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE ET AL. C. A. 5th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *J. Minos Simon* for petitioner.

No. 207. MEEK *v.* ARIZONA. Ct. App. Ariz. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *Mark Wilmer* for petitioner. *Gary K. Nelson*, Attorney General of Arizona, and *Carl Waag*, Assistant Attorney General, for respondent. Reported below: 9 Ariz. App. 149, 450 P. 2d 115.

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No. 99. LEVIN ET AL. *v.* GREAT WESTERN SUGAR CO. ET AL. C. A. 3d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. MR. JUSTICE WHITE took no part in the consideration or decision of this petition. *Ralph Wienshienk, Irving Sonnenschein, and Bernard Rothman* for petitioners Levin et al. *Simon H. Rifkind, William L. Dill, Jr., and Donald B. Kipp* for respondents. Reported below: 406 F. 2d 1112.

No. 116. LIFSCHUTZ *v.* SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN MATEO. Sup. Ct. Cal. Motions of California State Psychological Assn., American Psychiatric Assn., and National Association for Mental Health for leave to file briefs as *amici curiae* granted. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Kurt W. Melchior* for petitioner. *Warren E. Magee* on the motion for American Psychiatric Assn. *William C. Schaab* for National Association for Mental Health as *amicus curiae* in support of the petition.

No. 202. BATTAGLIA *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Maurice J. Walsh* and *Carl M. Walsh* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Edward Fenig* for the United States. Reported below: 410 F. 2d 279.

No. 304. DUFFY, ANCILLARY ADMINISTRATRIX *v.* WHARTON, ADMINISTRATOR. Ct. App. Md. Motion to dispense with printing petition granted. Certiorari denied.

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No. 180. BROTHERHOOD OF LOCOMOTIVE FIREMEN & ENGINEMEN *v.* BANGOR & AROOSTOOK RAILROAD CO. ET AL. C. A. D. C. Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. THE CHIEF JUSTICE and MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Joseph L. Rauh, Jr., John Silard, Elliott C. Lichtman, and Isaac N. Groner* for petitioner. *Francis M. Shea, Richard T. Conway, and James A. Wilcox* for respondents. Reported below: — U. S. App. D. C. —, 420 F. 2d 75.

No. 119. LARIS *v.* PENNSYLVANIA. Sup. Ct. Pa. Certiorari denied. MR. JUSTICE DOUGLAS and MR. JUSTICE BRENNAN are of the opinion that certiorari should be granted. *Louis M. Tarasi, Jr.*, for petitioner. *J. Quint Salmon* for respondent.

No. 218. VERNELL *v.* FLORIDA EX REL. GERSTEIN, STATE ATTORNEY. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. Reported below: 212 So. 2d 11.

No. 368. WARD *v.* PENNSYLVANIA NEW YORK CENTRAL TRANSPORTATION Co. ET AL. C. A. 2d Cir. Motion to dispense with printing petition granted. Certiorari denied.

No. 316. POWELL *v.* NATIONAL SAVINGS & TRUST Co. C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE and MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition.

No. 36, Misc. CLINE *v.* NEVADA ET AL. C. A. 9th Cir. Certiorari denied. *Harvey Dickerson*, Attorney General of Nevada, for respondents.

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No. 363. *INGOGLIA v. SPITZER*. Ct. App. N. Y. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted. *Roy E. Monaco* for petitioner. *Edward Margolin* and *Donald J. Payton* for respondent.

No. 26, Misc. *BROOKS v. WILSON, WARDEN*. C. A. 9th Cir. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *Doris H. Maier*, Assistant Attorney General, and *Charles P. Just*, Deputy Attorney General, for respondent.

No. 41, Misc. *SOOLOOK v. ALASKA*. Sup. Ct. Alaska. Certiorari denied. *Joseph H. Shortell* for petitioner. *G. Kent Edwards*, Attorney General of Alaska, and *Robert L. Hartig*, Assistant Attorney General, for respondent. Reported below: 447 P. 2d 55.

No. 42, Misc. *CORNELIUS v. BURKE, WARDEN*. Sup. Ct. Wis. Certiorari denied. *Robert E. Henke* for petitioner. *Robert W. Warren*, Attorney General of Wisconsin, and *William A. Platz*, *Sverre O. Tinglum*, and *William F. Eich*, Assistant Attorneys General, for respondent.

No. 46, Misc. *SCHEIMER v. FIELD, MEN'S COLONY SUPERINTENDENT*. C. A. 9th Cir. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Howard J. Schwab*, Deputy Attorney General, for respondent.

No. 55, Misc. *RUSSELL ET AL. v. MINNESOTA*. Sup. Ct. Minn. Certiorari denied. *Douglas M. Head*, Attorney General of Minnesota, *George M. Scott*, and *Henry W. McCarr, Jr.*, for respondent. Reported below: 282 Minn. 223, 164 N. W. 2d 65.

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No. 40, Misc. *VITALE v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. *Irl B. Baris* for petitioner. *John C. Danforth*, Attorney General of Missouri, and *Gene E. Voigts*, Assistant Attorney General, for respondent.

No. 54, Misc. *CRISPIN v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. *Frank S. Hogan* and *Michael R. Juviler* for respondent.

No. 56, Misc. *FLYNN v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, *Jerome M. Feit*, and *Kirby W. Patterson* for the United States. Reported below: 404 F. 2d 935.

No. 57, Misc. *LUCAS v. DUGGAN, DISTRICT ATTORNEY OF ALLEGHENY COUNTY, ET AL.* Sup. Ct. Pa. Certiorari denied. *James P. McKenna, Jr.*, for petitioner. *Robert W. Duggan, pro se*, and for other respondents. Reported below: 432 Pa. 357, 248 A. 2d 37.

No. 58, Misc. *WALKER v. CRAVEN, WARDEN*. C. A. 9th Cir. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *Doris H. Maier*, Assistant Attorney General, and *James T. McNally*, Deputy Attorney General, for respondent.

No. 61, Misc. *GUNNING v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Jeffrey T. Miller*, Deputy Attorney General, for respondent.

No. 68, Misc. *GATES v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. *Burton B. Roberts* and *Daniel J. Sullivan* for respondent.

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No. 62, Misc. DALTON, AKA AULTON *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *Doris H. Maier*, Assistant Attorney General, and *Charles P. Just*, Deputy Attorney General, for respondent.

No. 65, Misc. SMITH ET AL. *v.* ILLINOIS. Sup. Ct. Ill. Certiorari denied. *Gerald W. Getty* and *James J. Doherty* for petitioners. *William J. Scott*, Attorney General of Illinois, and *James R. Thompson*, *Joel M. Flaum*, and *Thomas J. Immel*, Assistant Attorneys General, for respondent. Reported below: 41 Ill. 2d 158, 242 N. E. 2d 198.

No. 67, Misc. HINTZ *v.* GLADDEN, WARDEN. C. A. 9th Cir. Certiorari denied. *Lee Johnson*, Attorney General of Oregon, and *David H. Blunt*, Assistant Attorney General, for respondent.

No. 75, Misc. IN RE FLETCHER. Ct. App. Md. Certiorari denied. *Norman Dorsen* for petitioner. *Francis B. Burch*, Attorney General, and *Edward F. Borgerding* and *John J. Garrity*, Assistant Attorneys General, for the State of Maryland. Reported below: 251 Md. 520, 248 A. 2d 364.

No. 83, Misc. HAYWOOD *v.* UNITED STATES; and
No. 139, Misc. JESSUP *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Frederic A. Johnson* and *Rudolph Lion Zalowitz* for petitioner in No. 83, Misc. *Robert Kasanof* for petitioner in No. 139, Misc. *Solicitor General Griswold* for the United States in No. 83, Misc. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Jerome M. Feit*, and *Roger A. Pauley* for the United States in No. 139, Misc. Reported below: 409 F. 2d 888.

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No. 70, Misc. *YOUNG v. FLORIDA*. Sup. Ct. Fla. Certiorari denied. *Jack J. Taffer* for petitioner. *Earl Faircloth*, Attorney General of Florida, and *James M. Adams*, Assistant Attorney General, for respondent. Reported below: 217 So. 2d 567.

No. 90, Misc. *CONLEY v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Jerome M. Feit*, and *Leonard H. Dickstein* for the United States. Reported below: 407 F. 2d 45.

No. 91, Misc. *TWIST v. REDEKER ET AL.* C. A. 8th Cir. Certiorari denied. *Harold Norris* for petitioner. *Richard C. Turner*, Attorney General of Iowa, and *Elizabeth A. Nolan*, Assistant Attorney General, for respondents. Reported below: 406 F. 2d 878.

No. 93, Misc. *HEIRENS v. PATE, WARDEN*. C. A. 7th Cir. Certiorari denied. *William J. Scott*, Attorney General of Illinois, and *James R. Thompson*, *Joel M. Flaum*, *James B. Zagel*, and *Morton E. Friedman*, Assistant Attorneys General, for respondent. Reported below: 405 F. 2d 449.

No. 94, Misc. *BUTLER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Harold Buchman* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Edward Fenig* for the United States. Reported below: 405 F. 2d 395.

No. 95, Misc. *CAFFEY v. MISSOURI*. Sup. Ct. Mo. Certiorari denied. *John C. Danforth*, Attorney General of Missouri, and *Gene E. Voigts*, First Assistant Attorney General, for respondent. Reported below: 438 S. W. 2d 167.

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No. 96, Misc. *IN RE JOHNSON ET AL.* Sup. Ct. Wash. Certiorari denied. *Fred C. Dorsey* for petitioners. *Joseph D. Mladinov* for the State of Washington.

No. 97, Misc. *EDWARDS v. BREWER, WARDEN.* Sup. Ct. Iowa. Certiorari denied.

No. 98, Misc. *CARROLL v. BETO, CORRECTIONS DIRECTOR.* C. A. 5th Cir. Certiorari denied. *Crawford C. Martin*, Attorney General of Texas, *Nola White*, First Assistant Attorney General, *Hawthorne Phillips*, Executive Assistant Attorney General, and *Robert C. Flowers* and *Lonny F. Zwiener*, Assistant Attorneys General, for respondent. Reported below: 402 F. 2d 61.

No. 100, Misc. *RODRIGUEZ v. COKE ET AL.* Sup. Ct. Cal. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *Doris H. Maier*, Assistant Attorney General, and *Edward W. Bergtholdt*, Deputy Attorney General, for respondents.

No. 101, Misc. *DE ROSA v. LAVALLEE, WARDEN.* C. A. 2d Cir. Certiorari denied. *William E. Hellerstein* for petitioner. *Louis J. Lefkowitz*, Attorney General of New York, *Samuel A. Hirshowitz*, First Assistant Attorney General, and *Joel Lewittes*, Assistant Attorney General, for respondent. Reported below: 406 F. 2d 807.

No. 102, Misc. *BOYD v. FLORIDA.* Dist. Ct. App. Fla., 1st Dist. Certiorari denied. *Earl Faircloth*, Attorney General of Florida, and *Raymond L. Marky*, Assistant Attorney General, for respondent.

No. 106, Misc. *MILLER v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

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No. 107, Misc. *YOUGH v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied. *Richard Newman* for petitioner.

No. 111, Misc. *DOSSKEY v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *S. Clark Moore*, Deputy Attorney General, for respondent.

No. 114, Misc. *AUSTIN v. ALABAMA*. C. A. 5th Cir. Certiorari denied. *MacDonald Gallion*, Attorney General of Alabama, and *David W. Clark*, Assistant Attorney General, for respondent.

No. 130, Misc. *MEAD v. ALASKA*. Sup. Ct. Alaska. Certiorari denied. Reported below: 445 P. 2d 229.

No. 131, Misc. *BARD v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Robert L. Segar* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Leonard H. Dickstein* for the United States. Reported below: 408 F. 2d 347.

No. 153, Misc. *PURSLEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Kirby W. Patterson* for the United States.

No. 154, Misc. *LANDMAN v. VIRGINIA ET AL.* C. A. 4th Cir. Certiorari denied.

No. 158, Misc. *JONES v. BROWN, DIRECTOR, DEPARTMENT OF WELFARE AND INSTITUTIONS*. C. A. 4th Cir. Certiorari denied.

No. 161, Misc. *GLENN v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

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No. 155, Misc. DAVIS *v.* NEW YORK. C. A. 2d Cir. Certiorari denied. *Jack Greenberg, Michael Meltsner, Melvyn Zarr, and Anthony G. Amsterdam* for petitioner. Reported below: 411 F. 2d 750.

No. 163, Misc. STEWART *v.* CALIFORNIA. C. A. 9th Cir. Certiorari denied.

No. 164, Misc. MOORE *v.* OKLAHOMA. Ct. Crim. App. Okla. Certiorari denied. Reported below: 450 P. 2d 918.

No. 165, Misc. BELK *v.* NORTH CAROLINA. C. A. 4th Cir. Certiorari denied.

No. 166, Misc. ROWLES *v.* MYERS ET AL. C. A. 3d Cir. Certiorari denied. Reported below: 407 F. 2d 1332.

No. 167, Misc. JENKINS *v.* ILLINOIS. Sup. Ct. Ill. Certiorari denied. *Sam Adam* for petitioner. Reported below: 41 Ill. 2d 334, 243 N. E. 2d 216.

No. 169, Misc. DAVIS *v.* BURKE, WARDEN. C. A. 7th Cir. Certiorari denied. Reported below: 408 F. 2d 779.

No. 170, Misc. LUTCHIN *v.* COUNTY COURT OF OUTAGAMIE COUNTY ET AL. Sup. Ct. Wis. Certiorari denied. *Robert E. Henke* for petitioner. Reported below: 42 Wis. 2d 78, 165 N. W. 2d 593.

No. 171, Misc. BAGBY *v.* CALIFORNIA ET AL. Sup. Ct. Cal. Certiorari denied.

No. 173, Misc. GERARDI *v.* SECRETARY OF HEALTH, EDUCATION, AND WELFARE. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 408 F. 2d 491.

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No. 172, Misc. GERARDI *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 408 F. 2d 492.

No. 175, Misc. COX *v.* ILLINOIS. Sup. Ct. Ill. Certiorari denied.

No. 176, Misc. PATTERSON *v.* WAINWRIGHT, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied.

No. 180, Misc. ROBERTS *v.* ILLINOIS. Sup. Ct. Ill. Certiorari denied.

No. 181, Misc. DEANGELIS *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Robert G. Maysack* for the United States. Reported below: 404 F. 2d 46.

No. 182, Misc. JONES *v.* HAREWOOD, JUDGE. C. A. 7th Cir. Certiorari denied.

No. 184, Misc. RISENHOOVER *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied. Reported below: 70 Cal. 2d 39, 447 P. 2d 925.

No. 185, Misc. HUFF *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for the United States. Reported below: 409 F. 2d 1225.

No. 186, Misc. JONES *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 188, Misc. SMITH *v.* FAY, WARDEN. C. A. 2d Cir. Certiorari denied. Reported below: 409 F. 2d 564.

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No. 189, Misc. *WOLFF v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Kirby W. Patterson* for the United States. Reported below: 409 F. 2d 413.

No. 190, Misc. *CHAVEZ-MARTINEZ v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Harry D. Steward* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, Jerome M. Feit, and Roger A. Pauley* for the United States. Reported below: 407 F. 2d 535.

No. 191, Misc. *FELLABAUM v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Ronald L. Gainer* for the United States. Reported below: 408 F. 2d 220.

No. 192, Misc. *EWING v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, and Jerome M. Feit* for the United States. Reported below: 404 F. 2d 625.

No. 193, Misc. *BINDULSKI v. VIRGINIA*. Sup. Ct. App. Va. Certiorari denied. *Conrad J. Marshall* for petitioner.

No. 194, Misc. *GREEN v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 195, Misc. *BLACKWELL v. BURKE, WARDEN*. C. A. 7th Cir. Certiorari denied.

No. 199, Misc. *GRANT v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 268 Cal. App. 2d 470, 74 Cal. Rptr. 111.

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No. 196, Misc. PERKINS *v.* DEEGAN, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 198, Misc. MONTGOMERY *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 403 F. 2d 605.

No. 204, Misc. KLINGLER *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, and Jerome M. Feit* for the United States. Reported below: 409 F. 2d 299.

No. 205, Misc. PIACENTILE *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 410 F. 2d 337.

No. 206, Misc. ATKINS *v.* FLORIDA. Sup. Ct. Fla. Certiorari denied. *John D. Buchanan, Jr.*, for petitioner. Reported below: 218 So. 2d 748.

No. 208, Misc. ROGERS *v.* NEW YORK. Ct. App. N. Y. Certiorari denied. *Frank S. Hogan* and *Michael R. Juviler* for respondent.

No. 211, Misc. FORELLA *v.* FOLLETTE, WARDEN. C. A. 2d Cir. Certiorari denied. Reported below: 405 F. 2d 680.

No. 213, Misc. SAIA *v.* UNITED STATES;

No. 214, Misc. SARNO *v.* UNITED STATES; and

No. 285, Misc. FRELJE *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for the United States in all three cases. Reported below: 408 F. 2d 100.

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No. 202, Misc. *FIELDS v. MANCUSI, WARDEN*. Ct. App. N. Y. Certiorari denied.

No. 216, Misc. *WATSON v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 218, Misc. *CUNNINGHAM v. BRIERLEY, CORRECTIONAL SUPERINTENDENT*. C. A. 3d Cir. Certiorari denied. Reported below: 397 F. 2d 724.

No. 221, Misc. *LUSE v. WARDEN, NEVADA STATE PRISON*. Sup. Ct. Nev. Certiorari denied. Reported below: 85 Nev. 83, 450 P. 2d 356.

No. 222, Misc. *FELICIANO v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. *Frank S. Hogan* and *Michael R. Juviler* for respondent. Reported below: 31 App. Div. 2d 720, 296 N. Y. S. 2d 278.

No. 223, Misc. *HEILMAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Kirby W. Patterson* for the United States. Reported below: 406 F. 2d 1011.

No. 224, Misc. *ERHART v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for the United States. Reported below: 411 F. 2d 729.

No. 225, Misc. *BANKS v. CRAVEN, WARDEN*. Sup. Ct. Cal. Certiorari denied.

No. 227, Misc. *FIORAVANTI v. YEAGER, PRINCIPAL KEEPER*. C. A. 3d Cir. Certiorari denied. Reported below: 404 F. 2d 675.

No. 228, Misc. *SMITH v. NEW YORK*. Ct. App. N. Y. Certiorari denied.

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No. 233, Misc. *ZAPPIA v. ARIZONA*. Ct. App. Ariz. Certiorari denied. *Gary K. Nelson*, Attorney General of Arizona, and *Leonard M. Bell*, Assistant Attorney General, for respondent. Reported below: 8 Ariz. App. 549, 448 P. 2d 119.

No. 234, Misc. *WELLS v. CRAVEN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 236, Misc. *BRYANT v. MARYLAND*. C. A. 4th Cir. Certiorari denied.

No. 238, Misc. *NEEDEL v. SCAFATI, CORRECTIONAL SUPERINTENDENT*. C. A. 1st Cir. Certiorari denied. *Reuben Goodman* for petitioner. *Robert H. Quinn*, Attorney General of Massachusetts, *John Wall*, Assistant Attorney General, *Lawrence P. Cohen*, Deputy Assistant Attorney General, *James B. Krasnoo*, Special Assistant Attorney General, and *Matthew J. Ryan, Jr.*, for respondent. Reported below: 412 F. 2d 761.

No. 241, Misc. *LUNA v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 243, Misc. *RODES v. MUNICIPAL AUTHORITY OF THE BOROUGH OF MILFORD*. C. A. 3d Cir. Certiorari denied. *Leo M. McCormack* for respondent. Reported below: 409 F. 2d 16.

No. 245, Misc. *COSTELLO v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied.

No. 248, Misc. *WASHINGTON v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied. *John C. Emery, Jr.*, for petitioner. *Frank J. Kelley*, Attorney General of Michigan, *Robert A. Derengoski*, Solicitor General, and *Stewart H. Freeman*, Assistant Attorney General, for respondent.

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No. 249, Misc. *FOSTER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Grauman Marks* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Edward Fenig* for the United States. Reported below: 407 F. 2d 1335.

No. 250, Misc. *BOOKER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Robert G. Maysack* for the United States. Reported below: 408 F. 2d 955.

No. 253, Misc. *JACKSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 408 F. 2d 1165.

No. 255, Misc. *DREELAN v. CHIEF DISBURSING OFFICER, FEDERAL RESERVE BANK, BOSTON, MASSACHUSETTS*. C. A. 1st Cir. Certiorari denied.

No. 256, Misc. *CLARKE v. REDEKER ET AL.* C. A. 8th Cir. Certiorari denied. Reported below: 406 F. 2d 883.

No. 270, Misc. *BURKE v. LANGLOIS, WARDEN*. C. A. 1st Cir. Certiorari denied. *Herbert F. De Simone, Attorney General of Rhode Island, Donald P. Ryan, Assistant Attorney General, and Luc R. La Brosse, Special Assistant Attorney General*, for respondent.

No. 271, Misc. *COLLINS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for the United States. Reported below: 409 F. 2d 1352.

No. 273, Misc. *JACKSON v. WARDEN, ILLINOIS PENITENTIARY*. C. A. 7th Cir. Certiorari denied.

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No. 275, Misc. *BLOOMBAUM v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Kirby W. Patterson* for the United States.

No. 277, Misc. *LIEBENDORFER v. GAYLE*. Ct. App. La., 3d Cir. Certiorari denied. *Thomas C. Hall* for respondent. Reported below: 217 So. 2d 37.

No. 279, Misc. *TEPLITSKY v. BUREAU OF EMPLOYEES' COMPENSATION, U. S. DEPARTMENT OF LABOR*. C. A. 2d Cir. Certiorari denied. *Solicitor General Griswold* for respondent.

No. 282, Misc. *NIETO v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 287, Misc. *ODEN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Robert G. Maysack* for the United States. Reported below: 410 F. 2d 103.

No. 289, Misc. *BISHOP v. HUFF, SHERIFF*. Sup. Ct. Ga. Certiorari denied. *Thomas S. Lawson, Jr.*, for respondent. Reported below: 225 Ga. 156, 166 S. E. 2d 578.

No. 292, Misc. *DAVIS v. BROWN, DIRECTOR, DEPARTMENT OF WELFARE AND INSTITUTIONS*. C. A. 4th Cir. Certiorari denied.

No. 295, Misc. *BASS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *G. Wray Gill, Sr., and George M. Leppert* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, and Jerome M. Feit* for the United States. Reported below: 409 F. 2d 179.

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No. 296, Misc. *WILLIS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 409 F. 2d 830.

No. 301, Misc. *MARQUEZ v. CRAVEN, WARDEN*. Sup. Ct. Cal. Certiorari denied.

No. 303, Misc. *JONES v. PRATT & WHITNEY, INC., ET AL.* C. A. 1st Cir. Certiorari denied.

No. 304, Misc. *CUTY v. NEW YORK*. C. A. 2d Cir. Certiorari denied.

No. 308, Misc. *SHIPP v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Roger A. Pauley* for the United States. Reported below: 409 F. 2d 33.

No. 311, Misc. *LOMBARDI v. FOLLETTE, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 313, Misc. *CHO PO SUN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *William E. Hellerstein and Phylis Skloot Bamberger* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for the United States. Reported below: 409 F. 2d 489.

No. 315, Misc. *TINKER v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 135 U. S. App. D. C. 125, 417 F. 2d 542.

No. 318, Misc. *RUFFIN v. MANCUSI, WARDEN*. C. A. 2d Cir. Certiorari denied.

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No. 321, Misc. ROSSILLI *v.* NEW YORK. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. *William Cahn* and *Jules E. Orenstein* for respondent. Reported below: 30 App. Div. 2d 815, 293 N. Y. S. 2d 702.

No. 322, Misc. BOWLES *v.* NEW YORK. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 29 App. Div. 2d 996, 289 N. Y. S. 2d 526.

No. 334, Misc. RICHARDSON *v.* BROWN, DIRECTOR, DEPARTMENT OF WELFARE AND INSTITUTIONS. C. A. 4th Cir. Certiorari denied.

No. 350, Misc. RYDER *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Seymour Horwitz* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Jerome M. Feit*, and *Robert G. Maysack* for the United States. Reported below: 409 F. 2d 1349.

No. 370, Misc. CZAP *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Orrin G. Hatch* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Robert G. Maysack* for the United States. Reported below: 410 F. 2d 453.

No. 377, Misc. GREGORY *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Jerome M. Feit*, and *Robert G. Maysack* for the United States. Reported below: 133 U. S. App. D. C. 317, 410 F. 2d 1016.

No. 398, Misc. CARSON *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Jerome M. Feit*, and *Roger A. Pauley* for the United States. Reported below: 411 F. 2d 631.

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No. 424, Misc. CAVERLY ET AL. *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Richard S. Campagna* for petitioners. *Solicitor General Griswold* for the United States. Reported below: 408 F. 2d 1313.

No. 427, Misc. BULLY *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Robert G. Doumar* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, and *Philip R. Monahan* for the United States. Reported below: 408 F. 2d 974.

No. 483, Misc. LEWIS *v.* AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO. C. A. 3d Cir. Certiorari denied. *Mitchell A. Kramer* and *David C. Harrison* for petitioner. *Henry Kaiser* and *Ronald Rosenberg* for respondent. Reported below: 407 F. 2d 1185.

No. 4, Misc. DAUGHERTY *v.* CALIFORNIA. Ct. App. Cal., 4th App. Dist. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Walter R. Jones*, Deputy Attorney General, for respondent.

No. 74, Misc. HERNANDEZ *v.* TEXAS. Ct. Crim. App. Tex. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Clyde W. Woody* and *Marian S. Rosen* for petitioner. *Crawford C. Martin*, Attorney General of Texas, *Nola White*, First Assistant Attorney General, *Hawthorne Phillips*, Executive Assistant Attorney General, *Robert C. Flowers* and *Ronald Luna*, Assistant Attorneys General, and *W. V. Geppert* for respondent. Reported below: 435 S. W. 2d 520.

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No. 507, Misc. *HUGHES v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Robert S. Rifkind* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for the United States. Reported below: 411 F. 2d 461.

No. 207, Misc. *CHANEY v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Leonard H. Dickstein* for the United States. Reported below: 406 F. 2d 809.

No. 374, Misc. *CURRY v. OHIO*. Sup. Ct. Ohio. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Lawrence Herman* for petitioner.

No. 104, Misc. *CONKLIN v. WAINWRIGHT, CORRECTIONS DIRECTOR*. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted, judgment of the United States Court of Appeals vacated, and case remanded to that court for a ruling on the merits. *Earl Faircloth, Attorney General of Florida, and James McGuirk, Assistant Attorney General, for respondent.*

No. 434, Misc. *DOMINGUEZ v. UNITED STATES*; and
No. 436, Misc. *CHAVEZ v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of these petitions. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for the United States in both cases. Reported below: 407 F. 2d 349.

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No. 44, Misc. *MAYES ET AL. v. McKEITHEN ET AL.* Sup. Ct. La. Motion of Louisiana Trial Lawyers Association for leave to file a brief as *amicus curiae* granted. Certiorari denied. *J. Minos Simon* for petitioners. Reported below: 252 La. 965, 215 So. 2d 130.

No. 230, Misc. *NEWMAN v. UNITED STATES.* C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. *William J. Garber* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Robert G. Maysack* for the United States. Reported below: 133 U. S. App. D. C. 271, 410 F. 2d 259.

No. 247, Misc. *HAMILTON v. ALABAMA.* Sup. Ct. Ala. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Anthony G. Amsterdam, Michael Meltsner, Peter Hall, and Orzell Billingsley, Jr.,* for petitioner. *MacDonald Gallion, Attorney General of Alabama, and David W. Clark, Assistant Attorney General,* for respondent. Reported below: 283 Ala. 540, 219 So. 2d 369.

No. 314, Misc. *MIRANDA v. ARIZONA.* Sup. Ct. Ariz. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *John P. Frank and John J. Flynn* for petitioner. *Gary K. Nelson, Attorney General of Arizona, and Carl Waag, Assistant Attorney General,* for respondent. Reported below: 104 Ariz. 174, 450 P. 2d 364.

No. 316, Misc. *CARUSO v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for the United States. Reported below: 406 F. 2d 558.

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Rehearing Denied

No. —, October Term, 1968. *IN RE SKOLNICK*, 395 U. S. 942;

No. —, October Term, 1968. *IN RE ALBRIGHT*, 395 U. S. 942;

No. 200, October Term, 1968. *FRANK v. UNITED STATES*, 395 U. S. 147;

No. 216, October Term, 1968. *MARTONE v. MORGAN ET AL.*, 393 U. S. 12;

No. 548, October Term, 1968. *JENKINS v. MC-KEITHEN, GOVERNOR OF LOUISIANA, ET AL.*, 395 U. S. 411;

No. 573, October Term, 1968. *NATIONAL LABOR RELATIONS BOARD v. GISSEL PACKING CO., INC., ET AL.*, 395 U. S. 575;

No. 670, October Term, 1968. *BANKS v. CALIFORNIA*, 395 U. S. 708;

No. 770, October Term, 1968. *CHIMEL v. CALIFORNIA*, 395 U. S. 752;

No. 995, October Term, 1968. *HOWARD v. UNITED STATES*, 395 U. S. 958;

No. 1089, October Term, 1968. *LEVINSON ET AL. v. UNITED STATES*, 395 U. S. 958;

No. 1162, October Term, 1968. *DANICA ENTERPRISES, INC. v. COMMISSIONER OF INTERNAL REVENUE*, 395 U. S. 933;

No. 1163, October Term, 1968. *SMITH v. UNITED STATES*, 395 U. S. 977;

No. 1244, October Term, 1968. *RADIO CORPORATION OF AMERICA v. SCM CORP.*, 395 U. S. 943;

No. 1253, October Term, 1968. *WILSON v. UNITED STATES*, 395 U. S. 923; and

No. 1266, October Term, 1968. *DLUTZ v. FEDERAL TRADE COMMISSION*, 395 U. S. 936. Petitions for rehearing denied. *THE CHIEF JUSTICE* took no part in the consideration or decision of these petitions.

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No. 1278, October Term, 1968. *ARMSTRONG v. UNITED STATES*, 395 U. S. 934;

No. 1351, October Term, 1968. *STONEHILL ET AL. v. UNITED STATES*, 395 U. S. 960;

No. 1355, October Term, 1968. *BLUMCRAFT OF PITTSBURGH v. CITIZENS & SOUTHERN NATIONAL BANK OF SOUTH CAROLINA ET AL.*, 395 U. S. 961;

No. 1373, October Term, 1968. *WECHSLER v. UNITED STATES*, 395 U. S. 978;

No. 1381, October Term, 1968. *TOONI ET AL. v. ZUCKERT, SECRETARY OF THE AIR FORCE*, 395 U. S. 980;

No. 224, Misc., October Term, 1968. *STURM v. CALIFORNIA ADULT AUTHORITY ET AL.*, 395 U. S. 947;

No. 550, Misc., October Term, 1968. *JAMISON v. UNITED STATES*, 395 U. S. 986;

No. 984, Misc., October Term, 1968. *ANDERSON v. SOUTH CAROLINA*, 394 U. S. 574;

No. 1097, Misc., October Term, 1968. *HARRIS v. ILLINOIS*, 395 U. S. 985;

No. 1172, Misc., October Term, 1968. *RUPPERT v. LAVALLEE, WARDEN*, 395 U. S. 937;

No. 1282, Misc., October Term, 1968. *CAVANAUGH v. CALIFORNIA*, 395 U. S. 981;

No. 1424, Misc., October Term, 1968. *BARBEE v. TEXAS*, 395 U. S. 924;

No. 1554, Misc., October Term, 1968. *THERIAULT v. UNITED STATES*, 395 U. S. 965;

No. 1587, Misc., October Term, 1968. *PETERSON ET AL. v. UNITED STATES*, 395 U. S. 938;

No. 1642, Misc., October Term, 1968. *HOUSE v. UNITED STATES ET AL.*, 395 U. S. 829; and

No. 1726, Misc., October Term, 1968. *WILLIAMS v. UNITED STATES*, 395 U. S. 915. Petitions for rehearing denied. *THE CHIEF JUSTICE* took no part in the consideration or decision of these petitions.

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No. 1765, Misc., October Term, 1968. *DELEVAY v. REYNOLDS, ACTING COMMISSIONER OF PATENTS*, 395 U. S. 926;

No. 1787, Misc., October Term, 1968. *CHARLAND v. NORGE DIVISION, BORG-WARNER CORP., ET AL.*, 395 U. S. 927;

No. 1794, Misc., October Term, 1968. *LEE v. ALABAMA*, 395 U. S. 927;

No. 1827, Misc., October Term, 1968. *BROWN ET AL. v. BETHANIA HOSPITAL ET AL.*, 395 U. S. 939;

No. 1841, Misc., October Term, 1968. *BUCHANON v. MICHIGAN*, 395 U. S. 928;

No. 1868, Misc., October Term, 1968. *NEAL ET AL. v. SAGA SHIPPING Co., S. A., ET AL.*, 395 U. S. 986;

No. 1880, Misc., October Term, 1968. *SIMMONS v. UNITED STATES*, 395 U. S. 982;

No. 1900, Misc., October Term, 1968. *RISPO v. PENNSYLVANIA*, 395 U. S. 983;

No. 1922, Misc., October Term, 1968. *CHASE v. PENNSYLVANIA*, 395 U. S. 968;

No. 1937, Misc., October Term, 1968. *KAMSLER v. PATE, WARDEN, ET AL.*, 395 U. S. 969; and

No. 1956, Misc., October Term, 1968. *FURTAk v. NEW YORK*, 395 U. S. 969. Petitions for rehearing denied. *THE CHIEF JUSTICE* took no part in the consideration or decision of these petitions.

No. 624, October Term, 1968. *PERKINS v. STANDARD OIL Co. OF CALIFORNIA*, 395 U. S. 642. Petition for rehearing denied. *THE CHIEF JUSTICE* and *MR. JUSTICE HARLAN* took no part in the consideration or decision of this petition.

No. 1276, October Term, 1968. *ROBERTS v. McDONALD ET AL.*, 395 U. S. 963. Petition for rehearing denied. *THE CHIEF JUSTICE* and *MR. JUSTICE BRENNAN* took no part in the consideration or decision of this petition.

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No. 1029, October Term, 1968. *DE LURY ET AL. v. CITY OF NEW YORK*, 394 U. S. 455; and

No. 1610, Misc., October Term, 1968. *DELGADO v. UNITED STATES*, 394 U. S. 966. Motions for leave to file petitions for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of these motions.

No. 887, Misc., October Term, 1968. *ROBINSON v. UNITED STATES*, 393 U. S. 1057 and 1124. Motion for leave to file second petition for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this motion.

No. 979, Misc., October Term, 1968. *SELLERS v. LAIRD, SECRETARY OF DEFENSE, ET AL.*, 395 U. S. 950. Petition for rehearing and other relief denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

No. 1574, Misc., October Term, 1968. *LUPINO v. YOUNG, WARDEN*, 394 U. S. 969. Motion of Minnesota Civil Liberties Union for leave to file a brief as *amicus curiae* granted. Petition for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this motion and petition. *Lynn S. Castner* and *John S. Connolly* on the motion in support of the petition for rehearing.

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Miscellaneous Orders

No. 353, October Term, 1968. *RATCLIFF v. BRUCE ET AL.*, 393 U. S. 848, 956. Motion to reinstate petition for writ of certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this motion.

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No. —. HORELICK ET AL. *v.* NEW YORK. C. A. 2d Cir. Application for stay presented to MR. JUSTICE DOUGLAS, and by him referred to the Court, denied. *Eleanor Jackson Piel* for applicants.

No. —. NOLAN *v.* UNITED STATES. D. C. Kan. Application for reduction in bail presented to MR. JUSTICE DOUGLAS, and by him referred to the Court, denied. *Solicitor General Griswold* in opposition.

No. 33, Orig. ARKANSAS *v.* TENNESSEE. Report of Special Master received and ordered filed. Exceptions, if any, with supporting briefs, to the Report of Special Master may be filed by the parties on or before December 4, 1969. Reply briefs, if any, to such exceptions may be filed on or before January 3, 1970. [For earlier orders herein, see, *e. g.*, 390 U. S. 985.]

No. 13. MAXWELL *v.* BISHOP, PENITENTIARY SUPERINTENDENT. C. A. 8th Cir. Motion of petitioner to enlarge scope of review denied. *Jack Greenberg, James M. Nabrit III, Norman C. Amaker, Michael Meltsner, Elizabeth Dubois, George Howard, Jr., and Anthony G. Amsterdam* on the motion. [For earlier orders herein, see, *e. g.*, 395 U. S. 918.]

No. 66. GOLDSTEIN, AKA PIETRARU, ET AL. *v.* COX ET AL. Appeal from D. C. S. D. N. Y. [Probable jurisdiction noted, 394 U. S. 996.] Motion of Wolf Popper Ross Wolf & Jones for leave to file reply brief as *amicus curiae* granted. *Martin Popper* on the motion. *Louis J. Lefkowitz*, Attorney General of New York, and *Daniel M. Cohen*, Assistant Attorney General, in opposition.

No. 356, Misc. IN RE KAMSLER. Motion for leave to file petition for writ of mandamus denied.

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No. 131. DANDRIDGE, CHAIRMAN, MARYLAND BOARD OF PUBLIC WELFARE, ET AL. *v.* WILLIAMS ET AL. Appeal from D. C. Md. [Probable jurisdiction noted, *ante*, p. 811]; and

No. 540. ROSADO ET AL. *v.* WYMAN, COMMISSIONER OF SOCIAL SERVICES OF NEW YORK, ET AL. C. A. 2d Cir. [Certiorari granted, *ante*, p. 815.] Orders setting these cases to be argued together are hereby rescinded.

No. 135. WALZ *v.* TAX COMMISSION OF THE CITY OF NEW YORK. Appeal from Ct. App. N. Y. [Probable jurisdiction noted, 395 U. S. 957.] Motion of Madalyn Murray O'Hair et al. for leave to file a brief as *amici curiae* granted. *Lola Boswell* on the motion.

No. 92, Misc. DAVIDSON *v.* CALIFORNIA ADULT AUTHORITY ET AL. Motion for leave to file petition for writ of habeas corpus denied. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Frederick R. Millar, Jr.*, Deputy Attorney General, in opposition.

Certiorari Granted. (See also No. 267, Misc., *ante*, p. 12.)

No. 402. UNITED STATES *v.* KEY, TRUSTEE IN BANKRUPTCY. C. A. 7th Cir. Certiorari granted. *Solicitor General Griswold*, *Assistant Attorney General Walters*, and *Crombie J. D. Garrett* for the United States. *Sigmund J. Beck* for respondent. Reported below: 407 F. 2d 635.

No. 413. GREENBELT COOPERATIVE PUBLISHING ASSN., INC., ET AL. *v.* BRESLER. Ct. App. Md. Certiorari granted. *Roger A. Clark* for petitioners. *Abraham Chasanow* for respondent. Reported below: 253 Md. 324, 252 A. 2d 755.

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No. 412. *WOODWARD ET AL. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 8th Cir. Certiorari granted. *Martin M. Cooney* for petitioners. *Solicitor General Griswold* for respondent. Reported below: 410 F. 2d 313.

No. 441. *TOUSSIE v. UNITED STATES*. C. A. 2d Cir. Certiorari granted. *Murray I. Gurfein* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Edward Fenig* for the United States. Reported below: 410 F. 2d 1156.

Certiorari Denied

No. 212. *TRAMMELL v. ALABAMA*. Ct. App. Ala. Certiorari denied. *William B. McCollough, Jr.*, for petitioner. *MacDonald Gallion, Attorney General of Alabama, and David W. Clark, Assistant Attorney General*, for respondent. Reported below: 44 Ala. App. 681, 220 So. 2d 258.

No. 307. *GERBER v. FIRST NATIONAL BANK OF NEVADA, ADMINISTRATOR; and*

No. 431. *EL RANCO, INC., ET AL. v. FIRST NATIONAL BANK OF NEVADA, ADMINISTRATOR*. C. A. 9th Cir. Certiorari denied. *Frank Rothman* for petitioner in No. 307, and *Samuel S. Lionel and Burton Marks* for petitioners in No. 431. *Morton R. Galane* for respondent in both cases. Reported below: 406 F. 2d 1205.

No. 375. *WARE v. MINNESOTA*. Sup. Ct. Minn. Certiorari denied. *Wayne G. Popham* for petitioner. Reported below: 284 Minn. 525, 169 N. W. 2d 16.

No. 391. *FITZGERALD ET AL. v. FREEMAN ET AL.* C. A. 7th Cir. Certiorari denied. *John O'C. Fitzgerald, pro se*, and for other petitioner. Reported below: 409 F. 2d 427.

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No. 338. SAPPINGTON ET AL., CO-EXECUTRICES *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Edward L. Blanton, Jr.*, for petitioners. *Solicitor General Griswold, Assistant Attorney General Walters, Benjamin M. Parker, and John S. Stephan* for the United States. Reported below: 408 F. 2d 817.

No. 392. TANT ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Cullen M. Ward* for petitioners. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Mervyn Hamburg* for the United States. Reported below: 412 F. 2d 840.

No. 396. MEISINGER ET UX. *v.* SCULLY ET UX. C. A. 10th Cir. Certiorari denied. *Ralph J. Luttrell* for petitioners. *Solicitor General Griswold, Assistant Attorney General Kashiwa, Roger P. Marquis, and A. Donald Mileur* for the United States in opposition. Reported below: 409 F. 2d 1061.

No. 398. COMPONENTS, INC. *v.* WESTERN ELECTRIC Co., INC. C. A. 3d Cir. Certiorari denied. *Gene W. Stockman* and *Frank A. Steinhilper* for petitioner. *Donald B. Kipp* and *James C. Pitney* for respondent. Reported below: 409 F. 2d 1377.

No. 410. CASS ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Raymond Kyle Hayes* for petitioners. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Kirby W. Patterson* for the United States. Reported below: 411 F. 2d 792.

No. 381. SPENCER *v.* UNITED STATES. C. A. 5th Cir. Motion to dispense with printing petition granted. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 412 F. 2d 798.

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No. 427. *DEFIANCE INDUSTRIES, INC., ET AL. v. TANZER ET AL.* C. A. 3d Cir. Certiorari denied. *H. Albert Young and Murray I. Gurfein* for petitioners. *Irving Morris, Joseph A. Rosenthal, Benedict Wolf, Paul L. Ross, and Howard L. Jacobs* for respondents. Reported below: 412 F. 2d 221.

No. 433. *SEYMOUR-HEATH v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. *Louis R. Baker* for petitioner. *Solicitor General Griswold, Assistant Attorney General Kashiwa, Roger P. Marquis, and S. Billingsley Hill* for the United States, and *Thomas S. Tobin* for American Pumice Co. et al., respondents.

No. 78. *YAM SANG KWAI v. IMMIGRATION AND NATURALIZATION SERVICE.* C. A. D. C. Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Jack Wasserman* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, and Charles Gordon* for respondent. Reported below: 133 U. S. App. D. C. 369, 411 F. 2d 683.

No. 275. *LOOS v. IMMIGRATION AND NATURALIZATION SERVICE.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Nathan T. Notkin* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and George W. Masterton, Jr.,* for respondent. Reported below: 407 F. 2d 651.

No. 424. *FMC CORP. v. PAPER CONVERTING MACHINE Co., INC.* C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Charles F. Meroni* for petitioner. *Jerome F. Fallon* for respondent. Reported below: 409 F. 2d 344.

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No. 349. *SILVERIO v. MUNICIPAL COURT OF THE CITY OF BOSTON ET AL.* Sup. Jud. Ct. Mass. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *David Berman* and *John F. Zamparelli* for petitioner. *Robert H. Quinn*, Attorney General of Massachusetts, and *John Wall* and *Edward W. Hanley III*, Assistant Attorneys General, for respondent Municipal Court of the City of Boston. Reported below: 355 Mass. 623, 247 N. E. 2d 379.

No. 393. *CLEVELAND BOARD OF EDUCATION v. MASHETER, DIRECTOR OF HIGHWAYS.* Sup. Ct. Ohio. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Donald J. Guittar* for petitioner. *Paul W. Brown*, Attorney General of Ohio, and *I. Charles Rhoads*, Assistant Attorney General, for respondent. Reported below: 17 Ohio St. 2d 27, 244 N. E. 2d 745.

No. 200. *LOUISVILLE & NASHVILLE RAILROAD CO. ET AL. v. NATIONAL MEDIATION BOARD ET AL.*; and

No. 206. *BROTHERHOOD OF LOCOMOTIVE ENGINEERS v. NATIONAL MEDIATION BOARD ET AL.* C. A. D. C. Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. THE CHIEF JUSTICE took no part in the consideration or decision of these petitions. *Francis M. Shea*, *Richard T. Conway*, *William H. Dempsey, Jr.*, *David W. Miller*, and *James A. Wilcox* for petitioners in No. 200, and *Harold A. Ross* for petitioner in No. 206. *Solicitor General Griswold*, *Assistant Attorney General Ruckelshaus*, *Robert V. Zener*, and *Walter H. Fleischer* for respondent National Mediation Board, and *Joseph L. Rauh, Jr.*, *John Silard*, *Daniel H. Pollitt*, *Elliott C. Lichtman*, and *Isaac N. Groner* for respondent Brotherhood of Locomotive Firemen & Enginemen, in both cases. Reported below: 133 U. S. App. D. C. 326, 410 F. 2d 1025.

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No. 240. *COVELLO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Edward Bennett Williams* and *Robert L. Weinberg* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Sidney M. Glazer* for the United States. Reported below: 410 F. 2d 536.

No. 654. *HUNTER v. OHIO EX REL. MILLER ET AL.* Sup. Ct. Ohio. Motion of petitioner for leave to intervene granted. Certiorari denied. *Sheldon I. Cohen* and *Eugene Gressman* for petitioner. *Henry A. Berliner, Jr.*, for respondent Miller.

No. 117, Misc. *PORTER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 120, Misc. *WOLCOTT v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. Reported below: 407 F. 2d 1149.

No. 178, Misc. *TAITE v. BUSBEE ET AL.* Sup. Ct. Fla. Certiorari denied.

No. 209, Misc. *ALAMO v. NEW YORK*. Ct. App. N. Y. Certiorari denied. *William E. Hellerstein* for petitioner.

No. 215, Misc. *NICHOLSON ET AL. v. NEBRASKA*. Sup. Ct. Neb. Certiorari denied. Reported below: 183 Neb. 834, 164 N. W. 2d 652.

No. 246, Misc. *AUSTIN v. NELSON, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 300, Misc. *GABLE v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied.

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No. 302, Misc. KEYS *v.* DUNBAR ET AL. C. A. 9th Cir. Certiorari denied. Reported below: 405 F. 2d 955.

No. 331, Misc. MORENO *v.* CALIFORNIA. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 339, Misc. FINK *v.* NEW YORK. Ct. App. N. Y. Certiorari denied.

No. 340, Misc. COOK *v.* CRAVEN, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 346, Misc. WILLIAMS *v.* SCHNECKLOTH, CONSERVATION CENTER SUPERINTENDENT. Sup. Ct. Cal. Certiorari denied.

No. 348, Misc. PISANI *v.* WARDEN, MARYLAND PENITENTIARY. C. A. 4th Cir. Certiorari denied.

No. 355, Misc. CASTRUITA *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied.

No. 360, Misc. GERARDI *v.* SIPOS ET AL. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 361, Misc. STEIGLER *v.* SUPERIOR COURT OF DELAWARE, COUNTY OF NEW CASTLE, ET AL. Sup. Ct. Del. Certiorari denied. *William E. Taylor, Jr., and Alfred J. Lindh* for petitioner. Reported below: — Del. —, 252 A. 2d 300.

No. 366, Misc. TEASLEY *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for the United States. Reported below: 408 F. 2d 1012.

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No. 378, Misc. PAGAN *v.* LAVALLEE, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 379, Misc. CLARK *v.* TURNER, WARDEN. C. A. 10th Cir. Certiorari denied.

No. 381, Misc. PEPITONE *v.* FIELD, MEN'S COLONY SUPERINTENDENT. Sup. Ct. Cal. Certiorari denied.

No. 387, Misc. CONTI *v.* SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES, ET AL. Sup. Ct. Cal. Certiorari denied.

No. 388, Misc. DANIEL *v.* McMANN, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 244, Misc. BOYDEN *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for the United States. Reported below: 407 F. 2d 140.

No. 338, Misc. GAMBALE *v.* MASSACHUSETTS. Sup. Jud. Ct. Mass. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *Robert H. Quinn*, Attorney General of Massachusetts, *John Wall*, Assistant Attorney General, and *Lawrence P. Cohen*, Deputy Assistant Attorney General, for respondent. Reported below: 355 Mass. 395, 245 N. E. 2d 246.

Rehearing Denied

No. 574, October Term, 1968. UNITED STATES *v.* ESTATE OF GRACE ET AL., 395 U. S. 316. Petition for rehearing denied. THE CHIEF JUSTICE and MR. JUSTICE STEWART took no part in the consideration or decision of this petition.

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Miscellaneous Orders

No. —. PROVIDENCE & WORCESTER RAILROAD CO., NOW PROVIDENCE & WORCESTER CO. *v.* UNITED STATES ET AL. D. C. S. D. N. Y. Motion of Providence & Worcester Railroad Co., now known as Providence & Worcester Co., for an extension of time to docket its appeal from the judgment of the United States District Court for the Southern District of New York entered on the 28th day of April 1969 granted, and the time for docketing said appeal extended to the date when appeals from the decree by said court dated September 11, 1969, are required to be docketed or, if no appeal is noted, until December 15, 1969. *Harold I. Meyerson* on the motion. Reported below: 300 F. Supp. 185.

No. —. MOSKOWITZ *v.* POWER ET AL. Ct. App. N. Y. Application for temporary restraining order presented to MR. JUSTICE HARLAN, and by him referred to the Court, denied. *Louis J. Lefkowitz*, Attorney General of New York, *Samuel Hirshowitz*, First Assistant Attorney General, and *Philip Kahaner* and *Robert S. Hammer*, Assistant Attorneys General, for respondents Power et al., and *Joseph Slavin* and *Eugene Victor* for respondent Lerner, in opposition.

No. —. GROVE PRESS, INC. *v.* BROCKETT ET AL. D. C. E. D. Wash. Application for temporary stay presented to MR. JUSTICE DOUGLAS, and by him referred to the Court, denied. *Stanley Fleishman* and *Edward de Grazia* for applicant.

No. 71. GUTKNECHT *v.* UNITED STATES. C. A. 8th Cir. [Certiorari granted, 394 U. S. 997.] Motion of Michael E. Tigar for leave to argue *pro hac vice* granted. *Melvin L. Wulf* on the motion.

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No. ——. *LICATA v. UNITED STATES*. C. A. 9th Cir. Petition presented to MR. JUSTICE DOUGLAS for rehearing from his denial of bail, and by him referred to the Court, denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. *Russell E. Parsons* and *John J. Hooker, Sr.*, for petitioner.

No. ——. *HUNT v. EYMAN, WARDEN, ET AL.* Petition presented to MR. JUSTICE DOUGLAS for rehearing from his denial of petition for writ of habeas corpus, and by him referred to the Court, denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

No. 632. *ALEXANDER ET AL. v. HOLMES COUNTY BOARD OF EDUCATION ET AL.* C. A. 5th Cir. [Certiorari granted, *ante*, p. 802.] Motions of National Education Assn. and Tennessee Federation for Constitutional Government for leave to file briefs as *amici curiae* granted. *Richard B. Sobol* and *David Rubin* on the motion for National Education Assn.

No. 674. *HENRY I. SIEGEL CO., INC. v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. D. C. Cir. Application for stay presented to MR. JUSTICE DOUGLAS, and by him referred to the Court, denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *Osmond K. Fraenkel* for applicant.

No. 727. *VALE v. LOUISIANA*. Appeal from Sup. Ct. La. [Probable jurisdiction postponed, *ante*, p. 813.] Motion of appellant for appointment of counsel granted. It is ordered that *Eberhard P. Deutsch, Esquire*, of New Orleans, Louisiana, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for appellant in this case.

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No. 147, Misc. *SLAUGHTER v. CALIFORNIA ET AL.* C. A. 9th Cir. Petition presented to MR. JUSTICE DOUGLAS for rehearing from his denial of an injunction, and by him referred to the Court, denied.

No. 608, Misc. *BAKER v. BETO, CORRECTIONS DIRECTOR, ET AL.* Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari, certiorari denied.

*Probable Jurisdiction Noted or Postponed**

No. 369. *AMERICAN FARM LINES v. BLACK BALL FREIGHT SERVICE ET AL.*; and

No. 382. *INTERSTATE COMMERCE COMMISSION v. BLACK BALL FREIGHT SERVICE ET AL.* Appeals from D. C. W. D. Wash. Probable jurisdiction noted. Cases consolidated and a total of one hour allotted for oral argument. *Joseph A. Califano, Jr., John D. Hawke, Jr., and William L. Peterson, Jr.*, for appellant in No. 369, and *Robert W. Ginnane and Arthur J. Cerra* for appellant in No. 382. *Peter T. Beardsley and Nelson J. Cooney* for Black Ball Freight Service et al., *William H. Dempsey, Jr.*, for Consolidated Freightways Corp. of Delaware et al., *James W. Wrape and Robert E. Joyner* for United Transports, Inc., and *Ed White and James E. Nelson* for Atchison, Topeka & Sante Fe Railway Co., appellees in both cases. *Solicitor General Griswold* filed a memorandum for the United States in both cases. Reported below: 298 F. Supp. 1006.

*[REPORTER'S NOTE: An order postponing further consideration of question of jurisdiction to hearing of case on merits in No. 330, *United States v. Eisdorfer*, issued on October 27, 1969, was revoked the same day.]

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No. 399. ROWAN, DBA AMERICAN BOOK SERVICE, ET AL. v. UNITED STATES POST OFFICE DEPARTMENT ET AL. Appeal from D. C. C. D. Cal. Probable jurisdiction noted. *Joseph Taback* for appellants. *Solicitor General Griswold*, *Assistant Attorney General Ruckelshaus*, and *Robert V. Zener* for appellees. Reported below: 300 F. Supp. 1036.

No. 85, Misc. IN RE WINSHIP. Appeal from Ct. App. N. Y. Probable jurisdiction noted. Motion for leave to proceed *in forma pauperis* granted and case transferred to appellate docket. *William E. Hellerstein* for appellant. *J. Lee Rankin* and *Stanley Buchsbaum* in opposition.

Certiorari Granted. (See also No. 419, *ante*, p. 13.)

No. 403. UNITED STATES v. VAN LEEUWEN. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. *Certiorari* granted. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Sidney M. Glazer* for the United States. *Richard James Waters* for respondent. Reported below: 414 F. 2d 758.

No. 445. STANDARD INDUSTRIES, INC. v. TIGRETT INDUSTRIES, INC., ET AL. C. A. 6th Cir. *Certiorari* granted. *Maximilian Bader* and *I. Walton Bader* for petitioner. *Ralph W. Kalish* for respondents. Reported below: 411 F. 2d 1218.

Certiorari Denied. (See also No. 430, *ante*, p. 18; and No. 608, Misc., *supra*.)

No. 360. MANCUSO v. FRAIMAN. Ct. App. N. Y. *Certiorari* denied. *Fabian G. Palomino* and *Jeremiah B. Bloom* for petitioner.

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No. 58. BROTHERHOOD OF LOCOMOTIVE FIREMEN & ENGINEMEN *v.* ELGIN, JOLIET & EASTERN RAILWAY CO. C. A. 7th Cir. Certiorari denied. *Alex Elson* and *Harold C. Heiss* for petitioner. *Harlan L. Hackbert* for respondent. Reported below: 404 F. 2d 80. [For earlier order herein, see 395 U. S. 931.]

No. 352. STICE *v.* STATE BOARD OF BAR EXAMINERS OF KANSAS. Sup. Ct. Kan. Certiorari denied. *John S. Carroll* for petitioner. *Kent Frizzell*, Attorney General of Kansas, and *J. Richard Foth* and *Richard H. Seaton*, Assistant Attorneys General, for respondent.

No. 355. HAYER, AKA HAGAN, ET AL. *v.* NEW YORK. Ct. App. N. Y. Certiorari denied. *Edward Bennett Williams*, *Harold Ungar*, and *Patrick M. Wall* for petitioners. *Frank S. Hogan* and *H. Richard Uviller* for respondent. Reported below: 24 N. Y. 2d 395, 248 N. E. 2d 588.

No. 378. BEAL *v.* PORTSMOUTH SALVAGE CO., INC. Sup. Ct. App. Va. Certiorari denied. *Jerrold G. Weinberg* for petitioner. *John W. Winston* for respondent.

No. 394. DELIA *v.* COURT OF COMMON PLEAS OF CUYAHOGA COUNTY ET AL. C. A. 6th Cir. Certiorari denied. *Alan M. Wolk* for petitioner. *John T. Corrigan* and *John L. Dowling* for Court of Common Pleas of Cuyahoga County, and *Joseph L. Newman* for Shaker Air Conditioning Co., respondents.

No. 408. SCUDDER *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 6th Cir. Certiorari denied. *Gordon B. Davidson* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Walters*, *Joseph M. Howard*, and *Carolyn R. Just* for respondent. Reported below: 405 F. 2d 222.

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No. 407. *SCALF v. BENNETT, WARDEN*. C. A. 8th Cir. Certiorari denied. *James R. McManus* for petitioner. Reported below: 408 F. 2d 325.

No. 415. *PARKER v. VIRGINIA*. Sup. Ct. App. Va. Certiorari denied. *William H. Colona, Jr.*, for petitioner.

No. 417. *GORDON v. OHIO*. Sup. Ct. Ohio. Certiorari denied. *Abraham Gertner* for petitioner. *Shelby V. Hutchins* for respondent.

No. 422. *CALIFORNIA Co., NOW CHEVRON OIL Co., ET AL. v. KUCHENIG*. C. A. 5th Cir. Certiorari denied. *Lawrence K. Benson* for California Co., and *Jack P. F. Gremillion*, Attorney General of Louisiana, and *John L. Madden* and *Edward M. Carmouche*, Assistant Attorneys General, for Louisiana State Mineral Board, petitioners. Reported below: 410 F. 2d 222.

No. 423. *POWELL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *William C. Calhoun* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Roger A. Pauley* for the United States. Reported below: 413 F. 2d 1030.

No. 425. *HUGHES v. STANDIDGE*. Sup. Ct. La. Certiorari denied. *Floyd J. Reed* for petitioner. Reported below: 254 La. 6, 222 So. 2d 64.

No. 429. *BROTHERHOOD OF RAILWAY, AIRLINE & STEAMSHIP CLERKS, FREIGHT HANDLERS, EXPRESS & STATION EMPLOYES v. ATCHISON, TOPEKA & SANTA FE RAILWAY Co. ET AL.* C. A. 7th Cir. Certiorari denied. *Edward J. Hickey, Jr.*, *William J. Hickey*, and *William J. Donlon* for petitioner. *S. R. Brittingham, Jr.*, and *C. G. Niebank, Jr.*, for respondents. Reported below: 410 F. 2d 520.

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No. 285. FEDERAL BROADCASTING SYSTEM, INC. v. FEDERAL COMMUNICATIONS COMMISSION; and

No. 532. STAR TELEVISION, INC., ET AL. v. FEDERAL COMMUNICATIONS COMMISSION ET AL. C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of these petitions. *Edward J. Grenier, Jr.*, for petitioner in No. 285, and *Benedict P. Cottone* and *John C. Eldridge* for petitioners in No. 532. *Solicitor General Griswold*, *Assistant Attorney General McLaren*, *Howard E. Shapiro*, *Henry Geller*, *John H. Conlin*, and *Lenore G. Ehrig* for respondent Federal Communications Commission in both cases, and *Thomas N. Dowd*, *Harold David Cohen*, and *J. Laurent Scharff* for respondent Flower City Television Corp., in No. 532. Reported below: 135 U. S. App. D. C. 71, 416 F. 2d 1086.

No. 357. GENERAL TELEPHONE COMPANY OF CALIFORNIA ET AL. v. FEDERAL COMMUNICATIONS COMMISSION ET AL.; and

No. 450. NATIONAL ASSOCIATION OF REGULATORY UTILITY COMMISSIONERS v. FEDERAL COMMUNICATIONS COMMISSION ET AL. C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE and MR. JUSTICE DOUGLAS took no part in the consideration or decision of these petitions. *Victor H. Kramer* and *Melvin Spaeth* for General Telephone Company of California et al., *Edmund E. Harvey* and *Lloyd D. Young* for United Inter-Mountain Telephone Co. et al., and *Hugh B. Cox* for Chesapeake & Potomac Telephone Company of Virginia et al., petitioners in No. 357; and *Paul Rodgers* for petitioner in No. 450. *Solicitor General Griswold*, *Assistant Attorney General McLaren*, *Henry Geller*, *John H. Conlin*, and *Lenore G. Ehrig* for respondents Federal Communications Commission et al., in both cases. Reported below: 134 U. S. App. D. C. 116, 413 F. 2d 390.

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No. 386. INTERNATIONAL ASSOCIATION OF MACHINISTS, DISTRICT LODGE 94, AFL-CIO, ET AL. v. NATIONAL LABOR RELATIONS BOARD ET AL. C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. *Herbert M. Ansell, Abe Levy, and Plato E. Papps* for petitioners. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, Norton J. Come, and Linda Sher* for National Labor Relations Board, *Richard W. Lund, Paul R. Watkins, Dana Latham, and Henry J. Steinman* for Lou Ehlers Cadillac, and *Henry W. Low and Edward A. McDermott* for Thomas Cadillac, Inc., respondents. Reported below: 134 U. S. App. D. C. 239, 414 F. 2d 1135.

No. 329. MANCUSI, WARDEN v. PUGACH. C. A. 2d Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion and petition. *Louis J. Lefkowitz*, Attorney General of New York, *Samuel A. Hirshowitz*, First Assistant Attorney General, and *Brenda Soloff*, Assistant Attorney General, for petitioner. Reported below: 411 F. 2d 177.

No. 397. HOLDING v. HOLDING. Sup. Ct. App. Va. Motion to dispense with printing petition for writ of certiorari granted. Certiorari denied.

No. 406. WOODWARD v. LAWSON ET AL. Sup. Ct. Ga. Motion to dispense with printing petition for writ of certiorari granted. Certiorari denied. Reported below: 225 Ga. 261, 167 S. E. 2d 660.

No. 127, Misc. GENDRON ET AL. v. ILLINOIS. Sup. Ct. Ill. Certiorari denied. *Bernard J. Mellman* for petitioners. Reported below: 41 Ill. 2d 351, 243 N. E. 2d 208.

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No. 110, Misc. OUGHTON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 128, Misc. RUFFIN *v.* NEW YORK. Ct. App. N. Y. Certiorari denied.

No. 129, Misc. LAINHART *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Gordon Gooch* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for the United States. Reported below: 400 F. 2d 449 and 409 F. 2d 5.

No. 135, Misc. BANDY *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 408 F. 2d 518.

No. 144, Misc. TAYLOR *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 146, Misc. GADSON *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. *George B. Mickum III* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Kirby W. Patterson* for the United States.

No. 305, Misc. ROSS *v.* FINCH, SECRETARY OF HEALTH, EDUCATION, AND WELFARE. C. A. 4th Cir. Certiorari denied. *John B. Culbertson* for petitioner. *Solicitor General Griswold* for respondent. Reported below: 408 F. 2d 882.

No. 329, Misc. MCGURRIN *v.* SHOVLIN, STATE HOSPITAL SUPERINTENDENT, ET AL. C. A. 3d Cir. Certiorari denied.

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No. 150, Misc. *MANNING v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied.

No. 320, Misc. *JACKSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Kenneth S. Jacobs* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Edward Fenig* for the United States. Reported below: 408 F. 2d 1000.

No. 327, Misc. *FINLEY v. CRAVEN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 342, Misc. *MITCHELL v. FITZHARRIS, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 344, Misc. *SCOTT v. HUNT OIL CO.* Sup. Ct. La. Certiorari denied.

No. 359, Misc. *CORNITCHER v. DWYER ET AL.* C. A. 3d Cir. Certiorari denied.

No. 362, Misc. *EATON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Reuben A. Garland, Sr.*, for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for the United States. Reported below: 409 F. 2d 1355.

No. 363, Misc. *LAZAROFF v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Archibald Palmer* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 409 F. 2d 567.

No. 393, Misc. *DAVIS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Edward Fenig* for the United States. Reported below: 408 F. 2d 1073.

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No. 385, Misc. WARTSON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 400 F. 2d 25.

No. 386, Misc. COLEMAN *v.* SALISBURY, CORRECTIONAL SUPERINTENDENT. C. A. 6th Cir. Certiorari denied.

No. 392, Misc. MINK *v.* UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN ET AL. C. A. 6th Cir. Certiorari denied.

No. 394, Misc. WEBSTER *v.* COX, PENITENTIARY SUPERINTENDENT. C. A. 4th Cir. Certiorari denied.

No. 395, Misc. GILREATH *v.* EYMAN, WARDEN. C. A. 9th Cir. Certiorari denied. Reported below: 407 F. 2d 811.

No. 397, Misc. LAWRENCE *v.* CALIFORNIA. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 399, Misc. WELCH *v.* FLORIDA. Sup. Ct. Fla. Certiorari denied. *Richard W. Ervin III* for petitioner.

No. 403, Misc. PADGITT *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 264 Cal. App. 2d 443, 70 Cal. Rptr. 345.

No. 404, Misc. THOMAS *v.* CALIFORNIA. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 407, Misc. MASON *v.* FLORIDA. Dist. Ct. App. Fla., 2d Dist. Certiorari denied. Reported below: 221 So. 2d 10.

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No. 406, Misc. SEMIDEY *v.* MCKENDRICK, WARDEN.
C. A. 2d Cir. Certiorari denied.

No. 410, Misc. BOLISH *v.* MARONEY, CORRECTIONAL
SUPERINTENDENT. C. A. 3d Cir. Certiorari denied.
Reported below: 409 F. 2d 1404.

No. 413, Misc. STONE *v.* OKLAHOMA. Ct. Crim. App.
Okla. Certiorari denied. Reported below: 448 P. 2d
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No. 414, Misc. STONE *v.* OKLAHOMA. Ct. Crim. App.
Okla. Certiorari denied. Reported below: 442 P. 2d
519.

No. 415, Misc. PENA *v.* BETO, CORRECTIONS DIRECTOR.
C. A. 5th Cir. Certiorari denied.

No. 418, Misc. PALMER *v.* LAVALLEE, WARDEN. C. A.
2d Cir. Certiorari denied.

No. 419, Misc. BATES *v.* NEW YORK. Ct. App. N. Y.
Certiorari denied.

No. 422, Misc. STEDTNITZ *v.* UNITED STATES. C. A.
9th Cir. Certiorari denied. *Solicitor General Griswold,*
Assistant Attorney General Wilson, and *Philip R. Monahan*
for the United States.

No. 433, Misc. THOMPSON *v.* NEVADA. Sup. Ct. Nev.
Certiorari denied. *James D. Santini* for petitioner.
Addeliar D. Guy for respondent. Reported below: 85
Nev. 134, 451 P. 2d 704.

No. 444, Misc. DEVOE *v.* DUNCAN. Sup. Ct. Fla.
Certiorari denied.

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No. 443, Misc. McDONALD *v.* NEW YORK. App. Term, Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. *Frank S. Hogan* and *Michael R. Juviler* for respondent.

No. 445, Misc. WALLACE *v.* RUNDLE, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Certiorari denied.

No. 447, Misc. MCGUCKEN *v.* UNITED STATES. Ct. Cl. Certiorari denied. *Donald H. Dalton* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 187 Ct. Cl. 284, 407 F. 2d 1349.

No. 455, Misc. SYLVIA *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 459, Misc. EDWARDS *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Edward Fenig* for the United States.

No. 461, Misc. LEWIS *v.* McMANN, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 464, Misc. WILLIAMS *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 470, Misc. BOUTWELL *v.* SIMPSON, WARDEN. C. A. 5th Cir. Certiorari denied. Reported below: 408 F. 2d 629.

No. 473, Misc. WALKER *v.* WAINWRIGHT, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied. Reported below: 409 F. 2d 1311.

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No. 474, Misc. JAMES *v.* NEW YORK. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied.

No. 476, Misc. YOUNG *v.* COINER, WARDEN. C. A. 4th Cir. Certiorari denied.

No. 478, Misc. FINK *v.* HEYD, SHERIFF. C. A. 5th Cir. Certiorari denied. Reported below: 408 F. 2d 7.

No. 479, Misc. DeVARGAS *v.* IMMIGRATION AND NATURALIZATION SERVICE. C. A. 5th Cir. Certiorari denied. *Albert Armendariz* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for respondent. Reported below: 409 F. 2d 335.

No. 493, Misc. NELSON *v.* PINTO, PRISON FARM SUPERINTENDENT. C. A. 3d Cir. Certiorari denied. *Robert N. McAllister, Jr.*, for respondent. Reported below: 409 F. 2d 842.

No. 496, Misc. TOLIVER *v.* CALIFORNIA. Ct. App. Cal., 3d App. Dist. Certiorari denied. Reported below: 270 Cal. App. 2d 492, 75 Cal. Rptr. 819.

No. 527, Misc. STEBBINS *v.* STATE FARM MUTUAL AUTOMOBILE INSURANCE CO. ET AL. C. A. D. C. Cir. Certiorari denied. *Earle K. Shawe* and *Robert E. Anderson* for State Farm Mutual Automobile Insurance Co. et al., *Allan C. Swingle* for Nationwide Mutual Insurance Co. et al., and *James F. Bromley* for Keystone Insurance Co. et al., respondents. Reported below: 134 U. S. App. D. C. 193, 413 F. 2d 1100.

No. 522, Misc. DEARMAN *v.* KANSAS. Sup. Ct. Kan. Certiorari denied. Reported below: 203 Kan. 94, 453 P. 2d 7.

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No. 482, Misc. *HERNDON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *F. M. Apicella* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Edward Fenig* for the United States.

No. 553, Misc. *FULLER v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Robert G. Maysack* for the United States.

No. 521, Misc. *LILEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Robert G. Maysack* for the United States.

No. 621, Misc. *CHONTOS v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Albert M. Horn* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 411 F. 2d 251.

No. 730, Misc. *MURPHY ET UX. v. U. S. COMMISSIONER OF DETROIT, MICHIGAN, ET AL.* C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold* for respondents.

No. 641, Misc. *MURPHY v. JOHNSON, CLERK, U. S. DISTRICT COURT*. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold* for respondent.

No. 763, Misc. *MURPHY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 413 F. 2d 1129.

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No. 426, Misc. *DUVAL v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Sidney M. Glazer* for the United States.

No. 358, Misc. *WARNOCK v. WARNOCK*. Ct. App. Cal., 1st App. Dist. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Peter P. Barry* for respondent.

No. 518, Misc. *DUKES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Mervyn Hamburg* for the United States. Reported below: 407 F. 2d 863.

OCTOBER 31, 1969

Dismissal Under Rule 60

No. 1098, Misc. *GILLINGHAM v. SUPREME COURT OF TEXAS*. Motion for leave to file petition for writ of mandamus dismissed pursuant to Rule 60 of the Rules of this Court.

NOVEMBER 6, 1969

Dismissals Under Rule 60

No. 704, Misc. *HOSKINS v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *John D. Buchanan, Jr.*, for petitioner. Reported below: 221 So. 2d 447.

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No. 649, Misc. AROS-GONZALES *v.* UNITED STATES. C. A. 9th Cir. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for the United States. Reported below: 411 F. 2d 1224.

NOVEMBER 10, 1969

Miscellaneous Orders

No. 1173, October Term, 1968. JONES *v.* ILLINOIS BY ITS ELECTORAL BOARD, 395 U. S. 162. Motion to require state and local officials of Illinois promptly to conduct an election for office of Lieutenant Governor of Illinois denied. THE CHIEF JUSTICE took no part in the consideration or decision of this motion. *William J. Scott, Attorney General of Illinois, and Francis T. Crowe, Herman Tavins, and A. Zola Groves, Assistant Attorneys General, in opposition.*

No. 11. SAMUELS ET AL. *v.* MACKELL, DISTRICT ATTORNEY OF QUEENS COUNTY, ET AL. Appeal from D. C. S. D. N. Y. Motion of appellants to strike brief of appellee Mackell denied. *Victor Rabinowitz* on the motion. *Thomas J. Mackell, pro se, in opposition.* [For earlier orders herein, see, *e. g.*, 395 U. S. 957.]

No. 13. MAXWELL *v.* BISHOP, PENITENTIARY SUPERINTENDENT. C. A. 8th Cir. Motion of *Gerald H. Gottlieb and Earl Klein, pro sese, for leave to file the amici curiae brief in the case of Boykin v. Alabama, No. 642, October Term, 1968, in this case, denied.* [For earlier orders herein, see, *e. g.*, 395 U. S. 918.]

No. 429, Misc. SZIJARTO *v.* OBERHAUSER ET AL. C. A. 9th Cir. Application for bail presented to MR. JUSTICE BRENNAN, and by him referred to the Court, denied.

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No. 84. UNITED STATES *v.* JORN. Appeal from D. C. Utah. [Probable jurisdiction noted, *ante*, p. 810.] Motion of appellee for the appointment of counsel granted. It is ordered that *Denis R. Morrill, Esquire*, of Salt Lake City, Utah, be, and he is hereby, appointed to serve as counsel in this case.

No. 540. ROSADO ET AL. *v.* WYMAN, COMMISSIONER OF SOCIAL SERVICES OF NEW YORK, ET AL. C. A. 2d Cir. [Certiorari granted, *ante*, p. 815.] Motion of People for Adequate Welfare for leave to file a brief as *amicus curiae* granted. *Floyd Sarisohn* on the motion.

No. 453, Misc. SIERRAS *v.* UNITED STATES. Motion for leave to file petition for writ of certiorari denied. *Solicitor General Griswold* for the United States in opposition.

No. 584, Misc. WEST *v.* LLOYD, CORRECTIONAL SUPERINTENDENT, ET AL.;

No. 595, Misc. MCGARRY *v.* HOCKER, WARDEN;

No. 610, Misc. THOMPSON *v.* NORTH CAROLINA;

No. 698, Misc. MEEK *v.* THOMAS, JUDGE, ET AL.; and

No. 810, Misc. WATKINS *v.* BOUNDS, CORRECTION COMMISSIONER. Motions for leave to file petitions for writs of habeas corpus denied.

No. 701, Misc. WALSH *v.* U. S. DISTRICT COURT FOR THE EASTERN DISTRICT OF CALIFORNIA ET AL. Motion for leave to file petition for writ of mandamus and/or prohibition denied. *Solicitor General Griswold* for the United States in opposition.

No. 843, Misc. WENDT *v.* DILLIN ET AL., JUDGES, U. S. DISTRICT COURT. Motion for leave to file petition for writ of mandamus denied.

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Probable Jurisdiction Noted

No. 560, Misc. LEWIS ET AL. v. MONTGOMERY, DIRECTOR, CALIFORNIA DEPARTMENT OF SOCIAL WELFARE, ET AL. Appeal from D. C. N. D. Cal. Motion of appellants for leave to proceed *in forma pauperis* granted. Probable jurisdiction noted and case transferred to appellate docket. *Rubin Tepper* and *Steven J. Antler* for appellants. *Thomas C. Lynch*, Attorney General of California, and *Elizabeth Palmer* and *Jay S. Linderman*, Deputy Attorneys General, for appellees. *Solicitor General Griswold*, *Assistant Attorney General Ruckelshaus*, and *Alan S. Rosenthal* for the United States as *amicus curiae* in support of appellants. Reported below: 312 F. Supp. 197.

Certiorari Granted. (See also No. 439, *ante*, p. 23.)

No. 175. MORAGNE v. STATES MARINE LINES, INC., ET AL. C. A. 5th Cir. *Certiorari* granted. *Charles Jay Hardee, Jr.*, for petitioner. *William A. Gillen* for States Marine Lines, Inc., and *George Ericksen* for Gulf Florida Terminal Co., respondents. Reported below: 409 F. 2d 32.

No. 440. NATIONAL LABOR RELATIONS BOARD v. RAYTHEON Co. ET AL. C. A. 9th Cir. *Certiorari* granted. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli*, and *Norton J. Come* for petitioner. *Charles H. Resnick* for respondent Raytheon Co. Reported below: 408 F. 2d 681.

No. 81, Misc. CHAMBERS v. MARONEY, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Motion for leave to proceed *in forma pauperis* granted. *Certiorari* granted and case transferred to appellate docket. *Robert W. Duggan* for respondent. Reported below: 408 F. 2d 1186.

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No. 477. ATLANTIC COAST LINE RAILROAD CO. *v.* BROTHERHOOD OF LOCOMOTIVE ENGINEERS ET AL. C. A. 5th Cir. Certiorari granted. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Dennis G. Lyons, Frank X. Friedmann, Jr., David M. Foster, John W. Weldon, and John S. Cox* for petitioner. *Allan Milledge and Richard L. Horn* for respondents.

Certiorari Denied. (See also No. 434, *ante*, p. 22; No. 474, *ante*, p. 24; No. 482, *ante*, p. 25; No. 502, *ante*, p. 25; and No. 632, Misc., *ante*, p. 23.)

No. 146. KERN ET AL. *v.* WHIRL. C. A. 5th Cir. Certiorari denied. *B. Jeff Crane, Jr.*, for Kern, and *Sam H. Hood, Jr.*, for Fidelity & Deposit Co. of Maryland, petitioners. *Charles Kipple* for respondent. Reported below: 407 F. 2d 781.

No. 187. A & S TROPICAL, INC. *v.* HIRAM WALKER, INC., ET AL. C. A. 5th Cir. Certiorari denied. *Milton E. Grusmark and Natalie Baskin* for petitioner. *James C. McKay and George V. Allen, Jr.*, for Hiram Walker, Inc., and *George H. Salley and Paul D. Barns, Jr.*, for South Florida Liquor Distributors, Inc., respondents. Reported below: 407 F. 2d 4.

No. 245. DERRINGTON *v.* CITY OF PORTLAND. Sup. Ct. Ore. Certiorari denied. *Frank M. Ierulli* for petitioner. *Marian C. Rushing* for respondent. Reported below: 253 Ore. 289, 451 P. 2d 111.

No. 400. FOWLER ET AL. *v.* CITY OF CHARLOTTESVILLE ET AL. Corp. Ct. of Charlottesville, Va. Certiorari denied. *D. Nelson Sutton* for petitioners. *George Gilmer* for respondents.

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No. 290. *BLOUNT, POSTMASTER GENERAL v. UNITED FEDERATION OF POSTAL CLERKS, AFL-CIO, ET AL.* C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Ruckelshaus, Alan S. Rosenthal, and Ralph A. Fine* for petitioner. *Herbert S. Thatcher and Donald M. Murtha* for respondents. Reported below: 133 U. S. App. D. C. 176, 409 F. 2d 462.

No. 310. *UNITED STATES FOR THE USE OF MOORE ET AL. v. GENERAL INSURANCE COMPANY OF AMERICA.* C. A. 5th Cir. Certiorari denied. *Artie P. Stephens* for petitioners. *M. R. Irion* for respondent. Reported below: 406 F. 2d 442.

No. 438. *SEARS, ROEBUCK & Co. v. HANNIGAN ET AL.* C. A. 7th Cir. Certiorari denied. *Burton Y. Weitzenfeld* for petitioner. *W. P. Butler* for respondents. Reported below: 410 F. 2d 285.

No. 442. *CONRAD v. GRAF BROS., INC., ET AL.* C. A. 1st Cir. Certiorari denied. *Lawrence F. O'Donnell* for petitioner. *Stanley M. Epstein* for respondents. Reported below: 412 F. 2d 135.

No. 443. *CONTINENTAL INSURANCE Co. v. NATIONAL LABOR RELATIONS BOARD.* C. A. 2d Cir. Certiorari denied. *Frederick T. Shea and Irving Brand* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, and Norton J. Come* for respondent. Reported below: 409 F. 2d 727.

No. 452. *HALE v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *H. H. Gearing* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, and Philip R. Monahan* for the United States. Reported below: 410 F. 2d 147.

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No. 446. LANG ET AL. *v.* THOMPSON ET AL. Sup. Ct. Ill. Certiorari denied. *Timothy W. Swain* for petitioners. *Kenneth H. Lemmer* for respondents.

No. 448. FARMERS' COOPERATIVE COMPRESS *v.* UNITED PACKINGHOUSE, FOOD & ALLIED WORKERS INTERNATIONAL UNION, AFL-CIO, ET AL. C. A. D. C. Cir. Certiorari denied. *John Edward Price* for petitioner. *Eugene Cotton, Richard F. Watt, and Michael H. Gottesman* for United Packinghouse, Food & Allied Workers International Union, AFL-CIO, and *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, Norton J. Come, and Linda Sher* for National Labor Relations Board, respondents. Reported below: 135 U. S. App. D. C. 111, 416 F. 2d 1126.

No. 459. KNIGHT *v.* UNITED STATES; and

No. 460. CHAPMAN ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Joseph H. Davis* for petitioner in No. 459 and for petitioners in No. 460. *Solicitor General Griswold* for the United States in both cases. Reported below: No. 459, 413 F. 2d 445; No. 460, 413 F. 2d 440.

No. 454. MARTIRE *v.* LABORERS' LOCAL UNION 1058 ET AL. C. A. 3d Cir. Certiorari denied. *J. M. Maurizi* for petitioner. *William T. Coleman, Jr., and Leo I. Shapiro* for respondents. Reported below: 410 F. 2d 32.

No. 461. HEVI-DUTY ELECTRIC Co., A DIVISION OF SOLA BASIC INDUSTRIES, INC. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 4th Cir. Certiorari denied. *Herbert P. Wiedemann* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, Norton J. Come, and Linda Sher* for respondent. Reported below: 410 F. 2d 757.

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No. 463. *JOHNSON v. STUCKER*, REFORMATORY SUPERINTENDENT. Sup. Ct. Kan. Certiorari denied. *Melvin L. Wulf* and *Eleanor Holmes Norton* for petitioner. *J. Richard Foth*, *Edward G. Collister, Jr.*, and *Ray L. Borth*, Assistant Attorneys General of Kansas, for respondent. Reported below: 203 Kan. 253, 453 P. 2d 35.

No. 455. *ONESTI v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Julius Lucius Echeles* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 411 F. 2d 783.

No. 465. *SERZYSKO v. CHASE MANHATTAN BANK*. C. A. 2d Cir. Certiorari denied. *Arthur C. Fink* for petitioner. *A. Donald MacKinnon* for respondent. Reported below: 409 F. 2d 1360.

No. 466. *ST. HELENA PARISH SCHOOL BOARD ET AL. v. HALL ET AL.* C. A. 5th Cir. Certiorari denied. *Jack P. F. Gremillion*, Attorney General of Louisiana, *John F. Ward, Jr.*, *Harry Kron, Jr.*, *Bernard Boudreaux*, *Thompson Clarke*, *Albin Lassiter*, *Richard Kilbourne*, *E. O. Ware III*, *Leonard E. Yokum*, *Frank Salter*, *Charles Riddle*, and *Nolan Edwards* for petitioners. *Solicitor General Griswold* and *Assistant Attorney General Leonard* for respondent United States. *Mr. Gremillion* and *Victor A. Sachse* filed a brief for the State of Louisiana as *amicus curiae* in support of the petition. Reported below: 417 F. 2d 801.

No. 469. *NATIONAL LABOR RELATIONS BOARD v. PEPSI-COLA BUFFALO BOTTLING CO. ET AL.* C. A. 2d Cir. Certiorari denied. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli*, *Norton J. Come*, and *Linda Sher* for petitioner. *Stuart Goldstein* for respondents. Reported below: 409 F. 2d 676.

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No. 467. KAUFMAN *v.* ASSOCIATION OF THE BAR OF THE CITY OF NEW YORK. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. *Morton Liftin* for petitioner. *John G. Bonomi* and *Michael Franck* for respondent.

No. 468. SEGUROS TEPEYAC, S. A. COMPANIA MEXICANA DE SEGUROS GENERALES *v.* JERNIGAN. C. A. 5th Cir. Certiorari denied. *Edward Gallagher* for petitioner. *Cornelius C. O'Brien, Jr.*, for respondent. Reported below: 410 F. 2d 718.

No. 470. CONVERSANO *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Robert A. Polin* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Edward Fenig* for the United States. Reported below: 412 F. 2d 1143.

No. 471. LYNCH *v.* INDIANA. Sup. Ct. Ind. Certiorari denied. *James Manahan* for petitioner. *Theodore L. Sendak*, Attorney General of Indiana, and *William F. Thompson*, Deputy Attorney General, for respondent. Reported below: — Ind. —, 245 N. E. 2d 334.

No. 472. IN RE SEMEL. C. A. 3d Cir. Certiorari denied. Reported below: 411 F. 2d 195.

No. 473. LYN-BEV DEVELOPMENT, INC. *v.* COMMERCIAL NATIONAL BANK ET AL. Ct. App. Cal., 4th App. Dist. Certiorari denied. *Tyler Abell* for petitioner.

No. 483. ATLANTIC RICHFIELD CO. ET AL. *v.* HILTON ET AL. Ct. Civ. App. Tex., 12th Sup. Jud. Dist. Certiorari denied. *Jack W. Flock* for petitioners. *Edward Kliewer, Jr.*, for respondents. Reported below: 437 S. W. 2d 347.

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No. 478. *SACHS ET AL. v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Edward Bennett Williams, Steven M. Umin, Morris A. Shenker, and Bernard J. Mellman* for petitioners. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Kirby W. Patterson* for the United States. Reported below: 412 F. 2d 357.

No. 481. *NOBLE DRILLING CORP. v. SMITH*. C. A. 5th Cir. Certiorari denied. *W. Ford Reese* for petitioner. Reported below: 412 F. 2d 952.

No. 485. *GALEWITZ ET UX. v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 2d Cir. Certiorari denied. *Murray Kurman* for petitioners. *Solicitor General Griswold, Assistant Attorney General Walters, and Michael B. Arkin* for respondent. Reported below: 411 F. 2d 1374.

No. 487. *WILKERSON ET AL. v. WATERFORD PARK, INC., ET AL.* Sup. Ct. App. W. Va. Certiorari denied. *Williamson Pell, Jr.*, for petitioners.

No. 489. *SHELTON ET AL. v. CITY OF CHICAGO ET AL.* Sup. Ct. Ill. Certiorari denied. *Bernard E. Epton and Alan R. Miller* for petitioners. *Raymond F. Simon and Marvin E. Aspen* for City of Chicago, and *Daniel P. Coman, Dean H. Bilton, and Thomas E. Brannigan* for County of Cook, respondents. Reported below: 42 Ill. 2d 468, 248 N. E. 2d 121.

No. 492. *SAILORS HAVEN FIRE ISLAND, INC. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Seymour S. Ross* for petitioner. *Solicitor General Griswold, Assistant Attorney General Kashiwa, and Roger P. Marquis* for the United States. Reported below: 412 F. 2d 347.

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No. 493. SNYDER *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Burton Marks* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Kirby W. Patterson* for the United States. Reported below: 413 F. 2d 288.

No. 494. COLE, ADMINISTRATRIX *v.* SUNRAY DX OIL CO. ET AL. Sup. Ct. Okla. Certiorari denied. *Thomas G. Smith* for petitioner. *John F. Curran* for respondent Sunray DX Oil Co., and *C. Harold Thweatt* for respondent Ambassador Oil Corp.

No. 501. HOWELL *v.* MARYLAND. Ct. App. Md. Certiorari denied. *Morgan L. Amaimo* for petitioner.

No. 182. SECURITY SEWAGE EQUIPMENT CO. *v.* WOODLE. Sup. Ct. Ohio. Certiorari denied. *Ralph Rudd* for petitioner.

MR. JUSTICE BLACK, dissenting.

Respondent Woodle, an attorney, sued petitioner, a corporation, for lawyer's fees. The company defended in part on the ground that Woodle had been guilty of malpractice in rendering the contested services. The corporation also wanted to file a counterclaim for damages arising from this alleged malpractice, but the company's lawyer would not do so. Petitioner was unable to find any lawyer who would file the claim and so the company's manager, not himself a lawyer, filed a counterclaim. The trial court dismissed the pleading, apparently because it had not been prepared by a lawyer and under Ohio law corporations can appear in court only when represented by counsel.

After considerable procedural juggling the Supreme Court of Ohio dismissed the company's appeal, stating that "no substantial constitutional question exists

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herein." It is uncertain whether this dismissal rested on some state rule of appellate procedure, or whether the Supreme Court decided that petitioner did not have a right to present its claim without the assistance of a lawyer.

Petitioner argues that it has been denied due process of law and that, since a natural person could have presented this claim without counsel, it has been denied equal protection of the laws. A fundamental basis of our courts is that their doors are always open to suitors with arguable claims, and a decision denying a corporation the right to appear without counsel would present a substantial constitutional issue. Since the record is not altogether clear as to why the dismissal of the company's claim was upheld, I would grant certiorari, vacate the judgment below, and remand the case to the Supreme Court of Ohio for clarification of the grounds of decision in this case.

No. 362. REEVES *v.* PACIFIC FAR EAST LINES, INC. Sup. Ct. Ore. Certiorari denied. *Marvin S. Nepom* for petitioner. Reported below: 253 Ore. 105, 452 P. 2d 313.

MR. JUSTICE BLACK, with whom MR. JUSTICE BRENNAN joins, dissenting.

I would grant certiorari and reverse. In its opinion below, the Oregon Supreme Court held that the existence of a causal link between a particular accident and a particular injury to a seaman is essentially a question for the medical witnesses and the judge and not for the jury. This holding is flatly contrary to the decision of this Court in *Sentilles v. Inter-Caribbean Shipping Corp.*, 361 U. S. 107 (1959). In *Sentilles* we reversed a federal court of appeals for doing exactly what the Oregon Supreme Court did here. *Sentilles*, like this case, was brought under the Jones Act, 41 Stat. 1007, 46

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U. S. C. § 688, and involved the question of whether plaintiff's injuries were caused by the accident for which defendant was liable. The United States Court of Appeals for the Fifth Circuit held that the question of causation should not have been sent to the jury. This Court reversed. The majority opinion said that: "The members of the jury, not the medical witnesses, were sworn to make a legal determination of the question of causation," 361 U. S., at 109. This rule should also apply in a state court trying a Jones Act case. See *Rogers v. Missouri Pacific R. Co.*, 352 U. S. 500 (1957).

In light of these cases, it is clear to me that the Oregon Supreme Court was in error and that this Court should grant certiorari and hold that the trial court properly allowed the question of causation to go to the jury. On this record petitioner is plainly entitled to the \$3,000 judgment awarded him by the jury, and this Court should reinstate that judgment.

No. 428. *BROWN v. HARDIN ET AL.* C. A. D. C. Cir. Motion for leave to proceed as a veteran granted. Certiorari and other relief denied. *Solicitor General Griswold* for respondents Hardin et al.

No. 488. *POPP ET UX. v. EBERLEIN ET AL.* C. A. 7th Cir. Motion to dispense with printing petition granted. Certiorari denied. *Steven E. Keane* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Walters*, and *Crombie J. D. Garrett* for respondent United States. Reported below: 409 F. 2d 309.

No. 490. *SINCLAIR v. BOUGHTON.* C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied.

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No. 447. *BARNETT v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Joel W. Westbrook* for petitioner. *Crawford C. Martin*, Attorney General of Texas, *Nola White*, First Assistant Attorney General, *Hawthorne Phillips*, Executive Assistant Attorney General, and *Sam L. Jones, Jr.*, and *Robert C. Flowers*, Assistant Attorneys General, for respondent.

No. 499. *FEDERAL TRADE COMMISSION v. TEXTILE & APPAREL GROUP, AMERICAN IMPORTERS ASSN., ET AL.*; and

No. 500. *NATIONAL KNITTED OUTERWEAR ASSN. ET AL. v. TEXTILE & APPAREL GROUP, AMERICAN IMPORTERS ASSN., ET AL.* C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of these petitions. *Solicitor General Griswold*, *Assistant Attorney General Ruckelshaus*, and *Robert V. Zener* for petitioner in No. 499, and *Eugene Gressman* for petitioners in No. 500. *Michael P. Daniels* and *Milton M. Gottesman* for respondents in both cases. Reported below: 133 U. S. App. D. C. 353, 410 F. 2d 1052.

No. 6, Misc. *LASSITER v. CALIFORNIA*. Ct. App. Cal., 1st App. Dist. Certiorari denied. *Eugene J. Brenner* for petitioner. *Thomas C. Lynch*, Attorney General of California, *Albert W. Harris, Jr.*, Assistant Attorney General, and *Michael Buzzell*, Deputy Attorney General, for respondent.

No. 115, Misc. *CLIFT v. KANSAS*. Sup. Ct. Kan. Certiorari denied. *Kent Frizzell*, Attorney General of Kansas, and *J. Richard Foth* and *Richard H. Seaton*, Assistant Attorneys General, for respondent. Reported below: 202 Kan. 512, 449 P. 2d 1006.

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No. 8, Misc. *YARNAL v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 429 Pa. 6, 239 A. 2d 318.

No. 78, Misc. *STERLING v. PATE, WARDEN*. C. A. 7th Cir. Certiorari denied. *John Powers Crowley* for petitioner. *William J. Scott*, Attorney General of Illinois, and *Joel M. Flaum* and *Thomas J. Immel*, Assistant Attorneys General, for respondent. Reported below: 403 F. 2d 425.

No. 108, Misc. *MOORE v. NEW YORK*. Ct. App. N. Y. Certiorari denied. *William E. Hellerstein* for petitioner. *Thomas J. Mackell* and *Peter J. O'Connor* for respondent.

No. 118, Misc. *GERAWAY v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. *Robert H. Quinn*, Attorney General of Massachusetts, *John Wall*, Assistant Attorney General, *Lawrence P. Cohen*, Deputy Assistant Attorney General, *Barbara Macey*, Special Assistant Attorney General, *George G. Burke* and *Richard W. Barry* for respondent. Reported below: 355 Mass. 433, 245 N. E. 2d 423.

No. 119, Misc. *YANT v. WILSON, JUDGE*. Ct. App. Ky. Certiorari denied.

No. 121, Misc. *RIZZO, AKA ROSENHECK v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Lee B. McTurnan* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Edward Fenig* for the United States. Reported below: 409 F. 2d 400.

No. 142, Misc. *MULLEN v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

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No. 132, Misc. *McDERMOTT v. KANSAS*. Sup. Ct. Kan. Certiorari denied. Reported below: 202 Kan. 399, 449 P. 2d 545.

No. 133, Misc. *LEWIS v. FRYE, WARDEN, ET AL.* Sup. Ct. Ill. Certiorari denied. Reported below: 42 Ill. 2d 58, 245 N. E. 2d 483.

No. 141, Misc. *NOLAN v. UNITED STATES DISTRICT COURT FOR THE DISTRICT OF KANSAS ET AL.* C. A. 10th Cir. Certiorari denied. *Solicitor General Griswold* for the United States in opposition.

No. 147, Misc. *SLAUGHTER v. CALIFORNIA ET AL.* C. A. 9th Cir. Certiorari denied.

No. 251, Misc. *RODRIGUEZ v. NEW YORK*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied. *Arthur John Keeffe* for petitioner. *Lloyd H. Butterfield* for respondent.

No. 291, Misc. *PEARSALL v. FLORIDA*. Ct. App. Fla., 1st Dist. Certiorari denied. *Luke G. Galant* for petitioner. *Earl Faircloth*, Attorney General of Florida, and *Raymond L. Marky*, Assistant Attorney General, for respondent. Reported below: 215 So. 2d 58.

No. 368, Misc. *BOWEN v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. *Robert J. Corcoran* and *Jay Dushoff* for petitioner. *Gary K. Nelson*, Attorney General of Arizona, and *Carl Waag*, Assistant Attorney General, for respondent. Reported below: 104 Ariz. 138, 449 P. 2d 603.

No. 371, Misc. *WHITE v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

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No. 349, Misc. SANDERS, AKA WHITE *v.* MISSISSIPPI. Sup. Ct. Miss. Certiorari denied. Reported below: 219 So. 2d 913.

No. 396, Misc. EATON *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 401, Misc. BOGART ET UX. *v.* CALIFORNIA. C. A. 9th Cir. Certiorari denied. *Peter D. Bogart, pro se*, and for other petitioner. Reported below: 409 F. 2d 25.

No. 430, Misc. AMALFITANO *v.* LAVALLEE, WARDEN. C. A. 2d Cir. Certiorari denied. *Matthew Muraskin* and *Francis J. Valentino* for petitioner. *Louis J. Lefkowitz*, Attorney General of New York, *Samuel A. Hirshowitz*, First Assistant Attorney General, and *Amy Juviler*, Assistant Attorney General, for respondent.

No. 439, Misc. SWAIN *v.* BARFIELD ET AL. C. A. 4th Cir. Certiorari denied.

No. 442, Misc. CLANCY *v.* NEW YORK. C. A. 2d Cir. Certiorari denied.

No. 448, Misc. ADAMS, TRADING AS VITAMIN PRODUCTS CO. OF MARYLAND *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Roger A. Pauley* for the United States. Reported below: 410 F. 2d 755.

No. 451, Misc. HAKEEM *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied. *Corinne S. Shulman* for petitioner. Reported below: 268 Cal. App. 2d 877, 74 Cal. Rptr. 511.

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No. 452, Misc. *TIMMONS v. CRAVEN, WARDEN*. Sup. Ct. Cal. Certiorari denied.

No. 460, Misc. *ABEL v. BETO, CORRECTIONS DIRECTOR*. Ct. Crim. App. Tex. Certiorari denied. *Livingston Hall* for petitioner. *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 *Hawthorne Phillips*, Executive Assistant Attorney General, for respondent.

No. 485, Misc. *PITTMAN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Jerome M. Feit*, and *Robert G. Maysack* for the United States. Reported below: 411 F. 2d 635.

No. 487, Misc. *ODES v. CITY OF CHICAGO*. C. A. 7th Cir. Certiorari denied.

No. 489, Misc. *KEMPLER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 491, Misc. *HARDISON v. UNITED STATES*. C. A. 2d Cir. Certiorari denied.

No. 492, Misc. *BOWEN v. LAVALLEE, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 497, Misc. *HENDERSON v. PATE, WARDEN, ET AL.* C. A. 7th Cir. Certiorari denied. Reported below: 409 F. 2d 507.

No. 501, Misc. *GRAY v. MICHIGAN*. Sup. Ct. Mich. Certiorari denied.

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No. 502, Misc. JARRETT *v.* BRITT ET AL. C. A. 4th Cir. Certiorari denied.

No. 504, Misc. JOHNSON *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. Reported below: 406 F. 2d 1111.

No. 508, Misc. HOWARD *v.* COPINGER, WARDEN, ET AL. C. A. 4th Cir. Certiorari denied.

No. 511, Misc. ROBERTS *v.* NEW YORK. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied.

No. 523, Misc. WALDO *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Mervyn Hamburg* for the United States.

No. 530, Misc. BOURASSA *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for the United States. Reported below: 411 F. 2d 69.

No. 539, Misc. LUGO *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 540, Misc. COURTNEY *v.* BISHOP, PENITENTIARY SUPERINTENDENT. C. A. 8th Cir. Certiorari denied. Reported below: 409 F. 2d 1185.

No. 541, Misc. RYAN *v.* DEEGAN, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 543, Misc. MILNE *v.* LAFLAMME. Sup. Ct. Vt. Certiorari denied.

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No. 544, Misc. MILNE *v.* SHELL OIL Co. Sup. Ct. Vt. Certiorari denied.

No. 554, Misc. WENSTLEY *v.* McMANN, WARDEN, ET AL. C. A. 2d Cir. Certiorari denied.

No. 555, Misc. BOYDEN *v.* CURTIS, U. S. DISTRICT JUDGE. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold* for respondent.

No. 562, Misc. KENNELLY *v.* DAVIS. Sup. Ct. Fla. Certiorari denied. *Irma Robbins Feder* for petitioner. *Mac Mermell* for respondent. Reported below: 221 So. 2d 415.

No. 563, Misc. LEE *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Roger A. Pauley* for the United States. Reported below: 411 F. 2d 1017.

No. 573, Misc. MOREFIELD *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 411 F. 2d 1186.

No. 576, Misc. DEMES *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied.

No. 578, Misc. GONZALES *v.* CALIFORNIA. Ct. App. Cal., 4th App. Dist. Certiorari denied.

No. 580, Misc. BURTON *v.* LLOYD, CORRECTIONAL SUPERINTENDENT. C. A. 9th Cir. Certiorari denied.

No. 585, Misc. WILLIAMS *v.* NEVADA. Sup. Ct. Nev. Certiorari denied. Reported below: 85 Nev. 169, 451 P. 2d 848.

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No. 588, Misc. CHISHOLM *v.* NEW YORK. Ct. App. N. Y. Certiorari denied. *Michael F. Dillon* for respondent.

No. 590, Misc. DURAN ET AL. *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for the United States. Reported below: 413 F. 2d 596.

No. 591, Misc. DAVIS *v.* GERNERT ET AL. C. A. 3d Cir. Certiorari denied.

No. 592, Misc. COLLETTE *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for the United States. Reported below: 411 F. 2d 596.

No. 598, Misc. PALMITER *v.* CALIFORNIA. Ct. App. Cal., 1st App. Dist. Certiorari denied. *Stephen W. Shaughnessy* for petitioner.

No. 601, Misc. MILANI *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Sidney M. Glazer* for the United States.

No. 602, Misc. NEELY *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied.

No. 612, Misc. BASS *v.* NORTH CAROLINA ET AL. C. A. 4th Cir. Certiorari denied.

No. 613, Misc. HOWARD *v.* NEW YORK. Ct. App. N. Y. Certiorari denied.

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No. 604, Misc. *GWIN v. HENDERSON, WARDEN*. C. A. 5th Cir. Certiorari denied. Reported below: 410 F. 2d 321.

No. 605, Misc. *TOMAILO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 609, Misc. *VILLAHERMOSA v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 411 F. 2d 599.

No. 623, Misc. *RESTREPO v. FLORIDA SUPREME COURT*. Sup. Ct. Fla. Certiorari denied.

No. 624, Misc. *THOMAS v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied. Reported below: 75 Wash. 2d 882, 454 P. 2d 202.

No. 626, Misc. *VALENTINE v. OHIO*. Sup. Ct. Ohio. Certiorari denied.

No. 627, Misc. *MARTINEZ v. OLIVER ET AL.* C. A. 9th Cir. Certiorari denied.

No. 628, Misc. *RUDICK v. LAIRD, SECRETARY OF DEFENSE, ET AL.* C. A. 2d Cir. Certiorari denied. *Leonard B. Boudin* for petitioner. *Solicitor General Griswold* for respondents. Reported below: 412 F. 2d 16.

No. 642, Misc. *ELKSNIS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 643, Misc. *COBB v. BURKE, WARDEN*. C. A. 7th Cir. Certiorari denied.

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No. 644, Misc. FRANKLIN *v.* SHORTMAN ET AL. C. A. 2d Cir. Certiorari denied. *Aaron Benenson* for respondent Shortman.

No. 646, Misc. HOLLAND *v.* NASOU, MEDICAL DIRECTOR, ET AL. C. A. D. C. Cir. Certiorari denied.

No. 647, Misc. WINN ET AL. *v.* UNITED STATES. C. A. 10th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 411 F. 2d 415.

No. 650, Misc. WRIGHT *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 654, Misc. BOGGUS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for the United States. Reported below: 411 F. 2d 110.

No. 662, Misc. HOLLEY *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 412 F. 2d 851.

No. 664, Misc. CLARK *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *J. Perry Langford* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, and Jerome M. Feit* for the United States. Reported below: 412 F. 2d 491.

No. 666, Misc. HOBBS *v.* BRANTLEY, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 667, Misc. CONYERS *v.* HEROLD, HOSPITAL DIRECTOR, ET AL. C. A. 2d Cir. Certiorari denied.

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No. 668, Misc. *PETERSON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Robert G. Maysack* for the United States. Reported below: 411 F. 2d 1074.

No. 669, Misc. *STEINLAUF v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 671, Misc. *ROCKERFELLER v. ARIZONA*. Ct. App. Ariz. Certiorari denied. Reported below: 9 Ariz. App. 265, 451 P. 2d 623.

No. 680, Misc. *CHASE v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Tom Karas* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 414 F. 2d 780.

No. 689, Misc. *ADAMS v. MINNESOTA*. C. A. 8th Cir. Certiorari denied. Reported below: 413 F. 2d 991.

No. 690, Misc. *SANFORD ET AL. v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *John C. Emery, Jr.*, for petitioners. *Solicitor General Griswold* for the United States.

No. 691, Misc. *WINTERS v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. *Moses M. Falk* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 412 F. 2d 140.

No. 694, Misc. *MINK v. BUCHKOE, WARDEN*. Sup. Ct. Mich. Certiorari denied.

No. 695, Misc. *MARTIN v. UNITED STATES ET AL.* C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold* for the United States et al.

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No. 696, Misc. HALL *v.* DEEGAN, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 697, Misc. LINTS *v.* NEW YORK. App. Div., Sup. Ct. N. Y., 3d Jud. Dept. Certiorari denied. Reported below: 31 App. Div. 2d 983, 299 N. Y. S. 2d 399.

No. 702, Misc. BROWN *v.* SWENSON, WARDEN. Sup. Ct. Mo. Certiorari denied.

No. 711, Misc. HARKINS *v.* CALIFORNIA. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 712, Misc. HALPERN *v.* FOLLETTE, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 728, Misc. GARZA *v.* CRAVEN, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 735, Misc. PEPITONE *v.* CALIFORNIA ET AL. Sup. Ct. Cal. Certiorari denied.

No. 741, Misc. SLEZIAK *v.* ALASKA. Sup. Ct. Alaska. Certiorari denied. Reported below: 454 P. 2d 252.

No. 751, Misc. TISNADO *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for the United States. Reported below: 412 F. 2d 401.

No. 754, Misc. WATKINS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for the United States. Reported below: 409 F. 2d 1382.

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No. 752, Misc. JAKALSKI *v.* ATTORNEY GENERAL OF THE UNITED STATES ET AL. C. A. 7th Cir. Certiorari denied. *Solicitor General Griswold* for respondents. Reported below: 409 F. 2d 494.

No. 755, Misc. WILSON *v.* MACBRIDE, CHIEF JUDGE, U. S. DISTRICT COURT. C. A. 9th Cir. Certiorari denied.

No. 756, Misc. THIBADOUX *v.* NEW YORK. C. A. 2d Cir. Certiorari denied.

No. 761, Misc. MARCUS *v.* DEEGAN, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 771, Misc. MULLIGAN *v.* NEW JERSEY ET AL. C. A. 3d Cir. Certiorari denied.

No. 774, Misc. IN RE SANCRANT ET AL. Sup. Ct. Ohio. Certiorari denied. *Harry Friberg* for the State of Ohio, respondent, in opposition.

No. 775, Misc. FLEISCHMAN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 412 F. 2d 523.

No. 800, Misc. LEYSITH *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for the United States. Reported below: 411 F. 2d 1184.

No. 801, Misc. STANCATO, DBA STANCATO SCHOOL OF ACCORDION, ET AL. *v.* SERVICE BUREAU CORP., SUBSIDIARY OF INTERNATIONAL BUSINESS MACHINES, INC. Sup. Ct. Cal. Certiorari denied. *Everett B. Clary* for respondent.

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No. 806, Misc. RICHMOND *v.* MANCUSI, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 807, Misc. MINOR *v.* COX, PENITENTIARY SUPERINTENDENT. C. A. 4th Cir. Certiorari denied.

No. 812, Misc. STUART *v.* CORAL GABLES FEDERAL SAVINGS & LOAN ASSN. Sup. Ct. Fla. Certiorari denied.

No. 814, Misc. BROADNAX *v.* CALIFORNIA ET AL. Ct. App. Cal., 3d App. Dist. Certiorari denied.

No. 837, Misc. LEWIS *v.* NEW JERSEY. C. A. 3d Cir. Certiorari denied. Reported below: 411 F. 2d 414.

No. 893, Misc. POWERS *v.* UNITED STATES. C. A. 1st Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Leonard H. Dickstein* for the United States. Reported below: 413 F. 2d 834.

No. 933, Misc. MASSENGALE *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold, Acting Assistant Attorney General Ugast, and Gilbert E. Andrews* for respondent. Reported below: 408 F. 2d 1373.

No. 324, Misc. CRAWFORD *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. MR. JUSTICE STEWART is of the opinion that certiorari should be granted. *Solicitor General Griswold* for the United States.

No. 510, Misc. CACHOIAN *v.* MITCHELL, ATTORNEY GENERAL. C. A. D. C. Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Solicitor General Griswold* for respondent.

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No. 818, Misc. *WOOD v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Solicitor General Griswold* for the United States. Reported below: 413 F. 2d 437.

No. 687, Misc. *LONG v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. *Solicitor General Griswold* for the United States.

No. 731, Misc. *O'CONNOR v. RODGERS, JAIL SUPERINTENDENT*. C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. *Solicitor General Griswold* for respondent.

Rehearing Denied

No. 496, October Term, 1967. *WIEN ALASKA AIRLINES, INC. v. UNITED STATES*, 389 U. S. 940; and

No. 313, Misc., October Term, 1968. *SMITH v. UNITED STATES*, 393 U. S. 885. Motions for leave to file petitions for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of these motions.

No. —. *ANDERSON v. RAIMONDI, ante*, p. 805. Petition for rehearing denied.

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Miscellaneous Orders

No. 85. *ASSOCIATION OF DATA PROCESSING SERVICE ORGANIZATIONS, INC., ET AL. v. CAMP, COMPTROLLER OF THE CURRENCY OF THE UNITED STATES, ET AL.* C. A. 8th Cir. [Certiorari granted, 395 U. S. 976.] Motion of petitioners for additional time for oral argument denied. *Bert M. Gross* on the motion.

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No. —. STEWART *v.* UNITED STATES. C. A. 2d Cir. Application for stay of removal pending appeal presented to MR. JUSTICE DOUGLAS, and by him referred to the Court, denied. THE CHIEF JUSTICE took no part in the consideration or decision of this application. *Herbert Monte Levy* for applicant. *Solicitor General Griswold* in opposition.

No. 135. WALZ *v.* TAX COMMISSION OF THE CITY OF NEW YORK. Appeal from Ct. App. N. Y. [Probable jurisdiction noted, 395 U. S. 957.] Motion of National Jewish Commission on Law and Public Affairs for leave to file a brief as *amicus curiae* granted. Motion of Society of Separationists, Inc., et al., for leave to participate in oral arguments as *amici curiae* denied. *Nathan Lewin* and *Julius Berman* on the motion for National Jewish Commission on Law and Public Affairs.

No. 249. BARLOW ET AL. *v.* COLLINS, EXECUTIVE DIRECTOR, ALABAMA AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE, ET AL. C. A. 5th Cir. [Certiorari granted, 395 U. S. 958.] Motion of Harold Edgar for leave to argue *pro hac vice* granted. *Lee A. Albert* on the motion.

No. 520. CITY OF SHERIDAN ET AL. *v.* UNITED STATES ET AL. Appeal from D. C. Wyo. Motion to advance denied. *C. C. Sheldon*, Assistant Attorney General of Nebraska, *Gordon P. MacDougall*, and *William G. Mahoney* for appellants on the motion. Reported below: 303 F. Supp. 990.

No. 713, Misc. GROSS *v.* JUDGES OF THE UNITED STATES COURT OF APPEALS FOR THE SIXTH CIRCUIT. Motion for leave to file petition for writ of mandamus denied. *Solicitor General Griswold* in opposition.

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No. 533, Misc. *KLINES v. FITZHARRIS, TRAINING FACILITY SUPERINTENDENT, ET AL.*;

No. 758, Misc. *WOLENSKI v. SHOVLIN, STATE HOSPITAL SUPERINTENDENT*;

No. 841, Misc. *HAYES v. WAINWRIGHT, CORRECTIONS DIRECTOR*;

No. 889, Misc. *PARK v. CALIFORNIA ADULT AUTHORITY ET AL.*; and

No. 906, Misc. *GARNER v. YEAGER, PRINCIPAL KEEPER, ET AL.* Motions for leave to file petitions for writs of habeas corpus denied.

No. 877, Misc. *WION v. WILLINGHAM, WARDEN.* Motion for leave to file petition for writ of habeas corpus and other relief denied.

*Certiorari Granted**

No. 476. *SEARS, ROEBUCK & CO. v. CARPET, LINOLEUM, SOFT TILE & RESILIENT FLOOR COVERING LAYERS, LOCAL UNION No. 419, AFL-CIO, ET AL.* C. A. 10th Cir. Motion of American Retail Federation for leave to file a brief as *amicus curiae* granted. Motion of Terminal Freight Handling Co. et al. for leave to file a brief as *amici curiae* granted. Certiorari granted. *Gerard C. Smetana* and *Alan Raywid* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, Norton J. Come, and Linda Sher* for respondent *Waers, NLRB Regional Director. Brice I. Bishop* and *Phil B. Hammond* for American Retail Federation as *amicus curiae* in support of the petition. *Charles C. Kieffer* for Terminal Freight Handling Co. et al. as *amici curiae* in support of the petition. Reported below: 410 F. 2d 1148.

*[REPORTER'S NOTE: An order granting certiorari in No. 524, *Carlos v. New York*, issued on November 17, 1969, was revoked the same day.]

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Certiorari Denied. (See also No. 509, *ante*, p. 39; and No. 526, *ante*, p. 40.)

No. 239. COLLETTI ET AL. *v.* ILLINOIS. App. Ct. Ill., 2d Dist. *Certiorari denied.* *Julius Lucius Echeles* for petitioner *Colletti*. *William J. Scott*, Attorney General of Illinois, and *Joel M. Flaum* and *Thomas J. Immel*, Assistant Attorneys General, for respondent. Reported below: 101 Ill. App. 2d 51, 242 N. E. 2d 63.

No. 340. LUDWIG *v.* FLORIDA. Dist. Ct. App. Fla., 3d Dist. *Certiorari denied.* *Gerald Kogan* for petitioner. *Earl Faircloth*, Attorney General of Florida, and *Melvin B. Grossman*, Assistant Attorney General, for respondent. Reported below: 215 So. 2d 898.

No. 486. BRAWNER *v.* SMITH, WARDEN. Sup. Ct. Ga. *Certiorari denied.* *Jack Greenberg*, *Norman C. Amaker*, and *Howard Moore, Jr.*, for petitioner. *Arthur K. Bolton*, Attorney General of Georgia, *Harold N. Hill, Jr.*, Executive Assistant Attorney General, and *Marion O. Gordon* and *Courtney Wilder Stanton*, Assistant Attorneys General, for respondent. Reported below: 225 Ga. 296, 167 S. E. 2d 753.

No. 505. JERNIGAN *v.* UNITED STATES. C. A. 5th Cir. *Certiorari denied.* *E. Coleman Madsen* and *John L. Briggs* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Walters*, *Joseph M. Howard*, and *John M. Brant* for the United States. Reported below: 411 F. 2d 471.

No. 506. BAKER OIL TOOLS, INC. *v.* KIVA CORP. C. A. 5th Cir. *Certiorari denied.* *Oscar A. Mellin* and *Carlisle M. Moore* for petitioner. *Allan D. Montgomery* and *Jerry J. Dunlap* for respondent. Reported below: 412 F. 2d 546.

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No. 503. SAWYER ET AL. *v.* ILLINOIS. Sup. Ct. Ill. Certiorari denied. *Robert S. Bailey* for petitioners. Reported below: 42 Ill. 2d 294, 251 N. E. 2d 230.

No. 507. BAY SOUND TRANSPORTATION CO. ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *John A. Bailey* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Walters*, and *Elmer J. Kelsey* for the United States. Reported below: 410 F. 2d 505.

No. 510. FLORIDA CITRUS EXPOSITION, INC., AKA FLORIDA CITRUS SHOWCASE, INC. *v.* HUNGERFORD CONSTRUCTION CO. ET AL.; and

No. 588. HUNGERFORD CONSTRUCTION CO. ET AL. *v.* FLORIDA CITRUS EXPOSITION, INC., AKA FLORIDA CITRUS SHOWCASE, INC. C. A. 5th Cir. Certiorari denied. *J. A. McClain, Jr.*, for petitioner in No. 510 and for respondent in No. 588. *Anthony S. Battaglia* and *Raymond J. Malloy* for respondents in No. 510 and for petitioners in No. 588. Reported below: 410 F. 2d 1229.

No. 511. PRUDENTIAL INSURANCE CO. OF AMERICA *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 2d Cir. Certiorari denied. *Jerome Ackerman* and *William H. Allen* for petitioner. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli*, and *Norton J. Come* for respondent. Reported below: 412 F. 2d 77.

No. 512. BOWIE ET AL. *v.* BOARD OF COUNTY COMMISSIONERS OF HOWARD COUNTY ET AL. Ct. App. Md. Certiorari denied. *Earl L. Carey, Jr.*, and *Harry Goldman, Jr.*, for petitioners. *John Martin Jones, Jr.*, *Francis M. Shea*, and *William H. Dempsey, Jr.*, for respondents Howard Research & Development Corp. et al. Reported below: 253 Md. 602, 253 A. 2d 727.

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No. 514. *RAMIREZ v. UNITED STATES IMMIGRATION AND NATURALIZATION SERVICE*. C. A. D. C. Cir. Certiorari denied. *David Carliner* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Roger A. Pauley* for respondent. Reported below: 134 U. S. App. D. C. 131, 413 F. 2d 405.

No. 517. *LUMAN v. TANZLER ET AL.* C. A. 5th Cir. Certiorari denied. *Robert P. Smith, Jr.*, for petitioner. *William Lee Allen and Claude L. Mullis, Sr.*, for respondents. Reported below: 411 F. 2d 164.

No. 518. *HENDLER ET AL. v. WOLOZIN ET AL.* App. Ct. Ill., 1st Dist. Certiorari denied. *Leo S. Karlin* for petitioners. *Alvin G. Hubbard* for Wolozin et al., and *Jerome F. Dixon and George J. Schaller* for Chicago Transit Authority et al., respondents. Reported below: 105 Ill. App. 2d 132, 245 N. E. 2d 74.

No. 521. *FIDANZI v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Julius Lucius Echeles* for petitioner. *Solicitor General Griswold, Assistant Attorney General Walters, and Joseph M. Howard* for the United States. Reported below: 411 F. 2d 1361.

No. 523. *TRI-VALLEY GROWERS, FORMERLY TRI-VALLEY PACKING ASSN. v. FEDERAL TRADE COMMISSION*. C. A. 9th Cir. Certiorari denied. *Ricardo J. Hecht* for petitioner. *Solicitor General Griswold, Assistant Attorney General McLaren, Howard E. Shapiro, Henry Osterman, and Harold D. Rhynedance, Jr.*, for respondent. Reported below: 411 F. 2d 985.

No. 525. *WELLING v. WELLING*. App. Ct. Ind. Certiorari denied. *John H. Baldwin* for petitioner. Reported below: — Ind. App. —, 245 N. E. 2d 173.

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No. 519. *IN RE BRICKER*. Ct. App. N. Y. Certiorari denied. *Melvin L. Wulf* for petitioner. *Louis J. Lefkowitz*, Attorney General of New York, *Samuel A. Hirshowitz*, First Assistant Attorney General, and *Daniel M. Cohen*, Assistant Attorney General, for the Committee on Character and Fitness in opposition.

No. 196. *ECKERSTROM v. FIELD, MEN'S COLONY SUPERINTENDENT, ET AL.* Sup. Ct. Cal. Motion to dispense with printing the petition granted. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Jack K. Weber*, Deputy Attorney General, for respondents.

No. 292. *FULLER v. ARKANSAS*. Sup. Ct. Ark. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Robert G. Brockmann* and *Fletcher Jackson* for petitioner. *Joe Purcell*, Attorney General of Arkansas, and *Don Langston*, Deputy Attorney General, for respondent. Reported below: 246 Ark. 681, 439 S. W. 2d 801.

No. 522. *SPILLMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Philip M. Haggerty* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Jerome M. Feit*, and *Roger A. Pauley* for the United States. Reported below: 413 F. 2d 527.

No. 138, Misc. *MITCHELL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Edward Fenig* for the United States. Reported below: 408 F. 2d 996.

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No. 432. RAY *v.* CITY OF PRICHARD. Ct. App. Ala. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Jack Greenberg, James M. Nabrit III, and Melvyn Zarr* for petitioner. *Mayer W. Perloff* for respondent. Reported below: — Ala. App. —, 222 So. 2d 345.

No. 122, Misc. MEAD *v.* GRUDE. C. A. 9th Cir. Certiorari denied.

No. 369, Misc. MONTS *v.* HENDERSON, WARDEN. C. A. 6th Cir. Certiorari denied. *George F. McCanless*, Attorney General of Tennessee, for respondent. Reported below: 409 F. 2d 17.

No. 376, Misc. ALONZO *v.* ALABAMA. Sup. Ct. Ala. Certiorari denied. Reported below: 283 Ala. 607, 219 So. 2d 858.

No. 416, Misc. SOSTRE *v.* JENSEN. C. A. 2d Cir. Certiorari denied. *Solicitor General Griswold* for respondent.

No. 468, Misc. HALLOCK *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Bruce R. Jacob* for petitioner. *Solicitor General Griswold* for the United States.

No. 536, Misc. MATHEWSON *v.* McGRATH, TRUSTEE. C. A. 3d Cir. Certiorari denied. Reported below: 406 F. 2d 406.

No. 558, Misc. WALDEN ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for the United States. Reported below: 411 F. 2d 1109.

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No. 520, Misc. *ALMOND v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for the United States.

No. 552, Misc. *AMASS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Benjamin Vinar* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for the United States. Reported below: 413 F. 2d 272.

No. 561, Misc. *BROWN v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *William M. Kunstler, Arthur Kinoy, Murphy Bell, Howard Moore, Jr., Morton Stavis, and Dennis J. Roberts* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for the United States. Reported below: 410 F. 2d 212.

No. 565, Misc. *WITT v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *J. Perry Langford* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Jerome M. Feit* for the United States. Reported below: 413 F. 2d 303.

No. 574, Misc. *ELKSNIS v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 634, Misc. *SMITH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 413 F. 2d 975.

No. 638, Misc. *FRYE v. PENNSYLVANIA*. Sup. Ct. Pa. Certiorari denied. Reported below: 433 Pa. 473, 252 A. 2d 580.

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No. 572, Misc. *RAYSOR v. PENNSYLVANIA*. C. A. 3d Cir. Certiorari denied.

No. 693, Misc. *HELSEL v. HARRISON, CORRECTIONS DIRECTOR*. C. A. 6th Cir. Certiorari denied.

No. 703, Misc. *WINDES v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for the United States. Reported below: 413 F. 2d 1407.

No. 714, Misc. *THERIAULT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 409 F. 2d 1313.

No. 723, Misc. *LICO v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 7th Cir. Certiorari denied. *Richard W. Lowery* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for respondent.

No. 740, Misc. *MELFA ET AL. v. A. S. ABELL Co.* Ct. App. Md. Certiorari denied. *Leonard J. Kerpelman* for petitioners. *Francis D. Murnaghan, Jr., Joseph H. H. Kaplan, and Alan M. Wilner* for respondent.

No. 745, Misc. *MOORE v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. *Frank S. Hogan and William C. Donnino* for respondent. Reported below: 32 App. Div. 2d 515, 299 N. Y. S. 2d 532.

No. 764, Misc. *FREEMAN v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 410 F. 2d 1209.

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No. 739, Misc. PEARCE *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 412 F. 2d 895.

No. 746, Misc. WRIGHT *v.* NORTH CAROLINA. Sup. Ct. N. C. Certiorari denied. *Wade H. Penny, Jr.*, for petitioner. *Robert Morgan*, Attorney General of North Carolina, and *Bernard A. Harrell*, Assistant Attorney General, for respondent. Reported below: 275 N. C. 242, 166 S. E. 2d 681.

No. 767, Misc. HASTON *v.* CALIFORNIA. Super. Ct. Cal., County of Los Angeles. Certiorari denied.

No. 798, Misc. FERRELL *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. *Thurman L. Dodson* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Jerome M. Feit*, and *Roger A. Pauley* for the United States.

No. 817, Misc. BURGE *v.* TEXAS. Ct. Crim. App. Tex. Certiorari denied. *Emmett Colvin, Jr.*, for petitioner. *Crawford C. Martin*, Attorney General of Texas, *Nola White*, First Assistant Attorney General, *Hawthorne Phillips*, Executive Assistant Attorney General, and *Sam L. Jones, Jr.*, and *Robert C. Flowers*, Assistant Attorneys General, for respondent. Reported below: 443 S. W. 2d 720.

No. 821, Misc. BANDY *v.* UNITED STATES PAROLE BOARD. C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold* for respondent.

No. 823, Misc. YOUNG *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

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No. 796, Misc. *TUDOR v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied.

No. 822, Misc. *RODRIGUEZ v. CRAVEN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 826, Misc. *ROLAND v. CALIFORNIA*. Ct. App. Cal., 5th App. Dist. Certiorari denied. Reported below: 270 Cal. App. 2d 639, 76 Cal. Rptr. 72.

No. 829, Misc. *FEAR v. JOHNSON, WARDEN, ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 413 F. 2d 88.

No. 832, Misc. *LOPEZ v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 271 Cal. App. 2d 754, 77 Cal. Rptr. 59.

No. 833, Misc. *BARRETT v. McMANN, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 834, Misc. *CARMAN v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied.

No. 835, Misc. *ORTIZ v. BAKER, WARDEN*. C. A. 10th Cir. Certiorari denied. Reported below: 411 F. 2d 263.

No. 836, Misc. *ADAMS v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 839, Misc. *WARD v. CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 850, Misc. *LUDLOW v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied.

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No. 844, Misc. SMITH ET AL. v. UNITED STATES. C. A. D. C. Cir. Certiorari denied. *Edwin Jason Dryer* for petitioners. *Solicitor General Griswold* for the United States. Reported below: 135 U. S. App. D. C. 284, 418 F. 2d 1120.

No. 848, Misc. RUDERER v. MEYER ET AL. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold* for respondents. Reported below: 413 F. 2d 175.

No. 857, Misc. JEFFERSON v. PEERLESS PUMPS HYDRODYNAMIC, DIVISION OF FMC CORP. C. A. 9th Cir. Certiorari denied. *Earl Johnson, Jr.*, for petitioner. *Leonard S. Janofsky* for respondent.

No. 882, Misc. HENDERSON v. PENNSYLVANIA ET AL. Sup. Ct. Pa. Certiorari denied. Reported below: 433 Pa. 585, 253 A. 2d 109.

No. 409, Misc. SOLOMON v. MANCUSI, WARDEN. C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Herald Price Fahringer* for petitioner. *Louis J. Lefkowitz*, Attorney General of New York, *Samuel A. Hirshowitz*, First Assistant Attorney General, and *Hillel Hoffman*, Assistant Attorney General, for respondent. Reported below: 412 F. 2d 88.

No. 538, Misc. HILBRICH v. UNITED STATES. C. A. 7th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Albert Ritchie* and *David Boyd* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Jerome M. Feit* for the United States. Reported below: 406 F. 2d 850.

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No. 913, Misc. *SPAIN v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 24 N. Y. 2d 550, 249 N. E. 2d 383.

No. 917, Misc. *DEWEY v. NEW YORK*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied.

Rehearing Denied

No. 847, Misc., October Term, 1967. *BOGART v. CALIFORNIA*, 390 U. S. 929. Motion for leave to file petition for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this motion.

No. 353, October Term, 1968. *RATCLIFF v. BRUCE ET AL.*, 393 U. S. 848, 956. Petition for rehearing from denial of motion for reinstatement of the petition for writ of certiorari [*ante*, p. 872] denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

No. 948, Misc., October Term, 1968. *MURRAY v. MACY, CHAIRMAN, U. S. CIVIL SERVICE COMMISSION, ET AL.*, 393 U. S. 1041. Motion for leave to file petition for rehearing and other relief denied. THE CHIEF JUSTICE took no part in the consideration or decision of this motion.

- No. 119. *LARIS v. PENNSYLVANIA*, *ante*, p. 849;
No. 229. *DOBBINS ET AL. v. UNITED STATES*, *ante*, p. 829;
No. 313. *KALISH v. UNITED STATES*, *ante*, p. 835;
No. 324. *SHIKARA v. MARYLAND CASUALTY Co.*, *ante*, p. 8; and
No. 332. *BERNE v. GOVERNMENT OF THE VIRGIN ISLANDS*, *ante*, p. 837. Petitions for rehearing denied.

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No. 93, Misc. HEIRENS *v.* PATE, WARDEN, *ante*, p. 853;

No. 106, Misc. MILLER *v.* UNITED STATES, *ante*, p. 854;

No. 166, Misc. ROWLES *v.* MYERS ET AL., *ante*, p. 856;

No. 176, Misc. PATTERSON *v.* WAINWRIGHT, CORRECTIONS DIRECTOR, *ante*, p. 857; and

No. 250, Misc. BOOKER *v.* UNITED STATES, *ante*, p. 862. Petitions for rehearing denied.

NOVEMBER 18, 1969

Dismissal Under Rule 60

No. 258, Misc. McBRIDE *v.* UNITED STATES. C. A. 10th Cir. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for the United States. Reported below: 409 F. 2d 1046.

NOVEMBER 19, 1969

Dismissal Under Rule 60

No. 484. GORDON *v.* UNITED STATES. C. A. 5th Cir. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *Fred A. Semaan and James R. Gillespie* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Edward Fenig* for the United States. Reported below: 410 F. 2d 1121.

NOVEMBER 21, 1969

Dismissal Under Rule 60

No. 265. BODDIE ET AL. *v.* CONNECTICUT ET AL. Appeal from D. C. Conn. [Probable jurisdiction noted, 395 U. S. 974.] Appeal as to appellant Perez dismissed pursuant to Rule 60 of the Rules of this Court. Reported below: 286 F. Supp. 968.

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NOVEMBER 24, 1969

Miscellaneous Orders

No. 887, Misc. *PARK v. NELSON, WARDEN, ET AL.*;

No. 989, Misc. *STERNGASS v. FITZPATRICK, WARDEN*;
and

No. 1049, Misc. *SANDERS v. DEEGAN, WARDEN*. Motions for leave to file petitions for writs of habeas corpus denied.

No. 293, Misc. *BOWMAN v. KROPP, WARDEN, ET AL.* Motion for leave to file petition for writ of mandamus denied. *Frank J. Kelley*, Attorney General of Michigan, *Robert A. Derengoski*, Solicitor General, and *Stewart H. Freeman*, Assistant Attorney General, in opposition.

Certiorari Denied

No. 117. *WALLACE v. WALLACE*. Sup. Ct. Ga. Certiorari denied. *Wesley R. Asinof* for petitioner. Reported below: 225 Ga. 102, 166 S. E. 2d 718.

No. 530. *SARELLI v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. *Julius Lucius Echeles* for petitioner. Reported below: 105 Ill. App. 2d 167, 245 N. E. 2d 49.

No. 531. *OCCIDENTAL LIFE INSURANCE COMPANY OF CALIFORNIA v. BOB LE ROY'S, INC.* C. A. 5th Cir. Certiorari denied. *James F. Hulse* for petitioner. *William Duncan* and *James F. Garner* for respondent. Reported below: 413 F. 2d 819.

No. 537. *TRANSAMERICAN FREIGHT LINES, INC., ET AL. v. NEW YORK*. Ct. App. N. Y. Certiorari denied. *Abraham Breitbart* for petitioners. *Sidney Goldstein* and *Lewis Rosenberg* for respondent. Reported below: 24 N. Y. 2d 727, 249 N. E. 2d 880.

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No. 534. *CARVEL CORP. v. GRISWOLD, TRUSTEE IN BANKRUPTCY, ET AL.* C. A. 1st Cir. Certiorari denied. *Leonard Toboroff* for petitioner. *George D. Reycraft* for respondents. Reported below: 408 F. 2d 1338.

No. 538. *MILLER v. MILLER.* Sup. Ct. Conn. Certiorari denied. *P. Lawrence Epifanio* and *James F. Bingham* for petitioner. Reported below: 158 Conn. 217, 258 A. 2d 89.

No. 541. *MISSISSIPPI-ALABAMA STATE FAIR v. MISSISSIPPI STATE TAX COMMISSION.* Sup. Ct. Miss. Certiorari denied. *Thomas Y. Minniece* for petitioner. *John E. Stone, Robert Taylor Carlisle,* and *James E. Williams* for respondent. Reported below: 222 So. 2d 664.

No. 543. *POSEY v. CLARK EQUIPMENT Co.* C. A. 7th Cir. Certiorari denied. *Dean A. Robb* for petitioner. *Martin J. Flynn* for respondent. Reported below: 409 F. 2d 560.

No. 545. *CLARKSDALE MUNICIPAL SEPARATE SCHOOL DISTRICT ET AL. v. HENRY ET AL.* C. A. 5th Cir. Certiorari denied. *Hardy Lott* for petitioners. Reported below: 409 F. 2d 682.

No. 547. *CARNATION Co. v. GENERAL FOODS CORP., INC.* C. A. 7th Cir. Certiorari denied. *Richard R. Trexler* for petitioner. *Arthur G. Connolly* for respondent. Reported below: 411 F. 2d 528.

No. 548. *NASH v. UNITED STATES.* C. A. 2d Cir. Certiorari denied. *Jerome J. Londin* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 414 F. 2d 234.

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No. 549. *BUSCAGLIA, DIRECTOR, DIVISION OF SALES TAX, ERIE COUNTY, ET AL. v. LIBERTY NATIONAL BANK & TRUST CO.* Ct. App. N. Y. Certiorari denied. *Louis J. Lefkowitz*, Attorney General of New York, *Ruth Kessler Toch*, Solicitor General, and *Robert W. Bush*, Assistant Attorney General, for petitioners. *Manly Fleischmann* for respondent. Brief of *amici curiae* in support of the petition was filed by: *Robert K. Killian*, Attorney General, and *F. Michael Ahern*, Assistant Attorney General, for the State of Connecticut; *Earl Faircloth*, Attorney General, and *Winifred Wentworth*, Assistant Attorney General, for the State of Florida; *Arthur J. Sills*, Attorney General, and *Charles Landesman*, Assistant Attorney General, for the State of New Jersey; and *William C. Sennett*, Attorney General, and *John Gaines*, Assistant Attorney General, for the State of Pennsylvania. Reported below: 25 N. Y. 2d 776, 250 N. E. 2d 582.

No. 121. *PRESSMAN v. CITY OF PLAINFIELD ET AL.* Super. Ct. N. J. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Stanley J. Reiben* for petitioner. *William A. Dreier* and *Edward W. Beglin, Jr.*, for respondents.

No. 158. *SULTON ET UX. v. SCHOEN ET AL.* C. A. 4th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Jack Greenberg*, *Norman C. Amaker*, *Melvyn Zarr*, and *Anthony G. Amsterdam* for petitioners. *Elsbeth Levy Bothe* and *Ronald A. Willoner* for respondents. Reported below: 411 F. 2d 793.

No. 495, Misc. *LOCKHART v. HOENSTINE, PROTHONOTARY, SUPERIOR COURT OF PENNSYLVANIA.* C. A. 3d Cir. Certiorari denied. Reported below: 411 F. 2d 455.

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No. 554. CHAMBERS *v.* BEAUCHAMP, ADMINISTRATOR, ET AL. Sup. Ct. N. M. Certiorari denied. *J. Redwine Patterson* for petitioner. *Merrill L. Norton* for respondents. Reported below: 80 N. M. 290, 454 P. 2d 772.

No. 318. HAMER ET AL. *v.* ELY ET AL. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Morton Stavis, William M. Kunstler, Arthur Kinoy, Benjamin E. Smith,* and *Alvin J. Bronstein* for petitioners. *A. F. Summer*, Attorney General of Mississippi, and *Will S. Wells*, Assistant Attorney General, for respondents. Reported below: 410 F. 2d 152.

No. 533. COX, PENITENTIARY SUPERINTENDENT *v.* JONES ET AL. C. A. 4th Cir. Motion of respondents for leave to proceed *in forma pauperis* granted. Certiorari denied. *Robert Y. Button*, Attorney General of Virginia, and *Reno S. Harp III* and *W. Luke Witt*, Assistant Attorneys General, for petitioner. Reported below: 411 F. 2d 857.

No. 550. JACKSON ET VIR *v.* GENERAL MOTORS CORP., OLDSMOBILE DIVISION. Sup. Ct. Tenn. Motion to dispense with printing petition granted. Certiorari denied. *Leo J. Buchignani* for respondent. Reported below: — Tenn. —, 441 S.W. 2d 482.

No. 160, Misc. JACKSON *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *Albert W. Harris, Jr.*, Assistant Attorney General, and *Derald E. Granberg*, Deputy Attorney General, for respondent.

No. 534, Misc. BORREGG *v.* GABBA, GUARDIAN. Ct. App. Cal., 3d App. Dist. Certiorari denied.

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No. 179, Misc. BROWN *v.* WAINWRIGHT, CORRECTIONS DIRECTOR. Sup. Ct. Fla. Certiorari denied. *Earl Faircloth*, Attorney General of Florida, and *J. Christian Meffert*, Assistant Attorney General, for respondent.

No. 467, Misc. SIMS *v.* LANE, WARDEN. C. A. 7th Cir. Certiorari denied. *Theodore L. Sendak*, Attorney General of Indiana, and *William F. Thompson*, Deputy Attorney General, for respondent. Reported below: 411 F. 2d 661.

No. 526, Misc. STEWART *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *J. Paul Lowery* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Kirby W. Paterson* for the United States. Reported below: 412 F. 2d 818.

No. 586, Misc. ROME *v.* FINCH, SECRETARY OF HEALTH, EDUCATION, AND WELFARE. C. A. 5th Cir. Certiorari denied. Reported below: 409 F. 2d 1329.

No. 597, Misc. JELINSKI *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Floyd McGown, Jr.*, for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Roger A. Pauley* for the United States. Reported below: 411 F. 2d 476.

No. 618, Misc. AYERS *v.* CICCONE, MEDICAL CENTER DIRECTOR. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold* for respondent. Reported below: 413 F. 2d 1049.

No. 658, Misc. LANE *v.* PUCCI ET AL. C. A. 7th Cir. Certiorari denied.

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No. 631, Misc. *LIZARRAGA v. UNDERWOOD ET AL.* C. A. 5th Cir. Certiorari denied. *W. Edward Morgan* for petitioner. *Solicitor General Griswold* for respondents. Reported below: 406 F. 2d 1253.

No. 633, Misc. *CAMACHO v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *John P. Frank* and *John J. Flynn* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 407 F. 2d 39.

No. 639, Misc. *McEVERS v. WASHINGTON.* Sup. Ct. Wash. Certiorari denied. Reported below: 76 Wash. 2d 34, 454 P. 2d 832.

No. 653, Misc. *ARRINGTON v. MAXWELL, WARDEN.* C. A. 6th Cir. Certiorari denied. *James R. Willis* for petitioner. *Paul W. Brown*, Attorney General of Ohio, and *Leo J. Conway* and *Stephen M. Miller*, Assistant Attorneys General, for respondent. Reported below: 409 F. 2d 849.

No. 659, Misc. *McFADDEN v. DIRECTOR, DEPARTMENT OF PUBLIC SAFETY, SPRINGFIELD, ILLINOIS.* C. A. 7th Cir. Certiorari denied.

No. 681, Misc. *NUS v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. *Crawford C. Martin*, Attorney General of Texas, and *Lonny F. Zwiener* and *Hawthorne Phillips*, Assistant Attorneys General, for respondent. Reported below: 440 S. W. 2d 310.

No. 733, Misc. *SIMONS v. PATE, WARDEN.* C. A. 7th Cir. Certiorari denied.

No. 743, Misc. *DICKERSON v. MICHIGAN.* Sup. Ct. Mich. Certiorari denied.

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No. 684, Misc. JONES, AKA ALEXANDER *v.* OHIO. Ct. App. Ohio, Hamilton County. Certiorari denied. *Melvin G. Rueger* and *Leonard Kirschner* for respondent.

No. 688, Misc. SLAUGHTER *v.* TEXAS. Ct. Crim. App. Tex. Certiorari denied. Reported below: 439 S. W. 2d 836.

No. 732, Misc. RHODES *v.* ARIZONA. Sup. Ct. Ariz. Certiorari denied. Reported below: 104 Ariz. 451, 454 P. 2d 993.

No. 757, Misc. SHUFORD *v.* MANCUSI, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 762, Misc. FOREMAN *v.* COX, PENITENTIARY SUPERINTENDENT. C. A. 4th Cir. Certiorari denied.

No. 773, Misc. BENTHIEM *v.* UNITED STATES DISTRICT COURT FOR THE DISTRICT OF PUERTO RICO. C. A. 1st Cir. Certiorari denied. *Solicitor General Griswold* in opposition.

No. 782, Misc. WOLFF *v.* FOLEY. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 785, Misc. WESSLING *v.* BENNETT, WARDEN. C. A. 8th Cir. Certiorari denied. Reported below: 410 F. 2d 205.

No. 819, Misc. KOVACH, EXECUTRIX *v.* NOYES ET AL. Ct. App. Cal., 2d App. Dist. Certiorari denied. *James C. Bigler* for respondent Goodman.

No. 853, Misc. BARBER *v.* OKLAHOMA. Ct. Crim. App. Okla. Certiorari denied.

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No. 852, Misc. ROBINSON *v.* ILLINOIS. Sup. Ct. Ill. Certiorari denied. Reported below: 42 Ill. 2d 371, 247 N. E. 2d 898.

No. 856, Misc. BAHR *v.* BREWER, WARDEN. Sup. Ct. Iowa. Certiorari denied.

No. 858, Misc. WINEGAR *v.* MICHIGAN. Sup. Ct. Mich. Certiorari denied.

No. 861, Misc. WATKINS *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 863, Misc. PARTON *v.* NEWELL, SHERIFF. C. A. 6th Cir. Certiorari denied. *David M. Pack*, Attorney General of Tennessee, and *Thomas E. Fox*, Deputy Attorney General, for respondent.

No. 871, Misc. BALLARD ET AL. *v.* HUGHES, U. S. DISTRICT JUDGE. C. A. 5th Cir. Certiorari denied.

No. 879, Misc. NEAL *v.* CALIFORNIA. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 880, Misc. MINTZER *v.* SHIVITZ, TRUSTEE IN BANKRUPTCY. C. A. 2d Cir. Certiorari denied.

No. 883, Misc. SHEER *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Nicholas J. Capuano* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, and *Philip R. Monahan* for the United States. Reported below: 414 F. 2d 122.

No. 886, Misc. VASQUEZ *v.* JONES. Sup. Ct. Cal. Certiorari denied.

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No. 914, Misc. HOAG *v.* NELSON, WARDEN. Sup. Ct. Cal. Certiorari denied.

No. 920, Misc. ROBINS *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. Reported below: 413 F. 2d 1290.

No. 922, Misc. MANOLOTO *v.* IMMIGRATION AND NATURALIZATION SERVICE. C. A. 7th Cir. Certiorari denied. *Richard W. Lowery* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, and Jerome M. Feit* for respondent.

No. 952, Misc. SPELLER *v.* COX, PENITENTIARY SUPERINTENDENT. C. A. 4th Cir. Certiorari denied.

No. 956, Misc. HILBERT *v.* McMANN, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 957, Misc. TUCKER *v.* BETO, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied.

No. 959, Misc. DAUGHERTY *v.* UNITED STATES ET AL. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold* for respondents.

No. 961, Misc. KENDRICK *v.* CALIFORNIA ET AL. Sup. Ct. Cal. Certiorari denied.

No. 962, Misc. BURKS *v.* PATE, WARDEN. C. A. 7th Cir. Certiorari denied.

No. 978, Misc. CANTRELL *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, and Jerome M. Feit* for the United States. Reported below: 413 F. 2d 629.

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No. 971, Misc. JONES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Robert G. Maysack* for the United States. Reported below: 415 F. 2d 753.

No. 979, Misc. MANUEL *v.* MANUEL. Ct. App. Cal., 1st App. Dist. Certiorari denied.

No. 984, Misc. BATES *v.* NEW YORK. C. A. 2d Cir. Certiorari denied.

No. 993, Misc. LEWIS *v.* MANCUSI, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 997, Misc. BENNETT *v.* CALIFORNIA. Super. Ct. Cal., County of Sacramento. Certiorari denied.

No. 1002, Misc. HECTOR *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied.

No. 1005, Misc. DOMER *v.* SMITH, WARDEN. C. A. 7th Cir. Certiorari denied. *Solicitor General Griswold* for respondent. Reported below: 412 F. 2d 199.

No. 651, Misc. WANAMAKER *v.* PENNSYLVANIA. Sup. Ct. Pa. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *John W. Packel* for petitioner.

No. 859, Misc. ANDERSON *v.* SOUTH CAROLINA. Sup. Ct. S. C. Motion to defer consideration of petition for writ of certiorari denied. Certiorari denied. Reported below: 252 S. C. 650, 168 S. E. 2d 305.

No. 1016, Misc. FLETCHER *v.* MARONEY, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. Certiorari denied. Reported below: 413 F. 2d 15.

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No. 1014, Misc. HUNT *v.* CRAVEN, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 514, Misc. RICHARDSON *v.* SOKOL, COMMISSIONER, BUREAU OF ACCOUNTS, FISCAL SERVICE, U. S. TREASURY DEPARTMENT. C. A. 3d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Solicitor General Griswold* for respondent. Reported below: 409 F. 2d 3.

Rehearing Denied

No. 1042, October Term, 1968. GOULD ET UX. *v.* AMERICAN WATER WORKS SERVICE CO., INC., ET AL., 394 U. S. 943, 1025; and

No. 1355, October Term, 1968. BLUMCRAFT OF PITTSBURGH *v.* CITIZENS & SOUTHERN NATIONAL BANK OF SOUTH CAROLINA ET AL., 395 U. S. 961, and *ante*, p. 870. Motions for leave to file second petitions for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of these motions.

No. 177. ROSENBERG ET AL. *v.* MINICHIELLO, EXECUTRIX, ET AL., *ante*, p. 844;

No. 191. RISTUCCIA ET UX. *v.* ADAMS ET AL., *ante*, p. 1;

No. 199. WHEELER *v.* VERMONT, *ante*, p. 4;

No. 263. CRUMLEY *v.* ALABAMA, *ante*, p. 831;

No. 264. MILLER ET UX. *v.* CAMP, COMPTROLLER OF THE CURRENCY, *ante*, p. 832;

No. 312. MEYERS *v.* UNITED STATES, *ante*, p. 835;

No. 348. WASHINGTON *v.* GOLDEN STATE MUTUAL LIFE INSURANCE Co., *ante*, p. 839;

No. 364. CAMPBELL *v.* GOOCH ET AL., *ante*, p. 840; and

No. 83, Misc. HAYWOOD *v.* UNITED STATES, *ante*, p. 852. Petitions for rehearing denied.

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No. 98, Misc. *CARROLL v. BETO*, CORRECTIONS DIRECTOR, *ante*, p. 854;

No. 243, Misc. *RODES v. MUNICIPAL AUTHORITY OF THE BOROUGH OF MILFORD*, *ante*, p. 861;

No. 295, Misc. *BASS v. UNITED STATES*, *ante*, p. 863; and

No. 483, Misc. *LEWIS v. AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES, AFL-CIO*, *ante*, p. 866. Petitions for rehearing denied.

No. 171. *IMPERIAL REFINERIES OF MINNESOTA, INC. v. CITY OF ROCHESTER*, *ante*, p. 4. Petition for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

No. 316. *POWELL v. NATIONAL SAVINGS & TRUST CO.*, *ante*, p. 849. Petition for rehearing denied. THE CHIEF JUSTICE and MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition.

NOVEMBER 25, 1969

Miscellaneous Orders

No. —. *ADAMS ET AL. v. BOARD OF REGENTS OF FLORIDA ET AL.* D. C. M. D. Fla. Application for writ of injunction presented to MR. JUSTICE DOUGLAS, and by him referred to the Court, denied. *Melvin L. Wulf* for applicants.

No. 879. *COUNTY OF SANTA BARBARA ET AL. v. MALLEY ET AL.* C. A. 9th Cir. Application for injunction pending appeal, presented to MR. JUSTICE DOUGLAS, and by him referred to the Court, denied. Certiorari denied. MR. JUSTICE DOUGLAS and MR. JUSTICE HARLAN took no part in the consideration or decision of this application and petition. *John J. Mitchell, Jr.*, and *Marvin Levine*

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for applicant County of Santa Barbara, and *A. L. Wirin*, *Fred Okrand*, and *Lawrence R. Sperber* for applicants Weingand et al. Briefs in opposition were filed by: *Solicitor General Griswold* for Malley; *Charles A. Horsky* and *Philip K. Verleger* for Humble Oil & Refining Co. et al.; *Bruce A. Bevan, Jr.*, *J. Patrick Whaley*, *Abe Krash*, *Daniel A. Rezneck*, and *Richard J. Wertheimer* for Sun Oil Co.; and *Warren Christopher*, *Allyn O. Kreps*, and *Richard H. Zahm* for Union Oil Co. of California et al. *Messrs. Mitchell* and *Levine* for petitioner County of Santa Barbara; and *Messrs. Wirin, Okrand, Sperber*, and *Lawrence Speiser* for petitioners Weingand et al.

Certiorari Denied. (See No. 879, *supra.*)

DECEMBER 1, 1969

Dismissals Under Rule 60

No. 1172, Misc. FITZGERALD *v.* STATE'S ATTORNEY FOR THE SECOND JUDICIAL CIRCUIT OF FLORIDA. Motion for leave to file petition for writ of mandamus dismissed pursuant to Rule 60 of the Rules of this Court.

No. 756. CUTLER-HAMMER, INC. *v.* SKIL CORP. C. A. 7th Cir. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *Albert H. Pendleton*, *Gregory B. Beggs*, and *Richard J. Flynn* for petitioner. Reported below: 412 F. 2d 821.

DECEMBER 4, 1969

Dismissal Under Rule 60

No. 760. TECHNOGRAPH, INC., ET AL. *v.* BECKER, U. S. DISTRICT JUDGE. C. A. 7th Cir. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *Aaron Lewittes* and *Walter J. Blenko, Jr.*, for petitioners.

DECEMBER 8, 1969

Miscellaneous Orders

No. —. O'NEIL *v.* NELSON, WARDEN. C. A. 9th Cir. Application for release on personal recognizance denied. *Thomas C. Lynch*, Attorney General of California, *Albert W. Harris, Jr.*, Assistant Attorney General, and *Derald E. Granberg*, Deputy Attorney General, in opposition.

No. —. DURHAM ET UX. *v.* INDEPENDENCE HOMES, INC. Sup. Ct. Ill. Application for stay and approval of supersedeas appeal bond presented to MR. JUSTICE DOUGLAS, and by him referred to the Court, denied. *Thomas B. McNeill* for applicants. *Burton Y. Weitzenfeld* and *John F. McClure* in opposition.

No. 175. MORAGNE *v.* STATES MARINE LINES, INC., ET AL. C. A. 5th Cir. [Certiorari granted, *ante*, p. 900.] The Solicitor General is invited to submit a brief as *amicus curiae* and to participate in oral argument. The parties and the Solicitor General requested to brief, in addition to other issues presented, question whether *The Harrisburg*, 119 U. S. 199, should be overruled.

No. 403. UNITED STATES *v.* VAN LEEUWEN. C. A. 9th Cir. [Certiorari granted, *ante*, p. 885.] Motion of respondent for the appointment of counsel granted. It is ordered that *Craig G. Davis, Esquire*, of Bellingham, Washington, be, and he is hereby, appointed to serve as counsel for respondent in this case.

No. 817. MASTRIPOPOLITO *v.* UNITED STATES. C. A. 9th Cir. Application for bail presented to MR. JUSTICE MARSHALL, and by him referred to the Court, denied. *Burton Marks* for applicant. *Solicitor General Griswold* in opposition.

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No. —. SNYDER *v.* WISDOM, U. S. CIRCUIT JUDGE, ET AL. Motion for leave to file application for mandamus remedy denied. *J. Minos Simon* for applicant.

No. 1382, Misc. IN RE DISBARMENT OF EDWARDS. It is ordered that William D. Edwards of Columbus, Ohio, be suspended from the practice of law in this Court and that a rule to show cause issue, returnable within 40 days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 440, Misc. DARNELL *v.* MOSELEY, WARDEN;

No. 932, Misc. EISENHARDT *v.* UNITED STATES;

No. 936, Misc. HITCHCOCK *v.* EYMAN, WARDEN, ET AL.;

No. 1105, Misc. NORTH *v.* BETO, CORRECTIONS DIRECTOR;

No. 1110, Misc. MULLIS *v.* WAINWRIGHT, CORRECTIONS DIRECTOR; and

No. 1116, Misc. JENKINS *v.* UNITED STATES. Motions for leave to file petitions for writs of habeas corpus denied.

No. 600, Misc. HALL ET AL. *v.* CARTER, U. S. DISTRICT JUDGE, ET AL. Motion for leave to file petition for writ of mandamus denied.

No. 919, Misc. NEW MEXICO STATE GAME COMMISSION *v.* UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT ET AL. Motion for leave to file petition for writ of mandamus denied. MR. JUSTICE DOUGLAS is of the opinion that the motion should be granted. *James A. Maloney*, Attorney General of New Mexico, and *James E. Sperling*, *George T. Harris, Jr.*, and *Peter J. Broullire III*, Special Assistant Attorneys General, on the motion.

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Probable Jurisdiction Noted

No. 565. *BATCHELOR ET AL. v. STEIN*. Appeal from D. C. N. D. Tex. Probable jurisdiction noted and case set for oral argument immediately following Nos. 11, 20, and 4 [No. 11, *Samuels et al. v. Mackell, District Attorney of Queens County, et al.*, and No. 20, *Fernandez v. Mackell, District Attorney of Queens County, et al.*, restored to calendar, 395 U. S. 957; and No. 4, *Younger, District Attorney of Los Angeles County v. Harris et al.*, restored to calendar, 395 U. S. 955]. *Crawford C. Martin*, Attorney General of Texas, *Nola White*, First Assistant Attorney General, *Hawthorne Phillips*, Executive Assistant Attorney General, *Lonny F. Zwiener*, Assistant Attorney General, *W. V. Geppert*, *Henry Wade*, *Wilson Johnston*, *N. Alex Bickley*, *James E. Barlow*, and *Preston Dial* for appellants. Reported below: 300 F. Supp. 602.

Certiorari Granted. (See also No. 524, *ante*, p. 119.)

No. 528. *UNITED STATES v. HILTON HOTELS CORP.* C. A. 7th Cir. *Certiorari* granted and case set for oral argument immediately following No. 412 [*certiorari* granted, *ante*, p. 875]. *Solicitor General Griswold*, *Assistant Attorney General Walters*, *Matthew J. Zinn*, *Gilbert E. Andrews*, and *Stuart A. Smith* for the United States. *Burton W. Kanter* for respondent. Reported below: 410 F. 2d 194.

No. 529. *MACKEY v. UNITED STATES.* C. A. 7th Cir. *Certiorari* granted and case set for oral argument immediately following No. 8 [*United States v. United States Coin and Currency in the Amount of \$8,674 (Angelini, Claimant)*, restored to calendar, 395 U. S. 918]. *William M. Ward* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Walters*, *Joseph M. Howard*, and *John M. Brant* for the United States. Reported below: 411 F. 2d 504.

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No. 595. NELSON, WARDEN *v.* GEORGE. C. A. 9th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. *Thomas C. Lynch*, Attorney General of California, and *Edward P. O'Brien* and *Louise H. Renne*, Deputy Attorneys General, for petitioner. Reported below: 410 F. 2d 1179.

No. 606. ILLINOIS *v.* ALLEN. C. A. 7th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. *William J. Scott*, Attorney General of Illinois, and *Joel M. Flaum*, Assistant Attorney General, for petitioner. *Paul Levenfeld* for respondent. Reported below: 413 F. 2d 232.

No. 323, Misc. WILLIAMS *v.* FLORIDA. Dist. Ct. App. Fla., 3d Dist. Motion for leave to proceed *in forma pauperis* granted. Certiorari granted and case transferred to appellate docket. *Richard Kanner* for petitioner. *Earl Faircloth*, Attorney General of Florida, and *Jesse J. McCrary, Jr.*, Assistant Attorney General, for respondent. Reported below: 224 So. 2d 406.

Certiorari Denied. (See also No. 563, *ante*, p. 121; No. 617, *ante*, p. 116; No. 72, Misc., *ante*, p. 117; No. 620, Misc., *ante*, p. 114; No. 816, Misc., *ante*, p. 115; and No. 1017, Misc., *ante*, p. 116.)

No. 337. GALTIERI *v.* FLORIDA. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. *Milton E. Grusmark*, *Natalie Baskin*, and *Jerome Lewis* for petitioner. *Earl Faircloth*, Attorney General of Florida, and *Harold Mendelow*, Assistant Attorney General, for respondent. Reported below: 218 So. 2d 180.

No. 559. RICHARDSON *v.* SOUTH CAROLINA. Sup. Ct. S. C. Certiorari denied. *Philip Wittenberg* for petitioner. Reported below: 253 S. C. 468, 171 S. E. 2d 717.

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No. 390. COMMISSIONER OF INTERNAL REVENUE *v.* GUARDIAN AGENCY, INC., ET AL.; and

No. 561. LOCAL FINANCE CORP. ET AL. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 7th Cir. Certiorari denied. *Solicitor General Griswold* for petitioner in No. 390, and *William A. Cromartie* and *Edward W. Rothe* for petitioners in No. 561. *Mr. Griswold, Assistant Attorney General Walters, Gilbert E. Andrews, and Stuart A. Smith* for respondent in No. 561. Reported below: 407 F. 2d 629.

No. 555. SCHINDELAR *v.* MICHAUD ET AL. C. A. 10th Cir. Certiorari denied. *Robert C. Hawley* for petitioner. *Lowell White* for respondents. Reported below: 411 F. 2d 80.

No. 560. LAW *v.* JOINT CHECKER LABOR RELATIONS COMMITTEE, SAN FRANCISCO, ET AL. C. A. 9th Cir. Certiorari denied. *Howard B. Crittenden, Jr.*, for petitioner. Reported below: 412 F. 2d 795.

No. 562. DE LUE ET AL. *v.* PUBLIC UTILITIES COMMISSION OF COLORADO ET AL. Sup. Ct. Colo. Certiorari denied. *Herbert M. Boyle* for De Lue et al., and *John J. Conway* for Contract Carriers Conference of Colorado Motor Carriers Assn., petitioners. *Duke W. Dunbar*, Attorney General of Colorado, and *Robert Lee Kessler* and *Warren D. Braucher*, Assistant Attorneys General, for respondent Public Utilities Commission of Colorado. Reported below: — Colo. —, 454 P. 2d 939.

No. 571. DAVIS *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Dominic H. Frinzi* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for the United States. Reported below: 411 F. 2d 927.

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No. 556. SOUTHERN CALIFORNIA EDISON Co. v. UNITED STATES. C. A. 9th Cir. Certiorari denied. *Rollin E. Woodbury* and *Ransom W. Chase* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Kashiwa*, *Raymond N. Zagone*, and *Jacques B. Gelin* for the United States. Reported below: 415 F. 2d 758.

No. 564. FOY, TUTRIX v. ED TAUSSIG, INC., ET AL. Sup. Ct. La. Certiorari denied. *Samuel C. Gainsburgh* for petitioner. *Edmund E. Woodley* for respondents. Reported below: 254 La. 135, 222 So. 2d 884.

No. 566. WHITE ET AL. v. UNITED STATES. Ct. Cl. Certiorari denied. *Alfred A. Affinito* and *Wallace L. Duncan* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Kashiwa*, *Roger P. Marquis*, and *George R. Hyde* for the United States. Reported below: 187 Ct. Cl. 564, 410 F. 2d 773.

No. 568. WILSON v. STATE BAR OF GEORGIA ET AL. Sup. Ct. Ga. Certiorari denied. *Frank C. Jones* for respondents. Reported below: 225 Ga. 343, 168 S. E. 2d 584.

No. 574. UNITED BONDING INSURANCE Co. v. DEVELOPMENT CORPORATION OF AMERICA, INC. C. A. 5th Cir. Certiorari denied. *Erik J. Blomqvist, Jr.*, for petitioner. *Donald S. Rosenberg* for respondent. Reported below: 413 F. 2d 823.

No. 576. FAHEY v. UNITED STATES. C. A. 9th Cir. Certiorari denied. *Richard H. Foster* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Walters*, *Joseph M. Howard*, and *John M. Brant* for the United States. Reported below: 411 F. 2d 1213.

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No. 572. *CLANCY v. FIRST NATIONAL BANK OF COLORADO SPRINGS*. C. A. 10th Cir. Certiorari denied. *Alan Woods* for petitioner. *Byron L. Akers, Jr.*, for respondent. Reported below: 408 F. 2d 899.

No. 575. *SEWELL v. OHIO*. Sup. Ct. Ohio. Certiorari denied. *Ralph Rudd* for petitioner. *John T. Corrigan* for respondent.

No. 578. *CORALLO v. UNITED STATES*; and

No. 620. *FRIED ET AL. v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Jacob Kossman* and *Barry I. Slotnick* for petitioner in No. 578, and *Arthur Karger* and *Alfred Donati, Jr.*, for petitioners in No. 620. *Solicitor General Griswold* for the United States in both cases. Reported below: 413 F. 2d 1306.

No. 581. *HOFFMAN v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Charles A. Bellows* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Jerome M. Feit*, and *Kirby W. Patterson* for the United States. Reported below: 415 F. 2d 14.

No. 583. *ANDERS v. COMMISSIONER OF INTERNAL REVENUE*. C. A. 10th Cir. Certiorari denied. *R. Eugene McGannon* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Walters*, and *Meyer Rothwacks* for respondent. Reported below: 414 F. 2d 1283.

No. 587. *STATE FARM MUTUAL AUTOMOBILE INSURANCE Co. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 7th Cir. Certiorari denied. *George G. Gallantz* and *Marvin Dicker* for petitioner. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli*, and *Norton J. Come* for respondent. Reported below: 413 F. 2d 947.

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No. 584. *SCHMITT v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Edward R. Kirkland* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Mervyn Hamburg* for the United States. Reported below: 413 F. 2d 219.

No. 579. *CURTISS-WRIGHT CORP. v. BRANIFF AIRWAYS, INC.* C. A. 2d Cir. Certiorari denied. *George Warner Clark* for petitioner. Reported below: 411 F. 2d 451.

No. 586. *STANLEY v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Robert W. Stanley*, petitioner, *pro se*. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Leonard H. Dickstein* for the United States. Reported below: 411 F. 2d 514.

No. 589. *CURIALE v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Theodore Rosenberg* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Edward Fenig* for the United States. Reported below: 414 F. 2d 744.

No. 594. *FERGUSON v. FOUNTAIN*. Sup. Ct. Tex. Certiorari denied. *Charles L. Cobb* for petitioner. *Buck W. McNeil* for respondent. Reported below: 441 S. W. 2d 506.

No. 604. *WEBER v. AOKI, TRUSTEE IN BANKRUPTCY*. C. A. 9th Cir. Certiorari denied. *Robert G. Dodge* for petitioner. *James M. Morita* for respondent. Reported below: 409 F. 2d 844.

No. 605. *BEACON JOURNAL PUBLISHING CO. v. AKRON TYPOGRAPHICAL UNION NO. 182 ET AL.* C. A. 6th Cir. Certiorari denied. *Charles R. Iden* for petitioner. *R. C. Sheppard* for respondents.

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No. 602. *GOLLAHER ET AL. v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Gerald H. Gottlieb* and *Earl Klein* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Jerome M. Feit*, and *Edward Fenig* for the United States. Reported below: 419 F. 2d 520.

No. 608. *CORNMAN v. UNITED STATES*. Ct. Cl. Certiorari denied. *Burton Marks* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Ruckelshaus*, and *Morton Hollander* for the United States. Reported below: 187 Ct. Cl. 486, 409 F. 2d 230.

No. 609. *PIERCE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *William E. Ladin* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 414 F. 2d 163.

No. 610. *MACKAY v. NESBETT, CHIEF JUSTICE, SUPREME COURT OF ALASKA, ET AL.* C. A. 9th Cir. Certiorari denied. *Joseph A. Ball* for petitioner. *George Cochran Doub* for respondents. Reported below: 412 F. 2d 846.

No. 615. *TEXTILE WORKERS UNION OF AMERICA, AFL-CIO v. SCHWARZENBACH-HUBER CO. ET AL.* C. A. 2d Cir. Certiorari denied. *Patricia E. Eames* for petitioner. *Marshall C. Berger* and *Robert Abelow* for Schwarzenbach-Huber Co., and *Solicitor General Griswold* and *Arnold Ordman* for National Labor Relations Board, respondents. Reported below: 408 F. 2d 236.

No. 618. *GOWDY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Harry M. Philo* and *William G. Reamon* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 412 F. 2d 525.

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No. 612. *BROWN v. COMMERCIAL NATIONAL BANK OF PEORIA, TRUSTEE, ET AL.* Sup. Ct. Ill. Certiorari denied. *Willard L. King* for petitioner. *Joseph Z. Sudow* for respondents. Reported below: 42 Ill. 2d 365, 247 N. E. 2d 894.

No. 614. *WICK v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. *Jerome J. Duff* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Robert G. Maysack* for the United States. Reported below: 416 F. 2d 61.

No. 376. *AMALGAMATED TRANSIT UNION, LOCAL DIVISION 1309, ET AL. v. SAN DIEGO TRANSIT CORP.* C. A. 9th Cir. Motion to dispense with printing petition granted. Certiorari denied. *Jerry J. Williams* for petitioners.

No. 569. *NEW MEXICO STATE GAME COMMISSION v. HICKEL, SECRETARY OF THE INTERIOR, ET AL.* C. A. 10th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *James A. Maloney*, Attorney General of New Mexico, and *James E. Sperling, George T. Harris, Jr., and Peter J. Broullire III*, Special Assistant Attorneys General, for petitioner. *Solicitor General Griswold, Assistant Attorney General Kashiwa, S. Billingsley Hill, and Jacques B. Gelin* for respondents. Briefs of *amici curiae* in support of the petition were filed by: *Robert L. Woodahl*, Attorney General, for Fish and Game Commission of Montana; *Duke W. Dunbar*, Attorney General, *John P. Moore*, Deputy Attorney General, and *Gerald W. Wischmeyer*, Assistant Attorney General, for the State of Colorado; and *Martin L. Friedman* for International Association of Game, Fish and Conservation Commissioners. Reported below: 410 F. 2d 1197.

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No. 613. *VAN HOUTEN v. RALLS ET AL.* C. A. 9th Cir. Motion to dispense with printing petition granted. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Ruckelshaus, and Morton Hollander* for respondents. Reported below: 411 F. 2d 940.

No. 544. *SHOULTZ v. LAIRD, SECRETARY OF DEFENSE, ET AL.* C. A. 9th Cir. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *Marshall W. Krause* for petitioner. *Solicitor General Griswold, Assistant Attorney General Yeagley, Kevin T. Maroney, and Robert L. Keuch* for respondents. Reported below: 413 F. 2d 868.

No. 558. *FEASTER, DIRECTOR, DEPARTMENT OF DOCKS OF ALABAMA, ET AL. v. UNITED STATES ET AL.* C. A. 5th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *MacDonald Gallion, Attorney General of Alabama, and Willis C. Darby, Jr.,* for petitioners. *Solicitor General Griswold, Assistant Attorney General Ruckelshaus, and Robert V. Zener* for the United States et al. *Arthur K. Bolton, Attorney General of Georgia, Harold N. Hill, Jr., Executive Assistant Attorney General, and Courtney Stanton, Assistant Attorney General, for Georgia Ports Authority, and Robert Morgan, Attorney General of North Carolina, Ralph Moody, Deputy Attorney General, and Bernard A. Harrell, Assistant Attorney General, for North Carolina Ports Authority, as amici curiae* in support of the petition. Reported below: 410 F. 2d 1354.

No. 597. *CONROY v. CITY OF MIAMI BEACH.* Sup. Ct. Fla. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Theodore M. Trushin* for petitioner. *Harris J. Buchbinder* for respondent.

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No. 585. BROTHERHOOD OF LOCOMOTIVE FIREMEN & ENGINEMEN ET AL. *v.* SEABOARD COAST LINE RAILROAD CO. ET AL. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Neal P. Rutledge* for petitioners. *Prime F. Osborn, John W. Weldon, and Edward A. Charron* for Seaboard Coast Line Railroad Co., and *Allan Milledge* and *Richard L. Horn* for Brotherhood of Locomotive Engineers, respondents. Reported below: 413 F. 2d 19.

No. 598. FOUNDING CHURCH OF SCIENTOLOGY OF WASHINGTON, D. C., ET AL. *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Morris J. Levin* and *Robert F. Sagle* for petitioners. *Solicitor General Griswold, Assistant Attorney General Wilson, and Jerome M. Feit* for the United States. Reported below: 133 U. S. App. D. C. 229, 409 F. 2d 1146.

No. 616. HATCHETT *v.* WILLIAMS. Ct. Civ. App. Tex., 1st Sup. Jud. Dist. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *William Key Wilde* for respondent. Reported below: 437 S. W. 2d 334.

No. 749. MOTTO *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Herald Price Fahringer* and *Eugene Gressman* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 413 F. 2d 1306.

No. 232, Misc. PIPINOS, AKA PICHE *v.* PEEK ET AL. Sup. Ct. Wash. Certiorari denied. *Slade Gorton*, Attorney General of Washington, and *Stephen C. Way*, Assistant Attorney General, for respondents.

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No. 99, Misc. *FLOWERS v. NEBRASKA*. Sep. Juvenile Ct., Douglas County. Certiorari denied.

No. 210, Misc. *McCLINDON v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *William V. Ballough*, Deputy Attorney General, for respondent.

No. 337, Misc. *CONTE v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. *David B. Salzman* for respondent. Reported below: 157 Conn. 209, 251 A. 2d 81.

No. 343, Misc. *LOVELL v. GOVERNMENT OF THE VIRGIN ISLANDS*. C. A. 3d Cir. Certiorari denied. *Russell B. Johnson* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Jerome M. Feit* for respondent. Reported below: 410 F. 2d 307.

No. 408, Misc. *McDANIEL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 432, Misc. *SURITA v. LAVALLEE, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 454, Misc. *RAY v. NORTH CAROLINA*. C. A. 4th Cir. Certiorari denied.

No. 456, Misc. *ENDICOTT v. WEST VIRGINIA*. Sup. Ct. App. W. Va. Certiorari denied.

No. 458, Misc. *DI SILVESTRO v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

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No. 466, Misc. DUCKETT *v.* MARSHALL ET AL. C. A. 4th Cir. Certiorari denied.

No. 469, Misc. ANDERSON *v.* CLAY CIRCUIT COURT ET AL. Sup. Ct. Ind. Certiorari denied. *Theodore L. Sendak*, Attorney General of Indiana, and *Mark Peden*, Deputy Attorney General, for respondents.

No. 494, Misc. BANDY *v.* ATTORNEY GENERAL OF THE UNITED STATES ET AL. C. A. 8th Cir. Certiorari denied. Reported below: 408 F. 2d 523.

No. 506, Misc. KEYS *v.* SCHNECKLOTH, CONSERVATION CENTER SUPERINTENDENT. C. A. 9th Cir. Certiorari denied.

No. 516, Misc. BROWN *v.* UNITED STATES; and

No. 593, Misc. VENNING ET AL. *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Edward Fenig* for the United States in both cases. Reported below: 409 F. 2d 77.

No. 519, Misc. FIELDS *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Morris Lavine* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Roger A. Pauley* for the United States. Reported below: 410 F. 2d 373.

No. 524, Misc. BROWN *v.* PINTO, PRISON FARM SUPERINTENDENT. C. A. 3d Cir. Certiorari denied.

No. 546, Misc. RAMER *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Mervyn Hamburg* for the United States. Reported below: 411 F. 2d 30.

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No. 525, Misc. EDMONDSON *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Fred Blanton, Jr.*, and *R. Morel Montgomery* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Edward Fenig* for the United States. Reported below: 410 F. 2d 670.

No. 532, Misc. MOORE *v.* NELSON, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 537, Misc. DAYE *v.* NORTH CAROLINA. Sup. Ct. N. C. Certiorari denied.

No. 542, Misc. ELKINS *v.* KELLEY, CORRECTIONS DIRECTOR, ET AL. C. A. 5th Cir. Certiorari denied. *Richard W. Watkins, Jr.*, for petitioner. *Arthur K. Bolton*, Attorney General of Georgia, *Harold N. Hill, Jr.*, Executive Assistant Attorney General, and *Marion O. Gordon* and *Courtney Wilder Stanton*, Assistant Attorneys General, for respondents. Reported below: 410 F. 2d 734.

No. 545, Misc. WING *v.* YEAGER, PRINCIPAL KEEPER. C. A. 3d Cir. Certiorari denied.

No. 548, Misc. RODRIQUEZ *v.* NELSON, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 549, Misc. DIMSDLE *v.* OKLAHOMA. Ct. Crim. App. Okla. Certiorari denied. Reported below: 456 P. 2d 621.

No. 594, Misc. WILLIAMS *v.* UNITED STATES. Ct. Cl. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 186 Ct. Cl. 611, 405 F. 2d 890.

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No. 550, Misc. CIPOLLA *v.* KANSAS. Sup. Ct. Kan. Certiorari denied. Reported below: 202 Kan. 624, 451 P. 2d 199.

No. 559, Misc. PRUESS, EXECUTOR, ET AL. *v.* HICKEL, SECRETARY OF THE INTERIOR. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Kashiwa, Roger P. Marquis, and George R. Hyde* for respondent. Reported below: 410 F. 2d 750.

No. 564, Misc. CHASE *v.* ROBBINS, WARDEN. C. A. 1st Cir. Certiorari denied. *Pierce B. Hasler* for petitioner. *James S. Erwin, Attorney General of Maine, and John W. Benoit, Jr., Assistant Attorney General,* for respondent. Reported below: 408 F. 2d 1350.

No. 566, Misc. McDONALD *v.* KROPP, WARDEN. C. A. 6th Cir. Certiorari denied.

No. 571, Misc. ALVAREZ *v.* FITZHARRIS, TRAINING FACILITY SUPERINTENDENT. Sup. Ct. Cal. Certiorari denied.

No. 606, Misc. RATHBURN *v.* OHIO. Sup. Ct. Ohio. Certiorari denied. *John J. Callahan* for petitioner. *Harry Friberg* for respondent.

No. 614, Misc. SKINNER *v.* UNITED STATES. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for the United States. Reported below: 412 F. 2d 98.

No. 619, Misc. HUFF *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

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No. 611, Misc. *PEPITONE v. CALIFORNIA ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 617, Misc. *ALLISON v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *James F. Hewitt* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 414 F. 2d 407.

No. 635, Misc. *SWANN ET AL. v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Edward Fenig* for the United States. Reported below: 413 F. 2d 271.

No. 637, Misc. *FONG v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for the United States. Reported below: 411 F. 2d 1181.

No. 661, Misc. *WEBB v. TEXAS.* Ct. Crim. App. Tex. Certiorari denied. *Crawford C. Martin, Attorney General of Texas, Nola White, First Assistant Attorney General, and Robert C. Flowers and Dunklin Sullivan, Assistant Attorneys General,* for respondent. Reported below: 439 S. W. 2d 342.

No. 670, Misc. *CAMP v. UNITED STATES.* C. A. 5th Cir. Certiorari denied. *Morris Brown and Reber F. Boulton, Jr.,* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, and Philip R. Monahan* for the United States. Reported below: 413 F. 2d 419.

No. 676, Misc. *HARRIS v. CALIFORNIA.* Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 272 Cal. App. 2d 833, 77 Cal. Rptr. 745.

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No. 675, Misc. *KIRK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Kyle R. Weems* for petitioner. *Solicitor General Griswold* for the United States.

No. 677, Misc. *COOK v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *James Hunter III* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, and *Beatrice Rosenberg* for the United States. Reported below: 412 F. 2d 293.

No. 682, Misc. *GASTON v. TEXAS*. Ct. Crim. App. Tex. Certiorari denied. *Charles R. Burton* for petitioner. *Crawford C. Martin*, Attorney General of Texas, *Nola White*, First Assistant Attorney General, *Hawthorne Phillips*, *Robert C. Flowers*, and *Lonny F. Zwiener*, Assistant Attorneys General, and *W. V. Geppert* for respondent. Reported below: 440 S. W. 2d 297.

No. 683, Misc. *JOHNSON v. VIRGINIA*. Sup. Ct. App. Va. Certiorari denied.

No. 710, Misc. *DECKER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 411 F. 2d 306.

No. 715, Misc. *ROBINSON v. KROPP, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 720, Misc. *TUDELA v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. *Phillip A. Hubbard* for petitioner. Reported below: 212 So. 2d 387.

No. 734, Misc. *BARNES v. FLORIDA*. C. A. 5th Cir. Certiorari denied.

No. 742, Misc. *MENDOZA v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

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No. 744, Misc. *BIRBECK v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 750, Misc. *SHORTER v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *James F. Hewitt* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, and Jerome M. Feit* for the United States. Reported below: 412 F. 2d 428.

No. 759, Misc. *TIMMONS v. FLORIDA*. Dist. Ct. App. Fla., 1st Dist. Certiorari denied. Reported below: 214 So. 2d 11.

No. 760, Misc. *HALL v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *W. W. Koontz* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 410 F. 2d 653.

No. 765, Misc. *RABON v. EYMAN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 772, Misc. *CROSS v. BRUNING, COUNTY CLERK, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 413 F. 2d 678.

No. 776, Misc. *DUARTE v. FIELD, MEN'S COLONY SUPERINTENDENT*. C. A. 9th Cir. Certiorari denied.

No. 781, Misc. *DVORSKY v. UNITED STATES*. Ct. Cl. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 805, Misc. *RECH v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Fred W. Vondy* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 410 F. 2d 1131.

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No. 791, Misc. *MURRAY v. PENNSYLVANIA ET AL.* C. A. 3d Cir. Certiorari denied. Reported below: 408 F. 2d 498.

No. 793, Misc. *MINK v. KROPP, WARDEN.* C. A. 6th Cir. Certiorari denied.

No. 803, Misc. *SWAN v. YOUNG, WARDEN.* C. A. 8th Cir. Certiorari denied. Reported below: 413 F. 2d 991.

No. 815, Misc. *WALKER v. UNITED STATES.* C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 820, Misc. *LANG v. MARYLAND.* Ct. App. Md. Certiorari denied.

No. 842, Misc. *STEVENSON v. ROCKEFELLER, GOVERNOR OF NEW YORK, ET AL.* C. A. 2d Cir. Certiorari denied.

No. 845, Misc. *ALLEN v. LAVALLEE, WARDEN.* C. A. 2d Cir. Certiorari denied. *Nathan Silverberg* for petitioner. Reported below: 411 F. 2d 241.

No. 846, Misc. *ROSE v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, and Philip R. Monahan* for the United States. Reported below: 415 F. 2d 742.

No. 864, Misc. *HARLIN v. BREWER, WARDEN.* Sup. Ct. Iowa. Certiorari denied.

No. 866, Misc. *RESSEGUIE v. FOLLETTE, WARDEN.* C. A. 2d Cir. Certiorari denied.

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No. 849, Misc. *BEDFORD v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 855, Misc. *MCGUIRK v. ILLINOIS*. App. Ct. Ill., 1st Dist. Certiorari denied. *Gerald W. Getty* and *Marshall J. Hartman* for petitioner. Reported below: 106 Ill. App. 2d 266, 245 N. E. 2d 917.

No. 867, Misc. *CLARKE v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied.

No. 873, Misc. *TURPYN v. NEW YORK*. Ct. App. N. Y. Certiorari denied. *Eugene Van Voorhis* for petitioner.

No. 875, Misc. *SMOGOR v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Nathan Levy* and *George N. Beamer, Jr.*, for petitioner. *Solicitor General Griswold* for the United States. Reported below: 411 F. 2d 501 and 415 F. 2d 296.

No. 884, Misc. *STALLINGS ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Palmer K. Ward* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Robert G. Maysack*, and *Jerome M. Feit* for the United States. Reported below: 413 F. 2d 200.

No. 892, Misc. *POLLARD v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 899, Misc. *RILEY v. RHAY, PENITENTIARY SUPERINTENDENT*. Sup. Ct. Wash. Certiorari denied. Reported below: 76 Wash. 2d 32, 454 P. 2d 820.

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No. 891, Misc. *WRIGHT v. BREWER, WARDEN*. Sup. Ct. Iowa. Certiorari denied.

No. 894, Misc. *WALKER v. WILLIE ET AL.* C. A. 2d Cir. Certiorari denied.

No. 900, Misc. *WILLIAMS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 411 F. 2d 1183.

No. 901, Misc. *HUERTO v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 902, Misc. *WEINSHENKER v. FLORIDA*. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. *Tobias Simon* for petitioner. Reported below: 223 So. 2d 561.

No. 903, Misc. *BECK v. CALIFORNIA*. C. A. 9th Cir. Certiorari denied.

No. 905, Misc. *SCOTT v. FIELD, MEN'S COLONY SUPERINTENDENT*. Sup. Ct. Cal. Certiorari denied.

No. 911, Misc. *SULLIVAN v. CALIFORNIA*. Ct. App. Cal., 4th App. Dist. Certiorari denied. Reported below: 271 Cal. App. 2d 531, 77 Cal. Rptr. 25.

No. 977, Misc. *WATKINS v. PENNSYLVANIA ET AL.* C. A. 3d Cir. Certiorari denied.

No. 981, Misc. *COX v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 1024, Misc. *AUSTIN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *J. Perry Langford* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 412 F. 2d 1187.

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No. 987, Misc. HODGE *v.* RUSSELL, WARDEN. C. A. 6th Cir. Certiorari denied. *David M. Pack*, Attorney General of Tennessee, for respondent.

No. 991, Misc. LEIKETT *v.* COX, PENITENTIARY SUPERINTENDENT. C. A. 4th Cir. Certiorari denied.

No. 1009, Misc. DAY *v.* PAGE, WARDEN. C. A. 10th Cir. Certiorari denied. Reported below: 411 F. 2d 810.

No. 1032, Misc. KING ET AL. *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *William Earl Badgett* for petitioners. *Solicitor General Griswold* for the United States. Reported below: 415 F. 2d 737.

No. 1060, Misc. WADE *v.* YEAGER, PRINCIPAL KEEPER. C. A. 3d Cir. Certiorari denied. *John G. Thevos* for respondent. Reported below: 415 F. 2d 570.

No. 999, Misc. HARRISON *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. *Alfred V. J. Prather* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 136 U. S. App. D. C. 109, 419 F. 2d 691.

No. 335, Misc. GEORGE ET UX. *v.* BERTRAND ET AL. Sup. Ct. La. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Camille F. Gravel, Jr.*, for petitioners. *Hopkins P. Breazeale, Jr.*, for respondents Bulk Transport, Inc., et al. Reported below: 253 La. 647, 219 So. 2d 177.

No. 797, Misc. CROSS *v.* MUNICIPAL COURT OF SAN FRANCISCO ET AL. C. A. 9th Cir. Certiorari and other relief denied.

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No. 513, Misc. STASILOWICZ *v.* NEW JERSEY. Sup. Ct. N. J. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Eugene P. Kenny* for petitioner. Reported below: 53 N. J. 497, 251 A. 2d 441.

No. 517, Misc. CASTLE *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *W. Edward Morgan* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 409 F. 2d 1347.

No. 616, Misc. MIGLIORE ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Phillip A. Hubbart* for petitioner *Migliore*. *Solicitor General Griswold* for the United States. Reported below: 409 F. 2d 786.

No. 656, Misc. ARELLANES *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *F. Conger Fawcett* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 408 F. 2d 1392.

No. 716, Misc. MILLER *v.* BETO, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari and other relief denied.

Rehearing Denied

No. 1279, October Term, 1968. UNITED STATES *v.* IDEAL BASIC INDUSTRIES, INC., 395 U. S. 936. Petition for rehearing denied. MR. JUSTICE WHITE and MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition.

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No. 415. PARKER *v.* VIRGINIA, *ante*, p. 887;
No. 428. BROWN *v.* HARDIN ET AL., *ante*, p. 909;
No. 344, Misc. SCOTT *v.* HUNT OIL Co., *ante*, p. 891;
No. 623, Misc. RESTREPO *v.* FLORIDA SUPREME COURT,
ante, p. 918; and

No. 752, Misc. JAKALSKI *v.* ATTORNEY GENERAL OF
THE UNITED STATES ET AL., *ante*, p. 922. Petitions for
rehearing denied.

No. 391. FITZGERALD ET AL. *v.* FREEMAN ET AL., *ante*,
p. 875. Motion to stay effectiveness of order denying
certiorari denied. Petition for rehearing denied.

No. 632. ALEXANDER ET AL. *v.* HOLMES COUNTY
BOARD OF EDUCATION ET AL., *ante*, p. 19. Petition for
rehearing, or in the alternative, clarification of judgment,
denied.

DECEMBER 9, 1969

Dismissal Under Rule 60

No. 457. RADERMAN *v.* KAINE ET AL. C. A. 2d Cir.
Petition for writ of certiorari dismissed pursuant to Rule
60 of the Rules of this Court. *William M. Kunstler* and
Michael J. Kunstler for petitioner. *Solicitor General*
Griswold for respondents. Reported below: 411 F. 2d
1102.

DECEMBER 15, 1969

Miscellaneous Orders

No. ——. BYRNE, DISTRICT ATTORNEY OF SUFFOLK
COUNTY *v.* KARALEXIS ET AL. D. C. Mass. Motion for
stay of temporary injunction issued by United States
District Court for the District of Massachusetts pre-
sented to MR. JUSTICE BRENNAN, and by him referred
to the Court, granted pending timely filing and disposi-
tion of an appeal. Should such an appeal not be filed,

this stay to expire automatically. Should such appeal be timely docketed, this stay to continue pending Court's action on jurisdictional aspect of the case. In the event appeal is dismissed or judgment below summarily affirmed, this stay to expire automatically. Should Court note probable jurisdiction of appeal or postpone further consideration of question of jurisdiction to hearing on the merits, this stay to remain in effect pending issuance of the judgment of this Court.

MR. JUSTICE DOUGLAS, dissenting.

Respondents are the owners and operators of a motion picture theatre which has been showing the film, "I Am Curious (Yellow)." On June 3, 1969, they were indicted by the Suffolk County, Mass., Grand Jury for possessing with intent to exhibit an obscene film in violation of Mass. Gen. Laws, c. 272, § 28A. On June 17, 1969, respondents brought an action in the United States District Court for the District of Massachusetts to enjoin future prosecutions for the showing of "I Am Curious (Yellow)" and to declare that prosecution and the Massachusetts statute unconstitutional. On June 24, 1969, the three-judge District Court enjoined the prosecution on the ground that the indictments did not allege *scienter*. The indictments were then dismissed, and new indictments were thereafter returned. Respondents' request for a temporary injunction barring the second prosecution was denied by the District Court on July 15, 1969. The court stated that it would not consider a claim that the film was not obscene as an evidentiary matter, but invited the parties to submit briefs on the question whether the Massachusetts statute was unconstitutional on its face.

Respondents were convicted of the state obscenity offense on November 12, 1969. The applicant in this proceeding, the District Attorney of Suffolk County,

has not agreed that respondents may exhibit the film pending the appeal of their convictions. On November 19, 1969, applicant moved the District Court to abstain from deciding the constitutionality of the Massachusetts statute, pending the resolution of that issue in the state courts. On November 28, 1969, the District Court, by a 2-1 vote, denied the motion and authorized a temporary injunction enjoining applicant from interfering with respondents as respects future showings of the film, "I Am Curious (Yellow)," pending a final disposition by the District Court on the merits.

Applicant now requests this Court to stay the temporary injunction that was issued by the District Court.

The injunction issued by the District Court does not interfere in any way with the criminal conviction already obtained in the Massachusetts courts. That case will proceed unaffected by anything the federal court does, save for final execution of the state judgment. *Dombrowski v. Pfister*, 380 U. S. 479, is different. There we did not force petitioners to risk vindication of their constitutional rights in a state prosecution under an "overly broad" state statute. *Id.*, at 486. But in this case that risk was faced and resolution of the constitutional issues is being undertaken in the state courts. All that the federal court proposes is protection of respondents against repeated prosecutions, while both the state courts and the federal courts are resolving the constitutional issues. Enjoining one state prosecution, though perhaps permissible under *Ex parte Young*, 209 U. S. 123, would not be in keeping with more recent decisions. *Douglas v. Jeannette*, 319 U. S. 157. But I read the sparse record before us differently from MR. JUSTICE STEWART and believe that we deal here with threats of repeated prosecutions; and those threats seem to me to be no less ominous to the federal constitutional regime than the threatened harassment of union

leaders in *Hague v. CIO*, 307 U. S. 496, who were asserting First Amendment rights in explaining the purposes of the new National Labor Relations Act. See the opinion of Mr. Justice Roberts, in which MR. JUSTICE BLACK concurred, *id.*, at 504-506.

There may in time be a collision between the two systems for us to resolve. Meanwhile I would let the two orderly processes go ahead. For I can imagine no better and smoother accommodation of the needs of the two regimes than that designed by the District Court.

Underlying the state case and the federal case is an important First Amendment question. Some people think that "obscenity" is not protected by the Free Speech and Free Press Clauses of the First Amendment. They believe that both Congress and the States can set up regimes of censorship to weed out "obscenity" from literature, movies, and other publications so as to rid the press of what they, the judges, deem to be beyond the pale.

I have consistently dissented from that course but not because, as frequently charged, I relish "obscenity." I have dissented before and now because I think the First Amendment bars all kinds of censorship. *Ginsberg v. New York*, 390 U. S. 629, 650 (DOUGLAS, J., dissenting); *Ginzburg v. United States*, 383 U. S. 463, 482 (DOUGLAS, J., dissenting); *Roth v. United States*, 354 U. S. 476, 508 (DOUGLAS, J., dissenting). To impose a regime of censors requires, in my view, a constitutional amendment. "Obscenity" is no exception. "Obscenity" certainly was not an established exception to free speech and free press when the Bill of Rights was adopted. See my concurring opinion in *Memoirs v. Massachusetts*, 383 U. S. 413, 428-433. It is a relatively new arrival on the American scene, propelled by dedicated zealots to cleanse all thought.

Prior to the Bill of Rights, state law, when it spoke of freedom of the press, meant only freedom from prior restraint. But an author or publisher could be held accountable for publishing what the statehouse thought was against "the public good." In other words, the First Amendment did not build on existing law; it broke with tradition, set a new standard, and exalted freedom of expression. There is no trace of a suggestion that "obscenity," however defined, was excepted.

That does not mean that "obscenity" is good or that it should be encouraged. It only means that we cannot be faithful to our constitutional mandate and allow any form or shadow of censorship over speech and press.*

When our rewards go to people for thinking alike, it is no surprise that we become frightened at those who take exception to the current consensus. Then the hue and cry goes up for censors; and that is the start of an ominous trend. What can be done to literature under the banner of "obscenity" can be done to other parts of the spectrum of ideas when party or majoritarian demands mount and propagandists start declaiming the law.

The "obscenity" issue raises large questions. To what extent may government watch over one's shoulder as he reads?

*John Hohenberg recently stated this First Amendment philosophy in a slightly different setting:

"As Aleksandr Solzhenitsyn wrote in bitter response to his removal from the rolls of the Russian Writers' Union late in 1969 following the West's sympathetic reception of two of his novels that he could not have published in his own country: 'It is time to remember that the first thing we belong to is humanity. And humanity is separated from the animal world by thought and speech, and they should naturally be free. If they are fettered, we go back to being animals. Publicity and openness, honest and complete—that is the prime condition for the health of every society, and ours too.'

"Wherever freedom is denied, these words will live on." 52 *Saturday Review* 72 (Dec. 13, 1969).

Judge Jerome Frank said in *Roth v. Goldman*, 172 F. 2d 788, 792:

"I think that no sane man thinks socially dangerous the arousing of normal sexual desires. Consequently, if reading obscene books has merely that consequence, Congress, it would seem, can constitutionally no more suppress such books than it can prevent the mailing of many other objects, such as perfumes, for example, which notoriously produce that result. But the constitutional power to suppress obscene publications might well exist if there were ample reason to believe that reading them conduces to socially harmful sexual conduct on the part of normal human beings. . . . Macaulay, replying to demands for suppression of obscene books, said: 'We find it difficult to believe that in a world so full of temptations as this, any gentleman, whose life would have been virtuous if he had not read Aristophanes and Juvenal, will be made vicious by reading them.' Substitute 'Waggish Tales from the Czech' for 'Aristophanes and Juvenal,' and those remarks become relevant here."

If "obscenity" can be carved out of the First Amendment, what other like exceptions can be created? Is "sacrilege" also beyond the pale? Are utterances or publications made with "malice" unprotected? How about "seditious" speech or articles? False, scandalous, and malicious writings or utterances against the Congress or the President "with intent to defame" or to bring them "into contempt or disrepute" or to "excite" against them "the hatred of the good people" or "to stir up sedition," or to "excite" people to "resist, oppose, or defeat" any law were once made a crime. (1 Stat. 596-597.) Now that the First Amendment applies to the States, *Stromberg v. California*, 283 U. S. 359; *Near v. Minnesota*, 283 U. S. 697, may the States embark on such totalitarian

controls over thought or over the press? May Congress do so?

We forget today that under our constitutional system neither Congress nor the States have any power to pass on the value, the propriety, the Americanism, the soundness of any idea or expression. It is that insulation from party or majoritarian control provided by the First Amendment—not our gross national product or mass production or pesticides or space ships or nuclear arsenal—that distinguishes our society from the other planetary regimes.

Opinion of MR. JUSTICE BLACK.

I agree completely with MR. JUSTICE DOUGLAS that state criminal punishment of these respondents for showing an allegedly “obscene” film is absolutely prohibited by the First and Fourteenth Amendments. That, however, does not end for me the constitutional problems involved. In this case a Federal District Court stepped into the middle of a pending state criminal prosecution, rendered an opinion in effect deciding the fundamental constitutional issue in the state case, and enjoined the initiation of new prosecutions of these defendants or the execution of any sentence imposed on them in the pending state case. One of the fundamental aspects of our federal constitutional system requires that federal courts refrain from interfering in pending state criminal prosecutions except in highly unusual and very limited circumstances. I do not think the facts of this case present an occasion for departure from that general rule. It is for that reason alone that I agree with the Court’s decision to stay the injunction issued by the Federal District Court against the District Attorney of Suffolk County.

Opinion of MR. JUSTICE STEWART.

Without reaching the First and Fourteenth Amendment issues discussed by MR. JUSTICE BLACK and MR.

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JUSTICE DOUGLAS, I join the Court's decision to stay the injunction for the reason indicated by MR. JUSTICE BLACK—*i. e.*, the general rule that “requires that federal courts refrain from interfering in pending state criminal prosecutions” This case does not now present the “highly unusual and very limited circumstances” that would justify a departure from that rule—such as would be presented by the threat or actuality of repetitive prosecutions for exhibition of the film in question.

No. —. SCHMID *v.* EYMAN, WARDEN, ET AL. Application for writ of habeas corpus presented to MR. JUSTICE MARSHALL, and by him referred to the Court, denied.

No. —. PETUSKEY ET AL. *v.* RAMPTON, GOVERNOR OF UTAH, ET AL. Motion for further extension of time to docket appeal granted. *A. Wally Sandack* on the motion.

No. 74. TAGGART ET AL. *v.* WEINACKER'S, INC. Sup. Ct. Ala. [Certiorari granted, *ante*, p. 813.] Motion of American Federation of Labor & Congress of Industrial Organizations for leave to file a brief as *amicus curiae* granted. *J. Albert Woll, Laurence Gold, and Thomas E. Harris* on the motion.

No. 830. CHAMBERS *v.* MARONEY, CORRECTIONAL SUPERINTENDENT. C. A. 3d Cir. [Certiorari granted, *ante*, p. 900.] Motion of petitioner for appointment of counsel granted. It is ordered that *Vincent J. Grogan, Esquire*, of Pittsburgh, Pennsylvania, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for petitioner in this case.

No. 1178, Misc. LESER *v.* UNITED STATES ET AL. D. C. C. D. Cal. Application for bail presented to THE CHIEF JUSTICE, and by him referred to the Court, denied.

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No. 240. COVELLO *v.* UNITED STATES, *ante*, p. 879. The Solicitor General is requested to file a response to petition for rehearing within 30 days. MR. JUSTICE MARSHALL took no part in the entry of this order.

No. 1162, Misc. SOGOIAN *v.* CRAVEN, WARDEN;

No. 1182, Misc. RAWLS *v.* BLACKWELL, WARDEN;

No. 1216, Misc. LONEY *v.* BREWER, WARDEN;

No. 1251, Misc. VINSON *v.* ARIZONA ET AL.; and

No. 1253, Misc. COLLINS *v.* UNITED STATES. Motions for leave to file petitions for writs of habeas corpus denied.

No. 988, Misc. WALTZ *v.* DAVIS, CLERK OF THE UNITED STATES SUPREME COURT. Motion for leave to file petition for writ of mandamus denied.

Certiorari Granted. (See also No. 603, *ante*, p. 269.)

No. 515. UNITED STATES ET AL. *v.* GIFFORD-HILL-AMERICAN, INC., ET AL. C. A. 5th Cir. *Certiorari* granted. *Solicitor General Griswold* and *Assistant Attorney General McLaren* for petitioners. *Stanley E. Neely* for Gifford-Hill-American, Inc., and *Julian O. von Kalinowski* for United Concrete Pipe Corp., respondents. Reported below: 413 F. 2d 1244.

No. 628. SCHACHT *v.* UNITED STATES. C. A. 5th Cir. Motion for leave to file petition for writ of *certiorari* out of time granted. *Certiorari* granted. THE CHIEF JUSTICE, MR. JUSTICE STEWART, and MR. JUSTICE WHITE would deny the motion. *Arthur Mandell* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Mervyn Hamburg* for the United States. Reported below: 414 F. 2d 630.

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Certiorari Denied

No. 409. WILKINSON, COMMONWEALTH'S ATTORNEY FOR THE CITY OF RICHMOND, VIRGINIA, ET AL. *v.* TYRONE, INC., TRADING AS LEE ART THEATRE, ET AL.; and

No. 418. TYRONE, INC., TRADING AS LEE ART THEATRE, ET AL. *v.* WILKINSON, COMMONWEALTH'S ATTORNEY FOR THE CITY OF RICHMOND, VIRGINIA, ET AL. C. A. 4th Cir. Certiorari denied. *James B. Wilkinson*, *pro se*, and for other petitioner in No. 409, and *pro se* and for other respondent in No. 418. *Joseph S. Bambacus* for respondents in No. 409 and for petitioners in No. 418. Reported below: 410 F. 2d 639.

No. 421. CHICAGO, ST. PAUL, MINNEAPOLIS & OMAHA RAILWAY CO. ET AL. *v.* CITY OF ST. PAUL. C. A. 8th Cir. Certiorari denied. *Arthur J. Donnelly* and *Richard M. Freeman* for petitioners. *Robert E. O'Connell* for respondent. Reported below: 413 F. 2d 762.

No. 462. SCOTT *v.* OHIO CITIZENS TRUST CO. Ct. App. Ohio, Lucas County. Certiorari denied. *Harland M. Britz* for petitioner. *Fred A. Smith* for respondent.

No. 464. HAMILTON ET AL. *v.* MUNICIPAL COURT FOR THE BERKELEY-ALBANY JUDICIAL DISTRICT. Ct. App. Cal., 1st App. Dist. Certiorari denied. *Marshall W. Krause* for petitioners. *Thomas C. Lynch*, Attorney General of California, *Albert W. Harris, Jr.*, Assistant Attorney General, and *Clifford K. Thompson, Jr.*, Deputy Attorney General, for respondent. Reported below: 270 Cal. App. 2d 797, 76 Cal. Rptr. 168.

No. 592. FLOYD *v.* CITY OF ROCKFORD. App. Ct. Ill., 2d Dist. Certiorari denied. *John R. Snively* for petitioner. Reported below: 104 Ill. App. 2d 161, 243 N. E. 2d 837.

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No. 591. CLEVELAND *v.* ILLINOIS. App. Ct. Ill., 2d Dist. Certiorari denied. *John R. Snively* for petitioner. Reported below: 104 Ill. App. 2d 415, 244 N. E. 2d 212.

No. 596. ILLMAN *v.* TOLEDO BAR ASSN. Sup. Ct. Ohio. Certiorari denied. *Nelson Lancione* for petitioner. *Charles E. Ide, Jr.*, for respondent. Reported below: 18 Ohio St. 2d 122, 247 N. E. 2d 758.

No. 600. BAMBULAS *v.* ILLINOIS. Sup. Ct. Ill. Certiorari denied. *Charles A. Bellows* for petitioner. Reported below: 42 Ill. 2d 419, 247 N. E. 2d 873.

No. 619. MANCHESTER BAND OF POMO INDIANS, INC. *v.* ZIRPOLI, U. S. DISTRICT JUDGE. C. A. 9th Cir. Certiorari denied. *George F. Duke* for petitioner. *Solicitor General Griswold, Assistant Attorney General Kashiwa, Edmund B. Clark, and Jacques B. Gelin* for respondent.

No. 622. PIZZARELLO *v.* UNITED STATES ET AL. C. A. 2d Cir. Certiorari denied. *James G. Starkey* for petitioner. *Solicitor General Griswold, Assistant Attorney General Walters, Joseph M. Howard, and John P. Burke* for the United States et al. Reported below: 408 F. 2d 579.

No. 624. RAY SMITH TRANSPORT Co. *v.* SCHULTZ, SECRETARY OF LABOR. C. A. 5th Cir. Certiorari denied. *T. S. Christopher* for petitioner. *Solicitor General Griswold and Bessie Margolin* for respondent. Reported below: 409 F. 2d 954.

No. 626. FARLEY *v.* KRAMER, JUDGE, ET AL. Sup. Ct. App. W. Va. Certiorari denied. *Stanley E. Preiser* for petitioner. Reported below: — W. Va. —, 169 S. E. 2d 106.

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No. 629. *WHITE v. SOUTH CAROLINA*. Sup. Ct. S. C. Certiorari denied. *Philip Wittenberg* for petitioner. Reported below: 253 S. C. 475, 171 S. E. 2d 712.

No. 631. *CARLINER ET AL. v. COMMISSIONER OF THE DISTRICT OF COLUMBIA ET AL.* C. A. D. C. Cir. Certiorari denied. *David Carliner, pro se*, and *Arthur W. Jackson* and *Reuben Robertson III* for petitioners. *Hubert B. Pair, Richard W. Barton*, and *David P. Sutton* for respondents. Reported below: 134 U. S. App. D. C. 43, 412 F. 2d 1090.

No. 633. *MULLER ET AL. v. OKLAHOMA*. Ct. Crim. App. Okla. Certiorari denied. *John C. Moran* for petitioners. Reported below: 456 P. 2d 903.

No. 634. *WEERSING v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *David Finkel* and *Hugh R. Manes* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit*, and *Edward Fenig* for the United States. Reported below: 415 F. 2d 130.

No. 635. *CRAIG, ADMINISTRATRIX v. UNITED STATES ET AL.* C. A. 9th Cir. Certiorari denied. *Peter J. Hughes* for petitioner. *Charles W. Rees, Jr.*, for respondent *Litton Systems, Inc.* Reported below: 413 F. 2d 854.

No. 636. *CITY OF NEWARK v. PORT OF NEW YORK AUTHORITY*. Sup. Ct. N. J. Certiorari denied. *Philip E. Gordon* and *Sam Weiss* for petitioner. *Sidney Goldstein* and *Francis A. Mulhern* for respondent. Reported below: 54 N. J. 171, 254 A. 2d 513.

No. 640. *SCARSELLETTI v. AETNA CASUALTY & SURETY Co.* Sup. Ct. Pa. Certiorari denied.

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No. 638. CRUMLEY *v.* TENNESSEE. Sup. Ct. Tenn. Certiorari denied. *Norman D. Lane* for petitioner. *Thomas E. Fox*, Deputy Attorney General of Tennessee, and *C. Hayes Cooney*, Assistant Attorney General, for respondent.

No. 166. SIGLER, WARDEN *v.* LOSIEAU. C. A. 8th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. *Clarence A. H. Meyer*, Attorney General of Nebraska, and *Melvin Kent Kammerlohr*, Assistant Attorney General, for petitioner. Reported below: 406 F. 2d 795.

MR. CHIEF JUSTICE BURGER, with whom MR. JUSTICE STEWART joins, dissenting.

I would grant certiorari and summarily reverse. The United States Court of Appeals for the Eighth Circuit has erroneously interpreted the decision of this Court in *Burgett v. Texas*, 389 U. S. 109 (1967), and also has effectively overruled the Nebraska Supreme Court on a question of state law—the interpretation of Nebraska's Habitual Criminal Act.

Losieau was convicted of burglary in 1952. Under Nebraska practice, after the jury had made the guilty finding, the trial court held a hearing outside the jury's presence to determine whether or not the penalty for burglary should be enhanced under the Nebraska Habitual Criminal Act, Neb. Rev. Stat. § 29-2221 (1964 Reissue). A 1945 conviction for stealing a car was one of the prior convictions alleged, and the trial court found it and another conviction to be valid for enhancement purposes. Losieau was given a 20-year sentence. He then brought unsuccessful state post-conviction actions, contending that the 1952 sentence was invalid because he was denied counsel (1) when he pleaded guilty to the 1945 charge and (2) when he was thereafter sentenced to a prison term of three years for the

conviction based on the charge. Thereafter Losieau sought habeas corpus on a claim before the United States District Court for the District of Nebraska that he had been denied counsel at the 1945 proceedings in the state court. The federal court denied relief after hearing, finding that Losieau had been represented by counsel when he actually pleaded guilty to the auto theft charge in 1945. It also held that the validity of the 1945 sentence and the underlying issue of lack of counsel at sentencing one day following the plea were irrelevant, noting that any defect in sentencing would not affect the validity of the *conviction*, and observing that under Nebraska law it was solely the validity of the conviction, not the sentence, which was important. On appeal, the Eighth Circuit reversed, deciding that, because the Nebraska Habitual Criminal Act applied where a defendant had been twice previously "convicted of crime, sentenced and committed to prison," *Burgett* required that the sentence also be valid to give effect to the right to counsel at sentencing in 1945.

The Nebraska Habitual Criminal Act, Neb. Rev. Stat. § 29-2221 (1964 Reissue), provides in part:

"(1) Whoever has been twice convicted of crime, sentenced and committed to prison, . . . for terms of not less than one year each, shall, upon conviction of a felony committed in this state, be deemed to be an habitual criminal"

The Supreme Court of Nebraska has indicated that "an unauthorized or erroneous sentence does not void a lawful conviction" for the purposes of § 29-2221. *Kennedy v. State*, 171 Neb. 160, 176, 105 N. W. 2d 710, 721 (1960). See also *State v. Burnside*, 181 Neb. 20, 146 N. W. 2d 754 (1966), cert. denied, 387 U. S. 936 (1967); *Haswell v. State*, 167 Neb. 169, 92 N. W. 2d 161 (1958).

Burgett v. Texas, *supra*, held that a conviction obtained in violation of *Gideon v. Wainwright*, 372 U. S.

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335 (1963), could not be used "to support guilt or enhance punishment for another offense . . ." (389 U. S., at 115), because such use would be giving renewed effect to the denial of Sixth and Fourteenth Amendment rights. *Burgett* did not require the Eighth Circuit to reinterpret Nebraska's § 29-2221 to require that a sentence as well as a conviction be validly entered.

No. 456. *TIJERINA ET AL. v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. *Richard F. Watt, John M. Bowlus, Morton Stavis, and William Kunstler* for petitioners. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for the United States. Reported below: 412 F. 2d 661.

No. 458. *JOHNSON ET AL. v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted and the judgment below reversed. *Robert Eugene Smith* for petitioners. *Robert H. Quinn, Attorney General of Massachusetts, John Wall, Assistant Attorney General, and Garrett H. Byrne* for respondent.

No. 607. *DAILY PRESS, INC. v. UNITED PRESS INTERNATIONAL ET AL.* C. A. 6th Cir. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *Eugene Driker* for petitioner. *H. William Butler and Richard F. Stevens* for United Press International, *Leslie W. Fleming* for Evening News Assn., and *Kenneth Murray and Brownson Murray* for Knight Newspapers, Inc., respondents. Reported below: 412 F. 2d 126.

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No. 641. UNITED AIR LINES, INC. *v.* THOMAS, EXECUTRIX, ET AL. Ct. App. N. Y. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *William J. Junkerman* for petitioner. *Edward M. O'Brien* for respondents. Reported below: 24 N. Y. 2d 714, 249 N. E. 2d 755.

No. 109, Misc. LAMBRIGHT *v.* CRAVEN, WARDEN, ET AL. C. A. 9th Cir. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Robert F. Katz*, Deputy Attorney General, for respondents.

No. 284, Misc. MADKINS *v.* O'NEIL, JUDGE, ET AL. Sup. Ct. Wis. Certiorari denied. *Robert W. Warren*, Attorney General of Wisconsin, and *William A. Platz*, Assistant Attorney General, for respondents.

No. 325, Misc. HENDERSON *v.* CALIFORNIA. Ct. App. Cal., 3d App. Dist. Certiorari denied. *S. Carter McMorris* for petitioner. *Thomas C. Lynch*, Attorney General of California, *Doris H. Maier*, Assistant Attorney General, and *Roger E. Venturi*, Deputy Attorney General, for respondent.

No. 353, Misc. BERG *v.* CALIFORNIA. App. Dept., Super. Ct. Cal., County of Los Angeles. Certiorari denied. *James M. Weinberg* for petitioner. *Roger Arnebergh*, *Philip E. Grey*, and *Michael T. Sauer* for respondent.

No. 367, Misc. KAGAN *v.* SCHNECKLOTH, CONSERVATION CENTER SUPERINTENDENT. C. A. 9th Cir. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *Doris H. Maier*, Assistant Attorney General, and *Charles P. Just*, Deputy Attorney General, for respondent.

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No. 438, Misc. *DICKINSON v. BRIDGES, SHERIFF*. C. A. 5th Cir. Certiorari denied. *James L. Highsaw, Jr.*, for respondent.

No. 446, Misc. *BARNETT ET AL. v. PONTESSO, CORRECTIONS DIRECTOR, ET AL.* C. A. 10th Cir. Certiorari denied. *H. L. McConnell*, Assistant Attorney General of Oklahoma, for respondents.

No. 449, Misc. *KENYATTA v. VIRGINIA*. Sup. Ct. App. Va. Certiorari denied. *Lawrence E. Freedman* for petitioner.

No. 475, Misc. *ALONZO v. BOARD OF COMMISSIONERS OF THE ALABAMA STATE BAR*. Sup. Ct. Ala. Certiorari denied. *M. Roland Nachman, Jr.*, for respondent. Reported below: 284 Ala. 183, 223 So. 2d 585.

No. 505, Misc. *CARLTON ET UX. v. GERSTEIN*. C. A. 5th Cir. Certiorari denied.

No. 557, Misc. *PENCE v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Thomas A. Conroy* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, and *Jerome M. Feit* for the United States.

No. 587, Misc. *GANTT v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Roger A. Pauley* for the United States. Reported below: 410 F. 2d 1375.

No. 648, Misc. *CARNEGIE v. CONNECTICUT*. Sup. Ct. Conn. Certiorari denied. *David M. Reilly* for petitioner. *David B. Salzman* for respondent. Reported below: 158 Conn. 264, 259 A. 2d 628.

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No. 569, Misc. *IN RE LIPSCOMB*. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold* in opposition. Reported below: 408 F. 2d 1003.

No. 663, Misc. *EVANS v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied.

No. 673, Misc. *MOSS v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, and *Beatrice Rosenberg* for the United States. Reported below: 410 F. 2d 386.

No. 725, Misc. *FERRARA v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, and *Beatrice Rosenberg* for the United States. Reported below: 411 F. 2d 793.

No. 736, Misc. *WITHRIDGE v. NEW YORK*. App. Term, Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. *Frank S. Hogan* for respondent.

No. 794, Misc. *JOHNSON v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 412 F. 2d 787.

No. 862, Misc. *WILLIAMS v. COX, PENITENTIARY SUPERINTENDENT*. C. A. 4th Cir. Certiorari denied.

No. 876, Misc. *ARCHIE v. NEW MEXICO*. C. A. 10th Cir. Certiorari denied.

No. 924, Misc. *GOWDY v. TAHASH, WARDEN*. Sup. Ct. Minn. Certiorari denied. *John S. Connolly* for petitioner. Reported below: 284 Minn. 528, 169 N. W. 2d 30.

No. 964, Misc. *SWAIN v. NORTH CAROLINA*. C. A. 4th Cir. Certiorari denied.

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No. 965, Misc. *GARNER v. FLORIDA*. Sup. Ct. Fla. Certiorari denied.

No. 985, Misc. *HUTCHINSON v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 71 Cal. 2d 342, 455 P. 2d 132.

No. 990, Misc. *LLUVERAS v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. *Frank S. Hogan* and *Michael R. Juviler* for respondent.

No. 1042, Misc. *DOZIE v. WISCONSIN*. Sup. Ct. Wis. Certiorari denied.

No. 1043, Misc. *MINTZER v. DEEGAN, WARDEN*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied.

No. 1046, Misc. *GRAHAM v. UNITED STATES*. C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 1047, Misc. *ALSTON v. FOLLETTE, WARDEN*. C. A. 2d Cir. Certiorari denied.

No. 1068, Misc. *LANDMAN v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 1077, Misc. *HESLIP v. NEW JERSEY*. C. A. 3d Cir. Certiorari denied.

No. 1086, Misc. *MORALES v. CRAVEN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 1141, Misc. *DANIELS v. NELSON, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 415 F. 2d 323.

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No. 1089, Misc. HALLOWELL *v.* NELSON, WARDEN. Sup. Ct. Cal. Certiorari denied.

No. 1135, Misc. SCANLAN *v.* FIELD, MEN'S COLONY SUPERINTENDENT. C. A. 9th Cir. Certiorari denied.

No. 1142, Misc. STEVENSON *v.* MANCUSI, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 636, Misc. PRITCHARD *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *David Rein* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Sidney M. Glazer* for the United States. Reported below: 413 F. 2d 663.

Rehearing Denied

No. 748, October Term, 1968. JENKINS *v.* DELAWARE, 395 U. S. 213. Petition for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

DECEMBER 17, 1969

Dismissals Under Rule 60

No. 412, Misc. WILFONG *v.* MISSOURI. Sup. Ct. Mo. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *John C. Danforth*, Attorney General of Missouri, and *Dale L. Rollings* and *Michael L. Boicourt*, Assistant Attorneys General, for respondent. Reported below: 438 S. W. 2d 265.

No. 1152, Misc. KNOX *v.* PATUXENT INSTITUTION DIRECTOR. Ct. Sp. App. Md. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court.

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DECEMBER 18, 1969

Dismissal Under Rule 60

No. 895. *CARPENTER v. COX ET AL.* Sup. Ct. Tenn. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *William J. Harbison* for petitioner. *Charles L. Cornelius, Jr.*, for respondents.

DECEMBER 19, 1969

Miscellaneous Order

No. 944. *CARTER ET AL. v. WEST FELICIANA PARISH SCHOOL BOARD ET AL.* C. A. 5th Cir. Motion for emergency reconsideration of granting of injunctive order [*ante*, p. 226] denied. *John F. Ward, Jr.*, on the motion.

DECEMBER 22, 1969

Dismissal Under Rule 60

No. 126, Misc. *YATES v. KANSAS.* Sup. Ct. Kan. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *Kent Frizzell*, Attorney General of Kansas, and *J. Richard Foth* and *Ernest C. Ballweg*, Assistant Attorneys General, for respondent. Reported below: 202 Kan. 406, 449 P. 2d 575.

JANUARY 8, 1970

Dismissal Under Rule 60

No. 54. *CAVITT v. NEBRASKA.* Appeal from Sup. Ct. Neb. [Probable jurisdiction noted, 393 U. S. 1078.] Appeal dismissed pursuant to Rule 60 of the Rules of this Court. *Richard A. Huebner* for appellant. *Clarence A. H. Meyer*, Attorney General of Nebraska, and *Melvin Kent Kammerlohr*, Assistant Attorney General, for appellee. Reported below: 182 Neb. 712, 157 N. W. 2d 171; 183 Neb. 243, 159 N. W. 2d 566.

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JANUARY 12, 1970

Dismissals Under Rule 60

No. 678, Misc. MYLES *v.* PROCUNIER, CORRECTIONS DIRECTOR, ET AL. Sup. Ct. Cal. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *Paul Ligda* for petitioner.

No. 911. AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA *v.* YOUNG, TRUSTEE IN BANKRUPTCY, ET AL. C. A. 2d Cir. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *Robert E. Curran* and *Kevin D. Moloney* for petitioner. *Herman Cahn* for respondents. Reported below: 416 F. 2d 906.

Miscellaneous Orders

No. —. COFFEY *v.* CRAVEN, WARDEN. C. A. 9th Cir. Petition presented to MR. JUSTICE DOUGLAS for reconsideration of denial of bail, and by him referred to the Court, denied. *Thomas C. Lynch*, Attorney General of California, *Albert W. Harris, Jr.*, Assistant Attorney General, and *Joyce Ferris Nedde*, Deputy Attorney General, in opposition.

No. —. SIGNORELLI *v.* MALLECK. C. A. 2d Cir. Application for restraining order presented to MR. JUSTICE DOUGLAS, and by him referred to the Court, denied. *Solicitor General Griswold* in opposition.

No. 74. TAGGART ET AL. *v.* WEINACKER'S, INC. Sup. Ct. Ala. [Certiorari granted, *ante*, p. 813.] Motions of American Retail Federation and Homart Development Co. for leave to file briefs as *amici curiae* granted. *Brice I. Bishop* and *Phil B. Hammond* on the motion for American Retail Federation.

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No. 53. BAIRD *v.* STATE BAR OF ARIZONA. Sup. Ct. Ariz. [Certiorari granted, 394 U. S. 957.] Case restored to calendar for reargument.

No. 230. H. K. PORTER Co., INC., DISSTON DIVISION-DANVILLE WORKS *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. D. C. Cir. [Certiorari granted, *ante*, p. 817.] Motion of United Steelworkers of America for leave to participate in oral argument granted and 15 minutes allotted for that purpose. An additional 15 minutes allotted to counsel for petitioner. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion. *George H. Cohen* and *Bernard Kleinman* on the motion.

No. 234. CZOSEK ET AL. *v.* O'MARA ET AL. C. A. 2d Cir. [Certiorari granted, *ante*, p. 814.] Motion of respondents for permission for two attorneys to participate in oral argument granted. *William B. Mahoney* for O'Mara et al., and *Thomas G. Rickert*, *Richard F. Griffin*, and *Courtland R. LaVallee* for Erie Lackawanna Railroad Co. on the motion.

No. 300. TATE ET AL. *v.* HICKEL, SECRETARY OF THE INTERIOR, ET AL. C. A. 10th Cir. [Certiorari granted, *ante*, p. 815.] Motion of Richard B. Stone for leave to argue *pro hac vice* in behalf of Hickel granted. Motion of respondent, Dorita High Horse, to remove case from summary calendar denied. Fifteen additional minutes allotted to each side. *Solicitor General Griswold* on the motion for Stone, and *Houston Bus Hill* on the motion for Dorita High Horse.

No. 692. PUBLIC SERVICE COMMISSION OF WYOMING ET AL. *v.* TRI-STATE GENERATION & TRANSMISSION ASSN., INC. C. A. 10th Cir. The Solicitor General is invited to file a brief expressing the views of the United States.

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No. 75. *IN RE STOLAR*. Sup. Ct. Ohio. [Certiorari granted, *ante*, p. 816.] Case restored to calendar for reargument.

No. 730. *HILL v. CALIFORNIA*. Sup. Ct. Cal. [Certiorari granted, *ante*, p. 818.] Motion of petitioner for appointment of counsel granted. It is ordered that *Joseph Amato, Esquire*, of Palos Verdes Estates, California, be, and he is hereby, appointed to serve as counsel for petitioner in this case.

No. 1074, Misc. *HALL v. WINGO, WARDEN*; and

No. 1264, Misc. *MAISONAVE v. WAINWRIGHT, CORRECTIONS DIRECTOR*. Motions for leave to file petitions for writs of habeas corpus denied.

No. 1178, Misc. *LESER v. UNITED STATES ET AL.* Motion for leave to file petition for writ of habeas corpus denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this motion.

No. 262, Misc. *POGGI v. GRAY, U. S. DISTRICT JUDGE*; and

No. 310, Misc. *POGGI v. GRAY, U. S. DISTRICT JUDGE*. Motions for leave to file petitions for writs of mandamus denied.

Probable Jurisdiction Noted

No. 696. *LAW STUDENTS CIVIL RIGHTS RESEARCH COUNCIL, INC., ET AL. v. WADMOND ET AL.* Appeal from D. C. S. D. N. Y. Probable jurisdiction noted and case set for argument immediately following No. 75 [restored to calendar, *supra*]. *Alan H. Levine, Jeremiah S. Gutman*, and *Leonard B. Boudin* for appellants. *Louis J. Lefkowitz*, Attorney General of New York, and *Daniel M. Cohen*, Assistant Attorney General, for appellees. Reported below: 299 F. Supp. 117.

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No. 726. MITCHELL ET AL. *v.* DONOVAN, SECRETARY OF STATE OF MINNESOTA, ET AL. Appeal from D. C. Minn. Probable jurisdiction noted. MR. JUSTICE HARLAN is of the opinion that further consideration of question of jurisdiction should be postponed to hearing on the merits. *Lynn S. Castner* and *Melvin L. Wulf* for appellants. *Douglas M. Head*, Attorney General of Minnesota, *pro se*, *Arne L. Schoeller*, Chief Deputy Attorney General, and *John R. Kenefick* and *James M. Kelley*, Special Assistant Attorneys General, for appellees. Reported below: 300 F. Supp. 1145.

Certiorari Granted

No. 661. HELLENIC LINES LTD. ET AL. *v.* RHODITIS. C. A. 5th Cir. Motion of Royal Greek Government for leave to file a brief as *amicus curiae* granted. Motion of Union of Greek Shipowners et al. for leave to file a brief as *amici curiae* granted. Certiorari granted. *George F. Wood* for petitioners. *James M. Estabrook* and *David P. H. Watson* for Royal Greek Government, and *John R. Sheneman* for Union of Greek Shipowners et al. on the motions. Reported below: 412 F. 2d 919.

No. 678. NASH ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari granted. *Alex W. Newton* for petitioners. *Solicitor General Griswold* for the United States. Reported below: 414 F. 2d 627.

No. 768. BOYS MARKETS, INC. *v.* RETAIL CLERKS UNION, LOCAL 770. C. A. 9th Cir. Certiorari granted. *Joseph M. McLaughlin* for petitioner. *Kenneth M. Schwartz* for respondent. *Carl M. Gould* and *Stanley E. Tobin* for Plumbing-Heating & Piping Employers Council of Southern California, Inc., as *amicus curiae* in support of the petition. Reported below: 416 F. 2d 368.

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No. 387. CALIFORNIA *v.* GREEN. Sup. Ct. Cal. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari granted. *Thomas C. Lynch*, Attorney General of California, and *William E. James*, Assistant Attorney General, for petitioner. Reported below: 70 Cal. 2d 654, 451 P. 2d 422.

Certiorari Denied. (See also No. 662, *ante*, p. 278; No. 714, *ante*, p. 277; No. 738, *ante*, p. 279; No. 748, *ante*, p. 279; No. 787, Misc., *ante*, p. 280; and No. 897, Misc., *ante*, p. 276.)

No. 242. PEREZ *v.* CALIFORNIA. Sup. Ct. Cal. Certiorari denied. *Vincent Hallinan* for petitioner. *Thomas C. Lynch*, Attorney General of California, *Albert W. Harris, Jr.*, Assistant Attorney General, and *Derald E. Granberg* and *Gloria F. DeHart*, Deputy Attorneys General, for respondent.

No. 504. DONALDSON *v.* ILLINOIS. App. Ct. Ill., 1st Dist. Certiorari denied. *Robert S. Bailey* for petitioner. *William J. Scott*, Attorney General of Illinois, and *Joel M. Flaum* and *Thomas J. Immel*, Assistant Attorneys General, for respondent.

No. 567. METTLER ET UX. *v.* CALIFORNIA. Ct. App. Cal., 4th App. Dist. Certiorari denied. *McPherson Berrien E. Moore* for petitioners. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *James L. Markman*, Deputy Attorney General, for respondent.

No. 627. MARINE *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *David P. Schippers* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, and *Beatrice Rosenberg* for the United States. Reported below: 413 F. 2d 214.

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No. 379. LEMKE *v.* CITY OF NEWPORT NEWS. Sup. Ct. App. Va. Certiorari denied.

No. 643. FRILETTE ET AL. *v.* KIMBERLIN ET AL. C. C. P. A. Certiorari denied. *Oswald G. Hayes, Raymond W. Barclay, Richard K. Stevens, Davidson C. Miller, and John F. Witherspoon* for petitioners. *Malvin R. Mandelbaum* for respondents. Reported below: 56 C. C. P. A. (Pat.) 1242, 412 F. 2d 1390.

No. 644. SOUTHERN RAILWAY CO. *v.* CITY OF KNOXVILLE. Sup. Ct. Tenn. Certiorari denied. *Charles A. Horsky* and *Clyde W. Key* for petitioner. *W. P. Boone Dougherty* for respondent. Reported below: — Tenn. —, 442 S. W. 2d 619.

No. 645. FLOERSHEIM, DBA FLOERSHEIM SALES CO. ET AL. *v.* FEDERAL TRADE COMMISSION. C. A. 9th Cir. Certiorari denied. *Marion Edwyn Harrison* for petitioner. *Solicitor General Griswold, Assistant Attorney General McLaren, and Alvin L. Berman* for respondent. Reported below: 411 F. 2d 874.

No. 648. HAMMOND MILLING CO. ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *E. David Rosen* for petitioners. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Leonard H. Dickstein* for the United States. Reported below: 413 F. 2d 608.

No. 665. BRUSH-MOORE NEWSPAPERS, INC., DBA PORTSMOUTH TIMES *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 6th Cir. Certiorari denied. *Earle K. Shawe* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, and Norton J. Come* for respondent. Reported below: 413 F. 2d 809.

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No. 646. ARIZONA EX REL. MERRILL, SHERIFF *v.* TURTLE. C. A. 9th Cir. Certiorari denied. *Gary K. Nelson*, Attorney General of Arizona, and *Carl Waag*, Assistant Attorney General, for petitioner. *Theodore R. Mitchell* for respondent. Reported below: 413 F. 2d 683.

No. 650. HUMAN ENGINEERING INSTITUTE, INC. *v.* WELCH SCIENTIFIC Co. C. A. 7th Cir. Certiorari denied. *Bruce B. Krost* for petitioner. *John D. Dewey* for respondent. Reported below: 416 F. 2d 32.

No. 651. FIRST NATIONAL BANK OF LINCOLNWOOD *v.* CARROLL ET AL. C. A. 7th Cir. Certiorari denied. *Martin S. Gerber* for petitioner. *Sidney R. Zatz* and *John J. Enright* for respondents. Reported below: 413 F. 2d 353.

No. 652. PENROD DRILLING Co. *v.* JOHNSON ET AL. C. A. 5th Cir. Certiorari denied. *Thomas A. Harrell* for petitioner. *Scott Baldwin* for respondents. Reported below: 414 F. 2d 1217.

No. 657. ACKER *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold*, *Acting Assistant Attorney General Ugast*, *Joseph M. Howard*, and *John M. Brant* for the United States. Reported below: 415 F. 2d 328.

No. 658. LOCAL No. 380, INTERNATIONAL UNION, ALLIED INDUSTRIAL WORKERS OF AMERICA, AFL-CIO *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 7th Cir. Certiorari denied. *Gerry M. Miller* for petitioner. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli*, *Norton J. Come*, and *Linda Sher* for National Labor Relations Board, and *Walter S. Davis* for Flambeau Plastics Corp., respondents. Reported below: 411 F. 2d 249.

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No. 659. *CERRITO v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Julius Lucius Echeles* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, and Jerome M. Feit* for the United States. Reported below: 413 F. 2d 1270.

No. 660. *WEINER v. CUYAHOGA COMMUNITY COLLEGE DISTRICT ET AL.* Sup. Ct. Ohio. Certiorari denied. *Thomas J. McDermott* for petitioner. *George I. Meisel* for respondents. Reported below: 19 Ohio St. 2d 35, 249 N. E. 2d 907.

No. 667. *PATTON MANUFACTURING CO. ET AL. v. KIMBERLING, TRUSTEE IN BANKRUPTCY*. C. A. 6th Cir. Certiorari denied. *Ford W. Ekey* for petitioners. *Bradley J. Schaeffer* for respondent. Reported below: 413 F. 2d 1258.

No. 671. *PRESTO MANUFACTURING CO. v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. D. C. Cir. Certiorari denied. *Abraham J. Harris* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, Norton J. Come, and Linda Sher* for respondent National Labor Relations Board. Reported below: 135 U. S. App. D. C. 197, 417 F. 2d 1144.

No. 673. *GLEN & MOHAWK MILK ASSN., INC. v. WICKHAM, COMMISSIONER OF AGRICULTURE & MARKETS OF NEW YORK*. Ct. App. N. Y. Certiorari denied. *John R. Davison* for petitioner. *Robert G. Blabey* for respondent.

No. 680. *FIEDLER v. NEW YORK*. Ct. App. N. Y. Certiorari denied. *Herald Price Fahringer* for petitioner. *Michael F. Dillon* for respondent. Reported below: 24 N. Y. 2d 960, 250 N. E. 2d 75.

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No. 682. GENERAL ELECTRIC CO. *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 4th Cir. Certiorari denied. *William W. Sturges* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli,* and *Norton J. Come* for National Labor Relations Board, and *Irving Abramson* and *Ruth Weyand* for International Union of Electrical, Radio & Machine Workers, AFL-CIO, et al., respondents. Reported below: 414 F. 2d 918.

No. 684. MARKHAM ADVERTISING CO., INC., ET AL. *v.* ZAHN ET AL. C. A. 9th Cir. Certiorari denied. *Alfred J. Schweppe* and *Thomas R. Beierle* for petitioners. *Slade Gorton*, Attorney General of Washington, *Robert J. Doran*, Deputy Attorney General, and *Delbert W. Johnson*, Special Assistant Attorney General, for respondents. Reported below: 415 F. 2d 772.

No. 685. HARRIS *v.* PENNSYLVANIA TURNPIKE COMMISSION. C. A. 3d Cir. Certiorari denied. *Theodore Kostos* for petitioner. Reported below: 410 F. 2d 1332.

No. 686. BUGDEN *v.* BUGDEN. Sup. Ct. Ga. Certiorari denied. *Roland D. Hartshorn* for petitioner. Reported below: 225 Ga. 413, 169 S. E. 2d 337.

No. 689. BOYLES *v.* MISSISSIPPI. Sup. Ct. Miss. Certiorari denied. *P. J. Townsend, Jr.*, for petitioner. Reported below: 223 So. 2d 651.

No. 691. BAIRD *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Simon H. Rifkind, Jay H. Topkis, Thomas R. Farrell,* and *Boris Kostelanetz* for petitioner. *Solicitor General Griswold, Assistant Attorney General Walters, Joseph M. Howard,* and *John P. Burke* for the United States. Reported below: 414 F. 2d 700.

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No. 690. JAMES TALCOTT, INC. *v.* IVOR B. CLARK CO., INC., ET AL. C. A. 2d Cir. Certiorari denied. *Thomas B. Leary* and *David Hartfield, Jr.*, for petitioner. *Arthur S. Friedman* and *Hyman Frankel* for respondents. Reported below: 411 F. 2d 788.

No. 695. SIRBU ET AL. *v.* SIRBU. Sup. Ct. Ohio. Certiorari denied. *John R. Vintilla* for petitioners. *C. Kenneth Clark, Jr.*, for respondent. Reported below: 19 Ohio St. 2d 162, 249 N. E. 2d 887.

No. 697. MORTON ET AL., TRADING AS PENNBROOK MILK CO. *v.* NATIONAL DAIRY PRODUCTS CORP. C. A. 3d Cir. Certiorari denied. *Frederic L. Ballard* for petitioners. *William H. Lowery* and *Owen B. Rhoads* for respondent. Reported below: 414 F. 2d 403.

No. 698. SCOTT ET AL. *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Raymond J. Smith* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Jerome M. Feit*, and *Robert G. Maysack* for the United States. Reported below: 413 F. 2d 932.

No. 699. LICAUSI *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Allen David Stolar* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 413 F. 2d 1118.

No. 700. BASSICK CO. ET AL. *v.* BLAKE ET AL. C. A. 7th Cir. Certiorari denied. *Dugald S. McDougall* and *A. G. Douvas* for petitioners. *John D. Dewey* for respondents.

No. 709. THOMAS *v.* PETERSON MARINE SERVICE, INC. C. A. 5th Cir. Certiorari denied. *Charles R. Maloney* for petitioner. Reported below: 411 F. 2d 592.

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No. 702. A. H. BELO CORP. (WFAA-TV) *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 5th Cir. Certiorari denied. *Joseph Alton Jenkins* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, Norton J. Come, and Linda Sher* for respondent. *L. N. D. Wells, Jr.*, for Local 1257, International Brotherhood of Electrical Workers, AFL-CIO, intervenor below. Reported below: 411 F. 2d 959.

No. 704. PYLE *v.* OHIO. Sup. Ct. Ohio. Certiorari denied. *William H. Thornburgh* for petitioner. *R. K. Wilson* for respondent. Reported below: 19 Ohio St. 2d 64, 249 N. E. 2d 826.

No. 707. PENNALUNA & Co., INC., ET AL. *v.* SECURITIES AND EXCHANGE COMMISSION. C. A. 9th Cir. Certiorari denied. *Richard Maguire* for petitioners. *Solicitor General Griswold and Philip A. Loomis, Jr.*, for respondent. Reported below: 410 F. 2d 861.

No. 708. SACKS *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Alan G. Wilsey* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 416 F. 2d 607.

No. 710. FIRST NATIONAL CITY BANK OF NEW YORK *v.* AMERICAN FIRE & CASUALTY Co. C. A. 1st Cir. Certiorari denied. *Victor House* for petitioner. Reported below: 411 F. 2d 755.

No. 716. LESLIE ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 2d Cir. Certiorari denied. *M. Bernard Aidinoff and Kendyl K. Monroe* for petitioners. *Solicitor General Griswold, Assistant Attorney General Walters, Harry Baum, and Robert I. Waxman* for respondent. Reported below: 413 F. 2d 636.

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No. 711. TAYLOR ET AL. *v.* DEALERS TRANSPORT CO. ET AL. C. A. 6th Cir. Certiorari denied. *George J. Long* for petitioners. *Newell N. Fowler* for Dealers Transport Co., and *Edgar A. Zingman* for E & L Transport Co., respondents.

No. 712. SMITH *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Clarence H. Pease* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 412 F. 2d 791.

No. 717. CENTRAL OF GEORGIA RAILWAY CO. *v.* BROTHERHOOD OF RAILROAD TRAINMEN ET AL. C. A. 5th Cir. Certiorari denied. *Charles A. Horsky, John B. Miller,* and *Julian C. Sipple* for petitioner. *Harold A. Ross* for respondents. Reported below: 415 F. 2d 403.

No. 718. BESSMAN ET AL., DBA BESSMAN INSURANCE AGENCY *v.* BACALIS. Sup. Ct. Mich. Certiorari denied. Reported below: 382 Mich. 764.

No. 719. WRIGHT ET UX. *v.* DADE COUNTY. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. *Richard H. W. Maloy* for petitioners. Reported below: 216 So. 2d 494.

No. 720. BAUER *v.* STERN FINANCE CO. ET AL. Sup. Ct. Iowa. Certiorari denied. *Dan Johnston* for petitioner. *Joseph Z. Marks* for respondents. Reported below: — Iowa —, 169 N. W. 2d 850.

No. 721. WYNN ET UX. *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Sherwin T. McDowell* for petitioners. *Solicitor General Griswold, Assistant Attorney General Walters, Harry Baum,* and *Robert I. Waxman* for the United States. Reported below: 411 F. 2d 614.

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No. 723. *WAINWRIGHT v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *George J. Francis* for petitioner. *Solicitor General Griswold, Assistant Attorney General Walters, and Joseph M. Howard* for the United States. Reported below: 413 F. 2d 796.

No. 724. *SWINDLER v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *James Lewis Mann Cromer* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, and Jerome M. Feit* for the United States. Reported below: 416 F. 2d 25.

No. 733. *MERCHANTS NATIONAL BANK & TRUST CO. OF INDIANAPOLIS v. PROFESSIONAL MEN'S ASSN., INC., ET AL.* C. A. 5th Cir. Certiorari denied. *Donald A. Schabel* for petitioner. *Robert W. Smith* for respondents. Reported below: 409 F. 2d 600.

No. 734. *WHITE CONSOLIDATED INDUSTRIES, INC. v. ALLIS-CHALMERS MANUFACTURING CO.* C. A. 3d Cir. Certiorari denied. *George I. Meisel* for petitioner. *S. Hazard Gillespie and S. Samuel Arsht* for respondent. Reported below: 414 F. 2d 506.

No. 744. *ROSSI v. FLETCHER*. C. A. D. C. Cir. Certiorari denied. *William D. Donnelly* for petitioner. Reported below: 135 U. S. App. D. C. 333, 418 F. 2d 1169.

No. 745. *COX'S FOOD CENTER, INC. v. RETAIL CLERKS UNION, LOCAL No. 1653, ET AL.* Sup. Ct. Idaho. Certiorari denied. *Eli Weston* for petitioner. *Donald Grody and Hugh Hafer* for respondents. Reported below: 93 Idaho 179, 457 P. 2d 418.

No. 751. *MAZZOCHI v. NEW YORK*. App. Div., Sup. Ct. N. Y., 1st Jud. Dept. Certiorari denied. *Irving Anolik* for petitioner.

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No. 740. *CANTRELL v. CITY OF OKLAHOMA CITY*. Ct. Crim. App. Okla. Certiorari denied. *Don Hamilton* for petitioner. *Roy H. Semtner* and *Giles K. Ratcliffe* for respondent. Reported below: 454 P. 2d 676.

No. 747. *TAYLOR v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Gordon C. Culp* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, and *Beatrice Rosenberg* for the United States. Reported below: 412 F. 2d 1188.

No. 750. *NAGELBERG v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Irwin Klein* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Robert G. Maysack* for the United States. Reported below: 413 F. 2d 708.

No. 754. *POLYMERS, INC. v. NATIONAL LABOR RELATIONS BOARD*. C. A. 2d Cir. Certiorari denied. *Francis J. Vaas* for petitioner. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli*, *Norton J. Come*, and *Linda Sher* for respondent. Reported below: 414 F. 2d 999.

No. 759. *PUBLIC SERVICE COMPANY OF INDIANA, INC., ET AL. v. HAMIL, ADMINISTRATOR OF RURAL ELECTRIFICATION ADMINISTRATION, ET AL.* C. A. 7th Cir. Certiorari denied. *Alan W. Boyd* for Public Service Company of Indiana, Inc., and *G. R. Redding* and *Fred P. Bamberger* for Southern Indiana Gas & Electric Co., petitioners. *Solicitor General Griswold*, *Acting Assistant Attorney General Eardley*, and *Alan S. Rosenthal* for respondents. Reported below: 416 F. 2d 648.

No. 765. *TORO v. JULIO E. GERALDINO, INC.* Sup. Ct. Puerto Rico. Certiorari denied.

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No. 755. MINNEAPOLIS PARK BOARD *v.* MINNESOTA. Sup. Ct. Minn. Certiorari denied. *Raymond A. Haik* for petitioner. *Douglas M. Head*, Attorney General of Minnesota, *Arne L. Schoeller*, Chief Deputy Attorney General, *Richard H. Kyle*, Deputy Attorney General, and *James M. Kelley*, Special Assistant Attorney General, for respondent. Reported below: 284 Minn. 233, 170 N. W. 2d 95.

No. 757. CARROLL *v.* UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLORADO. C. A. 10th Cir. Certiorari denied. *Rebecca L. Bradley* and *Walter L. Gerash* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Ruckelshaus*, *Alan S. Rosenthal*, and *Alexander P. Humphrey* for respondent. Reported below: 416 F. 2d 585.

No. 758. RUBIN *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Stanley Jay Bartel* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Jerome M. Feit*, and *Edward Fenig* for the United States. Reported below: 414 F. 2d 473.

No. 763. INDIANOLA MUNICIPAL SEPARATE SCHOOL DISTRICT ET AL. *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Hardy Lott* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Leonard*, and *J. Harold Flannery* for the United States. Reported below: 410 F. 2d 626.

No. 653. JONES *v.* CITY OF BIRMINGHAM. Ct. App. Ala. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Arthur Parker* for petitioner. *J. M. Breckenridge* and *William C. Walker* for respondent. Reported below: 45 Ala. App. 86, 224 So. 2d 922.

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No. 764. FOWLER MANUFACTURING CO. *v.* GORLICK ET AL., DBA THRIFTY SUPPLY CO. ET AL. C. A. 9th Cir. Certiorari denied. *Floyd V. Smith* for petitioner. *Donald G. Cohan* for respondents. Reported below: 415 F. 2d 1248.

No. 769. WYATT *v.* HOCKER, WARDEN. C. A. 9th Cir. Certiorari denied. *Richard C. Minor* for petitioner.

No. 822. BASAN *v.* UNITED STATES;

No. 825. HUTUL *v.* UNITED STATES; and

No. 826. LOMBARDI *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Charles A. Bellows* for petitioner in No. 825, and *Thomas P. Sullivan* for petitioner in No. 826. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for the United States in all three cases. Reported below: 416 F. 2d 607.

No. 160. HOPPER ET AL. *v.* LOUISIANA. Sup. Ct. La. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Camille F. Gravel, Jr.*, for petitioners. *Jack P. F. Gremillion*, Attorney General of Louisiana, *William P. Schuler*, Second Assistant Attorney General, *Harry H. Howard*, Assistant Attorney General, and *Lawrence L. McNamara* for respondent. Reported below: 253 La. 439, 218 So. 2d 551.

No. 546. HEINE *v.* NEW HAMPSHIRE. Sup. Ct. N. H. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Richard R. Fernald* for petitioner. *George S. Pappagianis*, Attorney General of New Hampshire, and *David H. Souter*, Assistant Attorney General, for respondent. Reported below: — N. H. —, 253 A. 2d 828.

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No. 26. ALLEN ET AL. *v.* HARDIN, SECRETARY OF AGRICULTURE, ET AL. C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE and MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Charles P. Ryan* and *Edward J. Ryan* for petitioners. *Solicitor General Griswold*, *Assistant Attorney General Weisl*, *Alan S. Rosenthal*, and *Walter H. Fleischer* for Hardin, and *Lawrence D. Hollman* and *Carlyle C. Ring, Jr.*, for Zuber et al., respondents. Reported below: 131 U. S. App. D. C. 109, 402 F. 2d 660.

No. 668. BOROSKI *v.* UNITED STATES. C. A. 6th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Kenneth S. Jacobs* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Jerome M. Feit*, and *Edward Fenig* for the United States. Reported below: 412 F. 2d 668.

No. 766. KAUFFMAN *v.* SECRETARY OF THE AIR FORCE. C. A. D. C. Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Leonard B. Boudin*, *Victor Rabinowitz*, and *David Rein* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Yeagley*, *Kevin T. Maroney*, and *Robert L. Keuch* for respondent. Reported below: 135 U. S. App. D. C. 1, 415 F. 2d 991.

No. 420. JONES *v.* JONES ET AL. C. A. 7th Cir. Motion to dispense with printing petition for certiorari granted. Certiorari denied. *William J. Scott*, Attorney General of Illinois, and *Francis T. Crowe*, *Herman Tavins*, and *A. Zola Groves*, Assistant Attorneys General, for respondents McCormick et al. Reported below: 410 F. 2d 365.

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No. 639. *BERKMAN v. UNITED STATES*. C. A. 2d Cir. Motion to dispense with printing petition for certiorari granted. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Walters, Joseph M. Howard, and John P. Burke* for the United States.

No. 495. *WAINWRIGHT, CORRECTIONS DIRECTOR v. BARTON*. C. A. 5th Cir. Motion of respondent for leave to proceed *in forma pauperis* granted. Certiorari denied. *Earl Faircloth, Attorney General of Florida, and Morton J. Hanlon, Assistant Attorney General, for petitioner. Robert E. Jagger and Carleton L. Weidemeyer* for respondent. Reported below: 412 F. 2d 229.

No. 647. *McROBERTS v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Ellis J. Horvitz* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 409 F. 2d 195.

No. 693. *HABIG ET AL. v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Fred P. Bamberger, Alan W. Boyd, and Anton Dimitroff* for petitioners. *Solicitor General Griswold, Assistant Attorney General Walters, and Joseph M. Howard* for the United States. Reported below: 413 F. 2d 1108.

No. 669. *RUFFALO v. MAHONING COUNTY BAR ASSN.* Sup. Ct. Ohio. Motion to use record and appendix in No. 73, October Term, 1967 [*In re Ruffalo*, 390 U. S. 544], granted. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. MR. JUSTICE STEWART took no part in the consideration or decision of this motion and petition. *Eugene Gressman* for petitioner. *Thomas V. Koykka and Edward R. Brown* for respondent.

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No. 739. *OSBORN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Maclin P. Davis, Jr.*, for petitioner. *Solicitor General Griswold* for the United States. Reported below: 415 F. 2d 1021.

No. 674. *HENRY I. SIEGEL CO., INC. v. NATIONAL LABOR RELATIONS BOARD ET AL.* C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. *Osmond K. Fraenkel* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, and Norton J. Come* for National Labor Relations Board, and *Jacob Sheinkman* for Amalgamated Clothing Workers of America, AFL-CIO, respondents. Reported below: 135 U. S. App. D. C. 142, 417 F. 2d 559.

No. 752. *MATZNER ET AL. v. BROWN, JUDGE*. C. A. 3d Cir. Certiorari denied. MR. JUSTICE BRENNAN took no part in the consideration or decision of this petition. *F. Lee Bailey* for petitioners. *Arthur J. Sills*, Attorney General of New Jersey, and *Elias Abelson*, Assistant Attorney General, for respondent. Reported below: 410 F. 2d 1376.

No. 63, Misc. *MOORE v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *Doris H. Maier*, Assistant Attorney General, and *Edward W. Bergtholdt*, Deputy Attorney General, for respondent.

No. 151, Misc. *WANE v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Russell Iungerich*, Deputy Attorney General, for respondent.

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No. 124, Misc. *BRYANT v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, and *Edsel W. Haws* and *Willard F. Jones*, Deputy Attorneys General, for respondent.

No. 162, Misc. *PARK v. CALIFORNIA ADULT AUTHORITY ET AL.* C. A. 9th Cir. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *Albert W. Harris, Jr.*, Assistant Attorney General, and *Derald E. Granberg* and *Charles R. B. Kirk*, Deputy Attorneys General, for respondents.

No. 217, Misc. *VAUGHN v. CALIFORNIA*. Ct. App. Cal., 4th Jud. Dist. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Frederick R. Millar, Jr.*, Deputy Attorney General, for respondent.

No. 259, Misc. *COTTON v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Kirby W. Patterson* for the United States. Reported below: 409 F. 2d 1049.

No. 515, Misc. *NICHOLLS v. ILLINOIS*. Sup. Ct. Ill. Certiorari denied. *Walter D. Williams* for petitioner. *William J. Scott*, Attorney General of Illinois, and *Joel M. Flaum*, *Thomas J. Immel*, and *Roger C. Nauert*, Assistant Attorneys General, for respondent. Reported below: 42 Ill. 2d 91, 245 N. E. 2d 771.

No. 770, Misc. *MADRID v. ARIZONA*. Ct. App. Ariz. Certiorari denied. *Gary K. Nelson*, Attorney General of Arizona, and *Carl Waag*, Assistant Attorney General, for respondent. Reported below: 9 Ariz. App. 207, 450 P. 2d 719.

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No. 551, Misc. BROWN, AKA MORRIS *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *John Powers Crowley* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 411 F. 2d 930.

No. 672, Misc. STEPHENS *v.* VIRGINIA. Sup. Ct. App. Va. Certiorari denied. *Henry W. McLaughlin III* for petitioner. *J. Willard Greer* for respondent.

No. 726, Misc. RAKSHYS *v.* PENNSYLVANIA. Sup. Ct. Pa. Certiorari denied.

No. 748, Misc. CHROMIAK *v.* FIELD, MEN'S COLONY SUPERINTENDENT. C. A. 9th Cir. Certiorari denied. Reported below: 406 F. 2d 502.

No. 777, Misc. BROADHEAD *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Myron J. Hack* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Jerome M. Feit*, and *Edward Fenig* for the United States. Reported below: 413 F. 2d 1351.

No. 799, Misc. WILLIAMS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Leonard R. Mellon* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Roger A. Pauley* for the United States. Reported below: 402 F. 2d 258.

No. 804, Misc. OBLATORE *v.* BRAUNER. C. A. 8th Cir. Certiorari denied. *Maximilian Bader* and *I. Walton Bader* for petitioner.

No. 840, Misc. VIVERO ET AL. *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Albert J. Krieger* for petitioners. *Solicitor General Griswold* for the United States. Reported below: 413 F. 2d 971.

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No. 809, Misc. *BLACK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Kirby W. Patterson* for the United States. Reported below: 412 F. 2d 687.

No. 831, Misc. *BAKER v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Robert G. Pugh* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Marshall Tamor Golding* for the United States. Reported below: 412 F. 2d 1069.

No. 872, Misc. *SISK v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Thomas McKinney, Jr.*, for petitioner. *Solicitor General Griswold* for the United States. Reported below: 411 F. 2d 1192.

No. 874, Misc. *SWIFT v. NEW YORK*. App. Div., Sup. Ct. N. Y., 2d Jud. Dept. Certiorari denied. *Matthew Muraskin* for petitioner. *William Cahn and Jules Orenstein* for respondent. Reported below: 32 App. Div. 2d 183, 300 N. Y. S. 2d 639.

No. 888, Misc. *GREEN v. PATE, WARDEN*. C. A. 7th Cir. Certiorari denied. *Joseph A. Marino* for petitioner. Reported below: 411 F. 2d 884.

No. 918, Misc. *NORMAN v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *J. B. Tietz* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Robert G. Maysack* for the United States. Reported below: 413 F. 2d 789.

No. 939, Misc. *BRILL ET AL. v. OHIO*. Sup. Ct. Ohio. Certiorari denied. *John J. Callahan* for petitioners.

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No. 935, Misc. *CULOTTA v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. *Robert S. Rifkind* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 413 F. 2d 1343.

No. 951, Misc. *ANTHONY v. UNITED STATES*. C. A. 3d Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Robert G. Maysack* for the United States. Reported below: 414 F. 2d 808.

No. 966, Misc. *GIBSON v. WASHINGTON*. Sup. Ct. Wash. Certiorari denied. *James E. Kennedy* for respondent. Reported below: 75 Wash. 2d 174, 449 P. 2d 692.

No. 967, Misc. *WEBB v. BETO, CORRECTIONS DIRECTOR*. C. A. 5th Cir. Certiorari denied. *Ernest E. Figari, Jr.*, for petitioner. *Crawford C. Martin*, Attorney General of Texas, *Nola White*, First Assistant Attorney General, *Robert C. Flowers* and *Gilbert J. Pena*, Assistant Attorneys General, for respondent. Reported below: 415 F. 2d 433.

No. 968, Misc. *RONSTADT v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 972, Misc. *KELLEY v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 973, Misc. *JOHNSON v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Kirby W. Patterson* for the United States. Reported below: 415 F. 2d 653.

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No. 982, Misc. *JAEGERS v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. *DeWitt F. Blase* for petitioner.

No. 983, Misc. *SMITH v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. *Kate Whyner* for petitioner. Reported below: 273 Cal. App. 2d 547, 78 Cal. Rptr. 405.

No. 986, Misc. *ELI v. CALIFORNIA*. Sup. Ct. Cal. Certiorari denied. Reported below: 71 Cal. 2d 214, 454 P. 2d 337.

No. 994, Misc. *MARVEL v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 996, Misc. *TELLIS v. HOCKER, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 1003, Misc. *CHAMBERS ET UX. v. COLONIAL PIPELINE Co.* C. A. 6th Cir. Certiorari denied. Reported below: 408 F. 2d 678.

No. 1004, Misc. *STEVENS v. NELSON, WARDEN, ET AL.* C. A. 9th Cir. Certiorari denied.

No. 1008, Misc. *MAROSCIA v. DISPATCH PRINTING CO. ET AL.* C. A. 6th Cir. Certiorari denied.

No. 1011, Misc. *EATON v. UNITED STATES*. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 1023, Misc. *LOGAN v. NEW YORK*. Ct. App. N. Y. Certiorari denied. Reported below: 25 N. Y. 2d 184, 250 N. E. 2d 454.

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No. 1013, Misc. LAUGHLIN *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *David E. Wagoner* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Roger A. Pauley* for the United States. Reported below: 411 F. 2d 1224.

No. 1025, Misc. MILLER ET AL. *v.* LOUISIANA. Sup. Ct. La. Certiorari denied. Reported below: 254 La. 73, 222 So. 2d 862.

No. 1026, Misc. CONOVER *v.* HEROLD, STATE HOSPITAL DIRECTOR. C. A. 2d Cir. Certiorari denied.

No. 1028, Misc. PHILLIPS *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied. *Frank O. Walther* for petitioner. Reported below: 270 Cal. App. 2d 381, 75 Cal. Rptr. 720.

No. 1029, Misc. ARNOLD *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 414 F. 2d 1056.

No. 1031, Misc. OWENS *v.* NEW JERSEY. Sup. Ct. N. J. Certiorari denied. *Morton Stavis* for petitioner. Reported below: 54 N. J. 153, 254 A. 2d 97.

No. 1033, Misc. COOPER ET AL. *v.* NEW JERSEY. Sup. Ct. N. J. Certiorari denied. *Gerald T. Foley, Jr.*, for petitioners. Reported below: 54 N. J. 330, 255 A. 2d 232.

No. 1036, Misc. WARRINER *v.* FERNANDEZ ET AL. Dist. Ct. App. Fla., 3d Dist. Certiorari denied.

No. 1040, Misc. BARTLETT, GUARDIAN *v.* HOLLOPETER. Sup. Ct. Ohio. Certiorari denied. *Arthur R. Cline* for respondent.

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No. 1039, Misc. *ROGERS v. CALIFORNIA ADULT AUTHORITY ET AL.* Sup. Ct. Cal. Certiorari denied.

No. 1041, Misc. *ROBERTS v. ALASKA.* Sup. Ct. Alaska. Certiorari denied. *G. Kent Edwards*, Attorney General of Alaska, and *Robert K. Yandell* for respondent. Reported below: 453 P. 2d 898.

No. 1044, Misc. *CORRADO ET UX. v. PROVIDENCE REDEVELOPMENT AGENCY ET AL.* Sup. Ct. R. I. Certiorari denied. *Timothy J. McCarthy* and *Vincent Pallozzi* for respondents. Reported below: — R. I. —, 252 A. 2d 920.

No. 1056, Misc. *LEE v. UNITED STATES.* C. A. 7th Cir. Certiorari denied. *Sam Adam* and *Charles B. Evins* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 413 F. 2d 910.

No. 1057, Misc. *NEAL v. UNITED STATES.* C. A. 9th Cir. Certiorari denied. *Mark I. Harrison* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 415 F. 2d 599.

No. 1058, Misc. *CZAKO v. MARONEY, CORRECTIONAL SUPERINTENDENT.* C. A. 3d Cir. Certiorari denied.

No. 1065, Misc. *HOLLAND v. COINER, WARDEN.* Sup. Ct. App. W. Va. Certiorari denied.

No. 1067, Misc. *SMITH v. NELSON, WARDEN.* C. A. 9th Cir. Certiorari denied.

No. 1070, Misc. *WHARTON v. CROUSE, WARDEN.* C. A. 10th Cir. Certiorari denied.

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No. 1071, Misc. *WHITE v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. *Solicitor General Griswold* for the United States.

No. 1072, Misc. *LYON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for the United States. Reported below: 416 F. 2d 91.

No. 1073, Misc. *McALVAIN v. ARIZONA*. Sup. Ct. Ariz. Certiorari denied. *Gary K. Nelson*, Attorney General of Arizona, and *Carl Waag*, Assistant Attorney General, for respondent. Reported below: 104 Ariz. 445, 454 P. 2d 987.

No. 1075, Misc. *STEPHENS v. FIELD, MEN'S COLONY SUPERINTENDENT*. C. A. 9th Cir. Certiorari denied.

No. 1081, Misc. *GABRIEL ET VIR v. IMMIGRATION AND NATURALIZATION SERVICE*. C. A. 7th Cir. Certiorari denied. *Richard W. Lowery* for petitioners. *Solicitor General Griswold, Assistant Attorney General Wilson, and Beatrice Rosenberg* for respondent.

No. 1082, Misc. *JOHNSON v. SARD ET AL.* C. A. D. C. Cir. Certiorari denied. *Solicitor General Griswold* for respondents.

No. 1083, Misc. *ORTEGA v. SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES*. Sup. Ct. Cal. Certiorari denied.

No. 1084, Misc. *GROSS v. CRAVEN, WARDEN*. C. A. 9th Cir. Certiorari denied.

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No. 1087, Misc. MITCHELL *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *John J. Cleary* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Edward Fenig* for the United States. Reported below: 416 F. 2d 607.

No. 1088, Misc. HILL *v.* CRAVEN, WARDEN. C. A. 9th Cir. Certiorari denied.

No. 1090, Misc. ROGERS *v.* NORTH CAROLINA. Sup. Ct. N. C. Certiorari denied. *Robert Morgan, Attorney General of North Carolina, and Ralph Moody, Deputy Attorney General*, for respondent. Reported below: 275 N. C. 411, 168 S. E. 2d 345.

No. 1093, Misc. HAMILTON, AKA LIPSCOMB *v.* ALABAMA. C. A. 5th Cir. Certiorari denied.

No. 1099, Misc. BOONE ET AL. *v.* WYMAN, COMMISSIONER, DEPARTMENT OF SOCIAL SERVICES OF NEW YORK, ET AL. C. A. 2d Cir. Certiorari denied. *Jonathan Weiss* for petitioners. *J. Lee Rankin and Stanley Buchsbaum* for respondents. Reported below: 412 F. 2d 857.

No. 1100, Misc. HAYNES *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Ernest E. Figari, Jr.*, for petitioner. *Solicitor General Griswold* for the United States. Reported below: 415 F. 2d 347.

No. 1104, Misc. MCGURRIN *v.* SHOVLIN, HOSPITAL SUPERINTENDENT, ET AL. C. A. 3d Cir. Certiorari denied.

No. 1114, Misc. REYES *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied. Reported below: 273 Cal. App. 2d 769, 78 Cal. Rptr. 733.

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No. 1106, Misc. *CHUPICH v. ILLINOIS*. C. A. 7th Cir. Certiorari denied.

No. 1109, Misc. *COLLINS v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Jerome M. Feit, and Kirby W. Patterson* for the United States. Reported below: 416 F. 2d 696.

No. 1115, Misc. *BLANKENSHIP v. NORVELL, WARDEN*. C. A. 6th Cir. Certiorari denied.

No. 1117, Misc. *ANTHONY v. NEW YORK*. App. Div., Sup. Ct. N. Y., 4th Jud. Dept. Certiorari denied.

No. 1119, Misc. *WALTERS v. COX, PENITENTIARY SUPERINTENDENT*. C. A. 4th Cir. Certiorari denied.

No. 1120, Misc. *SAUNDERS v. MICHIGAN PAROLE BOARD*. Sup. Ct. Mich. Certiorari denied. *Frank J. Kelley, Attorney General of Michigan, Robert A. Derengoski, Solicitor General, and Stewart H. Freeman, Assistant Attorney General*, for respondent.

No. 1122, Misc. *NEWLIN v. SUPERIOR COURT OF ARIZONA, COUNTY OF MARICOPA, ET AL.* Sup. Ct. Ariz. Certiorari denied.

No. 1125, Misc. *ROGERS v. SCHMIDT, SECRETARY OF WISCONSIN DEPARTMENT OF HEALTH AND SOCIAL SERVICES*. C. A. 7th Cir. Certiorari denied.

No. 1130, Misc. *CLINE v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 412 F. 2d 323.

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No. 1121, Misc. *EVANS v. CUPP, WARDEN*. C. A. 9th Cir. Certiorari denied. Reported below: 415 F. 2d 844.

No. 1127, Misc. *TAYLOR v. CADY, WARDEN*. Sup. Ct. Wis. Certiorari denied.

No. 1128, Misc. *JOHNS v. NELSON, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 1131, Misc. *BROWN v. KEITH*. C. A. 8th Cir. Certiorari denied.

No. 1134, Misc. *GILMORE v. CRAVEN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 1136, Misc. *HUSKEY v. CRAVEN, WARDEN*. C. A. 9th Cir. Certiorari denied.

No. 1143, Misc. *GRIX v. HEROLD, STATE HOSPITAL DIRECTOR*. C. A. 2d Cir. Certiorari denied.

No. 1145, Misc. *ROUNTREE v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 1148, Misc. *McDANIELS v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied.

No. 1153, Misc. *PARRISH v. BETO, CORRECTIONS DIRECTOR*. C. A. 5th Cir. Certiorari denied. *Crawford C. Martin*, Attorney General of Texas, *Nola White*, First Assistant Attorney General, and *Robert C. Flowers* and *Lonny F. Zwiener*, Assistant Attorneys General, for respondent. Reported below: 414 F. 2d 770.

No. 1157, Misc. *MINK v. KENT, U. S. DISTRICT JUDGE*. C. A. 6th Cir. Certiorari denied.

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No. 1160, Misc. CAGLE *v.* CICCONE, U. S. MEDICAL CENTER DIRECTOR. C. A. 8th Cir. Certiorari denied.

No. 1233, Misc. SEWARD *v.* UNITED STATES. C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Robert G. Maysack* for the United States. Reported below: 416 F. 2d 26.

No. 1242, Misc. MINK *v.* HARRISON, CORRECTIONS DIRECTOR. C. A. 6th Cir. Certiorari denied.

No. 1257, Misc. FLEMMING *v.* WAINWRIGHT, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied. *Earl Faircloth, Attorney General of Florida, and Charles W. Musgrove, Assistant Attorney General, for respondent.*

No. 1276, Misc. PERGOLIZZI ET AL. *v.* NEW JERSEY. Super. Ct. N. J. Certiorari denied.

No. 11, Misc. HADEN *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Solicitor General Griswold, Assistant Attorney General Vinson, Jerome M. Feit, and Kirby W. Patterson* for the United States. Reported below: 397 F. 2d 460.

No. 20, Misc. SMITH *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Frederic A. Johnson and Rudolph Lion Zalowitz* for petitioner. *Solicitor General Griswold, Assistant Attorney General Vinson, Beatrice Rosenberg, and Edward Fenig* for the United States.

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No. 27, Misc. *McLEAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Leon B. Polsky* and *Phylis Skloot Bamberger* for petitioner. *Solicitor General Griswold* for the United States.

No. 64, Misc. *CARRIGAN v. UNITED STATES*. C. A. 1st Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, and *Jerome M. Feit* for the United States. Reported below: 405 F. 2d 1197.

No. 86, Misc. *NUNLEY v. UNITED STATES*. C. A. 10th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Beatrice Rosenberg*, and *Mervyn Hamburg* for the United States.

No. 157, Misc. *KING v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Hugh R. Manes* for petitioner. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Ronald M. George*, Deputy Attorney General, for respondent. Reported below: 267 Cal. App. 2d 814, 73 Cal. Rptr. 440.

No. 391, Misc. *SWIFT v. COMMANDANT, U. S. DISCIPLINARY BARRACKS, FORT LEAVENWORTH*. C. A. 10th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Jerome M. Feit*, and *Roger A. Pauley* for respondent.

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No. 49, Misc. *ANDREWS v. UNITED STATES*. C. A. 6th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Solicitor General Griswold* for the United States.

No. 428, Misc. *GOODE v. SOMMERS*. Baltimore City Ct. Md. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Joseph H. H. Kaplan* and *Harold Buchman* for petitioner.

No. 707, Misc. *BAIRD v. MASSACHUSETTS*. Sup. Jud. Ct. Mass. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Robert H. Quinn*, Attorney General of Massachusetts, *John Wall*, Assistant Attorney General, *Lawrence P. Cohen*, Deputy Assistant Attorney General, *Garrett H. Byrne*, and *Joseph Nolan* for respondent. Reported below: 355 Mass. 746, 247 N. E. 2d 574.

No. 708, Misc. *BARNES v. NEW JERSEY*. Sup. Ct. N. J. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Richard Newman* for petitioner. Reported below: 54 N. J. 1, 252 A. 2d 398.

No. 898, Misc. *BROWN v. MARYLAND AND/OR JOHNSON, SHERIFF*. C. A. 4th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *William M. Kunstler*, *Jonathan W. Lubell*, and *Harold Buchman* for petitioner.

No. 975, Misc. *THESEN v. ALASKA*. Sup. Ct. Alaska. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Joseph H. Shortell* for petitioner. *G. Kent Edwards*, Attorney General of Alaska, and *Robert K. Yandell* for respondent. Reported below: 454 P. 2d 341.

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No. 896, Misc. MALONEY *v.* E. I. DU PONT DE NEMOURS & Co., INC. C. A. D. C. Cir. Certiorari denied. MR. JUSTICE STEWART and MR. JUSTICE WHITE took no part in the consideration or decision of this petition. *James C. McKay* and *Michael Boudin* for respondent.

No. 995, Misc. CARR *v.* UNITED STATES. C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. *Darwin Charles Brown* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 135 U. S. App. D. C. 348, 418 F. 2d 1184.

No. 1124, Misc. DEARINGER *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Solicitor General Griswold* for the United States.

Rehearing Denied

No. 1190, Misc., October Term, 1967. WARE *v.* PRESTON ET AL., 390 U. S. 1032, 391 U. S. 971. Motion for leave to file second petition for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this motion.

No. 40. CONWAY *v.* CALIFORNIA ADULT AUTHORITY ET AL., *ante*, p. 107;

No. 340. LUDWIG *v.* FLORIDA, *ante*, p. 927;

No. 434. JOHNSON *v.* STATE BAR OF CALIFORNIA ET AL., *ante*, p. 22;

No. 480. ARIZONA CORPORATION COMMISSION ET AL. *v.* UNITED STATES ET AL., *ante*, p. 27; and

No. 497. UNION PACIFIC RAILROAD Co. ET AL. *v.* UNITED STATES ET AL., *ante*, p. 27. Petitions for rehearing denied.

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No. 507. BAY SOUND TRANSPORTATION CO. ET AL. *v.* UNITED STATES, *ante*, p. 928;

No. 554. CHAMBERS *v.* BEAUCHAMP, ADMINISTRATOR, ET AL., *ante*, p. 942;

No. 583. ANDERS *v.* COMMISSIONER OF INTERNAL REVENUE, *ante*, p. 958;

No. 160, Misc. JACKSON *v.* CALIFORNIA, *ante*, p. 942;

No. 602, Misc. NEELY *v.* UNITED STATES, *ante*, p. 917;

No. 632, Misc. CLINTON *v.* CALIFORNIA, *ante*, p. 23;

No. 658, Misc. LANE *v.* PUCCI ET AL., *ante*, p. 943;

No. 781, Misc. DVORSKY *v.* UNITED STATES, *ante*, p. 970;

No. 782, Misc. WOLFF *v.* FOLEY, *ante*, p. 945;

No. 843, Misc. WENDT *v.* DILLIN ET AL., JUDGES, U. S. DISTRICT COURT, *ante*, p. 899;

No. 866, Misc. RESSEGUIE *v.* FOLLETTE, WARDEN, *ante*, p. 971;

No. 959, Misc. DAUGHERTY *v.* UNITED STATES ET AL., *ante*, p. 947;

No. 978, Misc. CANTRELL *v.* UNITED STATES, *ante*, p. 947; and

No. 1016, Misc. FLETCHER *v.* MARONEY, CORRECTIONAL SUPERINTENDENT, *ante*, p. 948. Petitions for rehearing denied.

No. 368. WARD *v.* PENNSYLVANIA NEW YORK CENTRAL TRANSPORTATION CO. ET AL., *ante*, p. 849. Motion for leave to file petition for rehearing denied.

No. 999, Misc. HARRISON *v.* UNITED STATES, *ante*, p. 974. Petition for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition.

JANUARY 14, 1970

Miscellaneous Order

No. 944. CARTER ET AL. *v.* WEST FELICIANA PARISH SCHOOL BOARD ET AL., *ante*, p. 290;

No. 972. SINGLETON ET AL. *v.* JACKSON MUNICIPAL SEPARATE SCHOOL DISTRICT ET AL., *ante*, p. 290; and

No. 1003. WEST FELICIANA PARISH SCHOOL BOARD ET AL. *v.* CARTER ET AL., *infra*. Motion of Louisiana Teachers Assn. for leave to file a brief as *amicus curiae* granted. *John F. Ward, Jr.*, on the motion.

Certiorari Granted. (See Nos. 944 and 972, *ante*, p. 290.)

Certiorari Denied

No. 1027. JACKSON MUNICIPAL SEPARATE SCHOOL DISTRICT ET AL. *v.* SINGLETON ET AL. C. A. 5th Cir. *Certiorari* denied. *Robert C. Cannada* and *Thomas H. Watkins* for petitioners. Reported below: 419 F. 2d 1211.

No. 1042. HINDS COUNTY SCHOOL BOARD ET AL. *v.* UNITED STATES ET AL. C. A. 5th Cir. *Certiorari* denied. *A. F. Summer*, Attorney General of Mississippi, and *John C. Satterfield* for petitioners. Reported below: 417 F. 2d 852, 423 F. 2d 1264.

No. 1003. WEST FELICIANA PARISH SCHOOL BOARD ET AL. *v.* CARTER ET AL. C. A. 5th Cir. Motion to dispense with printing petition granted. *Certiorari* denied. *John F. Ward, Jr.*, for petitioners. *Mr. Ward* for Louisiana Teachers Assn. as *amicus curiae* in support of the petition. Reported below: 419 F. 2d 1211.

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JANUARY 15, 1970

Dismissals Under Rule 60

No. 649. FIDELITY & CASUALTY CO. OF NEW YORK *v.* GRIGSBY ET AL.;

No. 676. COASTAL MARINE SERVICE OF TEXAS, INC., ET AL. *v.* GRIGSBY ET AL.; and

No. 677. WELDER'S SUPPLY CO. OF LAKE CHARLES *v.* GRIGSBY ET AL. C. A. 5th Cir. Petitions for writs of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *Fred H. Sievert, Jr.*, for petitioner in No. 649, *Edmund E. Woodley* for petitioners in No. 676, and *Norman F. Anderson* for petitioner in No. 677. Reported below: 412 F. 2d 1011.

JANUARY 16, 1970

Miscellaneous Order

No. 458. JOHNSON ET AL. *v.* MASSACHUSETTS, *ante*, p. 990. Application of Joseph M. Palladino, Sr., to stay effectiveness of order denying petition for certiorari as to him, presented to MR. JUSTICE BRENNAN, and by him referred to the Court, denied. MR. JUSTICE BLACK, MR. JUSTICE DOUGLAS, and MR. JUSTICE STEWART are of the opinion that the application should be granted. *Robert E. Smith* for applicant.

JANUARY 19, 1970

Miscellaneous Orders

No. —. AVILA, AKA GONZALEZ ET AL., ET AL. *v.* UNITED STATES. C. A. 5th Cir. Application for bail pending appeal presented to MR. JUSTICE BLACK, and by him referred to the Court, denied. *Daniel Neal Heller* for applicant Avila. *Solicitor General Griswold* in opposition.

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No. 41. CHOCTAW NATION ET AL. v. OKLAHOMA ET AL.; and

No. 59. CHEROKEE NATION OR TRIBE OF INDIANS IN OKLAHOMA v. OKLAHOMA ET AL. C. A. 10th Cir. [Certiorari granted, 394 U. S. 972.] Cases restored to calendar for reargument.

No. 153. McMANN, WARDEN, ET AL. v. RICHARDSON ET AL. C. A. 2d Cir. [Certiorari granted, *ante*, p. 813.] Motion of District Attorney of New York County for leave to participate in oral argument as *amicus curiae* granted, and a total of 30 minutes allotted for that purpose. Counsel for respondents allotted an additional 30 minutes. *Frank S. Hogan* and *Michael R. Juviler* on the motion. *Gretchen White Oberman* in opposition.

No. 175. MORAGNE v. STATES MARINE LINES, INC., ET AL. C. A. 5th Cir. [Certiorari granted, *ante*, p. 900.] Motion of *Nathan Baker, pro se*, for leave to file a brief as *amicus curiae* granted. Motion of American Trial Lawyers Assn. for leave to file a brief as *amicus curiae* granted. *David B. Kaplan* on the latter motion.

No. 221. HICKEL, SECRETARY OF THE INTERIOR v. OIL SHALE CORP. ET AL. C. A. 10th Cir. [Certiorari granted, *ante*, p. 817.] Forty-five minutes allotted to each side for oral argument. MR. JUSTICE WHITE and MR. JUSTICE MARSHALL took no part in the consideration or decision of this order.

No. 699, Misc. ROSS v. HARRISON, CORRECTIONS DIRECTOR, ET AL. Motion for leave to file petition for writ of mandamus denied. *Frank J. Kelley*, Attorney General of Michigan, *Robert A. Derengoski*, Solicitor General, and *Stewart H. Freeman*, Assistant Attorney General, in opposition.

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No. 46. UNITED STATES *v.* WHITE. C. A. 7th Cir. [Certiorari granted, 394 U. S. 957.] Case restored to calendar for reargument.

No. 305. UNITED STATES *v.* SISSON. Appeal from D. C. Mass. [Probable jurisdiction postponed, *ante*, p. 812.] One hour allotted to each side for oral argument. Motion of Frank P. Slaninger, *pro se*, for leave to dispense with printing *amicus curiae* brief denied. Motion to file a brief as *amicus curiae* will be granted provided the size of the print and pages of his brief is made to conform with requirements of Rules 39 (1) and (4) of the Rules of this Court. Motion of Los Angeles Selective Service Law Panel for leave to participate in oral argument as *amicus curiae* denied. *William G. Smith* on the latter motion.

No. 399. ROWAN, DBA AMERICAN BOOK SERVICE, ET AL. *v.* UNITED STATES POST OFFICE DEPARTMENT ET AL. Appeal from D. C. C. D. Cal. [Probable jurisdiction noted, *ante*, p. 885.] Motion of Direct Mail Advertising Assn., Inc., for leave to participate in oral argument as *amicus curiae* denied. *David E. McGiffert* on the motion.

No. 868, Misc. POTEET *v.* RUNDLE, CORRECTIONAL SUPERINTENDENT; and

No. 1442, Misc. WATKINS *v.* WINGO, WARDEN. Motions for leave to file petitions for writs of habeas corpus denied.

No. 226, Misc. SAFEGUARD MUTUAL INSURANCE CO. *v.* FREEDMAN, U. S. CIRCUIT JUDGE, ET AL. Motion for leave to file petition for writ of mandamus denied. *Malcolm W. Berkowitz* and *Malcolm H. Waldron, Jr.*, on the motion.

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No. 730. *HILL v. CALIFORNIA*. Sup. Ct. Cal. [Certiorari granted, *ante*, p. 818.] Motion of *Keith C. Monroe, pro se*, for leave to file a brief as *amicus curiae* granted.

Probable Jurisdiction Noted

No. 156, Misc. *WILLIAMS v. ILLINOIS*. Appeal from Sup. Ct. Ill. Motion for leave to proceed *in forma pauperis* granted. Probable jurisdiction noted and case transferred to appellate docket. *Jack Greenberg, Michael Meltsner, and Stanley A. Bass* for appellant. *William J. Scott*, Attorney General of Illinois, and *James R. Thompson and Joel M. Flaum*, Assistant Attorneys General, for appellee. Reported below: 41 Ill. 2d 511, 244 N. E. 2d 197.

Certiorari Granted

No. 655. *MULLOY v. UNITED STATES*. C. A. 6th Cir. Certiorari granted. *Robert Allen Sedler* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, and Philip R. Monahan* for the United States. Reported below: 412 F. 2d 421.

Certiorari Denied. (See also No. 288, *ante*, p. 374; and No. 808, *ante*, p. 373.)

No. 125. *MARTIN MARIETTA CORP. v. FEDER ET AL.* C. A. 2d Cir. Certiorari denied. *Samuel E. Gates, Cecil Wray, Jr., and Clark C. Vogel* for petitioner. *Mordecai Rosenfeld* for Feder and *Charles Pickett and Edward C. McLean, Jr.*, for Sperry Rand Corp., respondents. *Solicitor General Griswold, Lawrence G. Wallace, Philip A. Loomis, Jr., David Ferber, and Paul Gonson* filed a memorandum for the United States, by invitation of the Court, *ante*, p. 808, in opposition. Reported below: 406 F. 2d 260.

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No. 771. BAUMEL ET AL. v. ROSEN ET AL.; and

No. 881. ROSEN ET AL. v. BAUMEL ET AL. C. A. 4th Cir. Certiorari denied. *Morton E. Yohalem, George Cochran Doub, and Eugene Gressman* for petitioners in No. 771. *H. Vernon Eney and Robert R. Bair* for respondents in No. 771 and for petitioners in No. 881. Reported below: 412 F. 2d 571.

No. 773. UNITED STATES v. MISSOURI PACIFIC RAILROAD Co. C. A. 8th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Walters, Matthew J. Zinn, and Stuart A. Smith* for the United States. *Robert T. Molloy and John P. Downes* for respondent. Reported below: 411 F. 2d 327.

No. 775. NARRAGANSETT RACING ASSN., INC., ET AL. v. BERMAN ET AL. C. A. 1st Cir. Certiorari denied. *Stanley M. Brown* for petitioners. *J. Fleet Cowden* for respondents. Reported below: 414 F. 2d 311.

No. 776. WILLIAMS-MCWILLIAMS, INC., ET AL. v. MASSEY. C. A. 5th Cir. Certiorari denied. *Brunswick G. Deutsch and René H. Himmel, Jr.*, for petitioners. Reported below: 414 F. 2d 675.

No. 777. SEVEN SLOT MACHINES ET AL. v. KANSAS. Sup. Ct. Kan. Certiorari denied. *Bobby Wilson Storey* for petitioners. *Kent Frizzell, Attorney General of Kansas, and J. Richard Foth, Richard H. Seaton, and Edward G. Collister, Jr.*, Assistant Attorneys General, for respondent. Reported below: 203 Kan. 833, 457 P. 2d 97.

No. 780. BRUNER ET AL. v. REPUBLIC SUPPLY Co. C. A. 5th Cir. Certiorari denied. *Robert A. Scardino* for petitioners. *David T. Searls and John Leroy Jeffers* for respondent. Reported below: 416 F. 2d 763.

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No. 779. LOCAL 282, INTERNATIONAL BROTHERHOOD OF TEAMSTERS, CHAUFFEURS, WAREHOUSEMEN & HELPERS OF AMERICA *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 2d Cir. Certiorari denied. *Samuel J. Cohen* for petitioner. *Solicitor General Griswold, Arnold Ordman, Dominick L. Manoli, and Norton J. Come* for respondent. Reported below: 412 F. 2d 334.

No. 784. SCHREIBER ET AL., TRADING AS SCHREIBER & GOLDBERG *v.* AMERICAN SAFETY TABLE CO. C. A. 2d Cir. Certiorari denied. *Edwin M. Slote* for petitioners. *Arthur S. Olick and Leon Edelson* for respondent. Reported below: 415 F. 2d 373.

No. 785. SHANKEY ET AL. *v.* STASEY ET AL. Sup. Ct. Pa. Certiorari denied. *Thomas B. Sweeney* for petitioners. *Francis A. Barry and Thomas M. Rutter, Jr.*, for respondents.

No. 786. ZUBKOFF *v.* UNITED STATES. C. A. 2d Cir. Certiorari denied. *Nathan Silverberg* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 416 F. 2d 141.

No. 790. SAVILLE *v.* BANK OF AMERICA, EXECUTOR. C. A. 7th Cir. Certiorari denied. *Owen W. Crum-packer and James E. Knox, Jr.*, for petitioner. *Lowell E. Enslin* for respondent. Reported below: 416 F. 2d 265.

No. 791. YOUNG ET UX. *v.* INDIANA. Sup. Ct. Ind. Certiorari denied. *Arthur J. Sullivan* for petitioners. *Theodore L. Sendak*, Attorney General of Indiana, and *William F. Thompson and Walter E. Bravard, Jr.*, Deputy Attorneys General, for respondent. Reported below: — Ind. —, 246 N. E. 2d 377.

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No. 792. KUNZMAN ET AL. *v.* UNION PACIFIC RAILROAD Co. Sup. Ct. Colo. Certiorari denied. *Charles S. Vigil* for petitioners. *James H. Anderson* and *E. G. Knowles* for respondent. Reported below: — Colo. —, 456 P. 2d 743.

No. 795. RETAIL STORE EMPLOYEES UNION, LOCAL 954 *v.* LASALLE & KOCH Co. C. A. 6th Cir. Certiorari denied. *Joseph E. Finley* for petitioner. *Harry L. Browne*, *Howard F. Sachs*, and *Merritt W. Green* for respondent. Reported below: 413 F. 2d 345.

No. 796. RANDOLPH *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied. *Luke McKissack* for petitioner.

No. 797. LOUISIANA INDUSTRIES, INC., ET AL. *v.* NATIONAL LABOR RELATIONS BOARD. C. A. 5th Cir. Certiorari denied. *Ewell Lee Smith, Jr.*, for petitioners. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli*, *Norton J. Come*, and *Nancy M. Sherman* for respondent. Reported below: 414 F. 2d 227.

No. 799. AMBERS *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *Charles S. Conley* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Jerome M. Feit*, and *Robert G. Maysack* for the United States. Reported below: 416 F. 2d 942.

No. 800. UNITED BENEFIT LIFE INSURANCE Co. *v.* McCrory. C. A. 8th Cir. Certiorari denied. *Harold W. Kauffman* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Walters*, and *Thomas L. Stapleton* for respondent. Reported below: 414 F. 2d 928.

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No. 802. *KONIGSBERG v. MITCHELL*, ATTORNEY GENERAL, ET AL. C. A. 2d Cir. Certiorari denied. *Frank A. Lopez* for petitioner.

No. 803. *WARD v. DIFFERDING ET AL.* App. Ct. Ind. Certiorari denied. *Arch N. Bobbitt* for petitioner. *William M. Osborn* for respondents. Reported below: — Ind. App. —, 242 N. E. 2d 388.

No. 806. *FORT v. ILLINOIS*. C. A. 7th Cir. Certiorari denied. *Marshall Patner* for petitioner. *Edward V. Hanrahan* and *Elmer C. Kissane* for respondent.

No. 807. *NATIONAL FOUNDATION v. CITY OF FORT WORTH*. C. A. 5th Cir. Certiorari denied. *Simon H. Rifkind* and *Gerald D. Stern* for petitioner. *S. G. Johndroe, Jr.*, for respondent. Reported below: 415 F. 2d 41.

No. 810. *STATE BOARD OF EQUALIZATION OF CALIFORNIA v. MONTGOMERY WARD & Co., INC.* Ct. App. Cal., 1st App. Dist. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *James E. Sabine* and *Ernest P. Goodman*, Assistant Attorneys General, and *E. Clement Shute, Jr.*, Deputy Attorney General, for petitioner. *Valentine Brookes* for respondent. Reported below: 272 Cal. App. 2d 728, 78 Cal. Rptr. 373.

No. 793. *GARRISON, DISTRICT ATTORNEY OF THE PARISH OF ORLEANS v. SHERIDAN ET AL.* C. A. 5th Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. *Louise Korns* for petitioner. *Herbert J. Garon* and *H. Richard Schumacher* for respondents. Reported below: 415 F. 2d 699.

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No. 384. PRESBYTERIAN CHURCH IN THE UNITED STATES ET AL. *v.* MARY ELIZABETH BLUE HULL MEMORIAL PRESBYTERIAN CHURCH ET AL. Sup. Ct. Ga. Motion to use record in No. 71, October Term, 1968, granted. Motion of William P. Thompson, Stated Clerk of General Assembly of United Presbyterian Church in the United States of America, et al. for leave to file a brief as *amici curiae* granted. Motion of Rt. Rev. John E. Hines, Presiding Bishop of Protestant Episcopal Church in the United States for leave to file a brief as *amicus curiae* granted. Certiorari denied. *Robert B. Troutman, Charles L. Gowen, A. Felton Jenkins, Jr., and Frank S. Cheatham, Jr.*, for petitioners. *Frank B. Zeigler and James Edward McAleer* for Mary Elizabeth Blue Hull Memorial Presbyterian Church et al., and *Owen H. Page* for Eastern Heights Presbyterian Church et al., respondents. *George Wilson McKeag* for Thompson et al., and *Jackson A. Dykman* for Hines, as *amici curiae* in support of the petition. *Alfred J. Schweppe* for Laurelhurst United Presbyterian Church, Inc., et al. as *amici curiae* urging denial of the petition. Reported below: 225 Ga. 259, 167 S. E. 2d 658.

No. 772. BENN *v.* SANKIN ET AL. C. A. D. C. Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. *Sherman L. Cohn* for petitioner. Reported below: 133 U. S. App. D. C. 361, 410 F. 2d 1060.

No. 781. GIBBONS *v.* UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA. C. A. 9th Cir. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *Solicitor General Griswold, Assistant Attorney General Wilson, and Jerome M. Feit* for respondent. Reported below: 416 F. 2d 14.

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No. 783. *BUTLER v. CITY OF WINTER GARDEN*. Sup. Ct. Fla. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted. *Robert G. Murrell* for petitioner.

No. 787. *VELVEL v. NIXON, PRESIDENT OF THE UNITED STATES, ET AL.* C. A. 10th Cir. Motion to dispense with printing petition granted. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Lawrence R. Velvel*, petitioner, *pro se*. Reported below: 415 F. 2d 236.

No. 789. *WALKER OIL Co., INC., ET AL. v. HUDSON OIL Co. OF MISSOURI, INC.* C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Joe J. Harrell* for petitioners. *Harry Kemker* for respondent. Reported below: 414 F. 2d 588.

No. 203, Misc. *BEASLEY v. COUNTY COURT, KENOSHA COUNTY*. Sup. Ct. Wis. Certiorari denied. *Robert W. Warren*, Attorney General of Wisconsin, and *William A. Platz* and *William F. Eich*, Assistant Attorneys General, for respondent.

No. 235, Misc. *PORTER v. CALIFORNIA*. Ct. App. Cal., 2d App. Dist. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Elizabeth Miller* and *John C. Hamilton*, Deputy Attorneys General, for respondent.

No. 278, Misc. *PENNINGTON v. PATE, WARDEN*. C. A. 7th Cir. Certiorari denied. *William J. Scott*, Attorney General of Illinois, and *Joel M. Flaum* and *Thomas J. Immel*, Assistant Attorneys General, for respondent. Reported below: 409 F. 2d 757.

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No. 143, Misc. *BULLOCK v. WARDEN, WESTFIELD STATE FARM FOR WOMEN*. C. A. 2d Cir. Certiorari denied. *William E. Hellerstein* and *Leon B. Polsky* for petitioner. *Louis J. Lefkowitz*, Attorney General of New York, *Samuel A. Hirshowitz*, First Assistant Attorney General, and *Murray Sylvester*, Assistant Attorney General, for respondent. Reported below: 408 F. 2d 1326.

No. 352, Misc. *GREEN v. FITZHARRIS, CORRECTIONAL SUPERINTENDENT*. Sup. Ct. Cal. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *Albert W. Harris, Jr.*, Assistant Attorney General, and *George R. Nock*, Deputy Attorney General, for respondent.

No. 372, Misc. *VANN v. MANCUSI, WARDEN*. Ct. App. N. Y. Certiorari denied. *Louis J. Lefkowitz*, Attorney General of New York, *Ruth Kessler Toch*, Solicitor General, and *Calvin M. Berger*, Assistant Attorney General, for respondent.

No. 384, Misc. *JAQUISH v. FIELD, MEN'S COLONY SUPERINTENDENT*. Sup. Ct. Cal. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Jerold A. Krieger*, Deputy Attorney General, for respondent.

No. 402, Misc. *PACHECO v. HOCKER, WARDEN*. C. A. 9th Cir. Certiorari denied. *Harvey Dickerson*, Attorney General of Nevada, for respondent. Reported below: 406 F. 2d 1031.

No. 423, Misc. *SULLIVAN v. EYMAN, WARDEN, ET AL.* Sup. Ct. Ariz. Certiorari denied. *Gary K. Nelson*, Attorney General of Arizona, and *Carl Waag*, Assistant Attorney General, for respondents.

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No. 465, Misc. GONZALES *v.* CALIFORNIA. Ct. App. Cal., 2d App. Dist. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *William E. James*, Assistant Attorney General, and *Thomas Kallay*, Deputy Attorney General, for respondent. Reported below: 269 Cal. App. 2d 586, 75 Cal. Rptr. 267.

No. 498, Misc. COPAS *v.* BURKE, WARDEN. Sup. Ct. Wis. Certiorari denied. *Robert H. Friebert* for petitioner. *Robert W. Warren*, Attorney General of Wisconsin, and *William A. Platz* and *William F. Eich*, Assistant Attorneys General, for respondent.

No. 599, Misc. SCHWARTZ *v.* VICTORY CONTAINER CORP. ET AL. C. A. 2d Cir. Certiorari denied. *Maximilian Bader* and *I. Walton Bader* for petitioner.

No. 660, Misc. MEEKS *v.* FITZHARRIS, CORRECTIONAL SUPERINTENDENT. Sup. Ct. Cal. Certiorari denied. *Thomas C. Lynch*, Attorney General of California, *Albert W. Harris, Jr.*, Assistant Attorney General, and *George R. Nock*, Deputy Attorney General, for respondent.

No. 717, Misc. CHILD *v.* MAINE ET AL. Sup. Jud. Ct. Me. Certiorari denied. *James S. Erwin*, Attorney General of Maine, and *John W. Benoit, Jr.*, Assistant Attorney General, for respondents. Reported below: 253 A. 2d 691.

No. 749, Misc. BROW *v.* MICHIGAN. Sup. Ct. Mich. Certiorari denied.

No. 729, Misc. EVANS *v.* UNITED STATES. C. A. 3d Cir. Certiorari denied. *Solicitor General Griswold* for the United States. Reported below: 411 F. 2d 591.

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No. 727, Misc. *BLANCHEY v. WASHINGTON ET AL.* Sup. Ct. Wash. Certiorari denied. *James E. Kennedy* for respondents. Reported below: 75 Wash. 2d 926, 454 P. 2d 841.

No. 828, Misc. *GIBBS v. TURNER ET AL.* Ct. Crim. App. Okla. Certiorari denied. Reported below: 457 P. 2d 823.

No. 925, Misc. *BELL v. NORTH CAROLINA.* C. A. 4th Cir. Certiorari denied.

No. 926, Misc. *CAMPBELL v. UNITED STATES.* C. A. 6th Cir. Certiorari denied. *John C. Emery, Jr.*, for petitioner. *Solicitor General Griswold* for the United States.

No. 928, Misc. *SMITH v. GEORGIA.* Sup. Ct. Ga. Certiorari denied. *Reuben A. Garland* for petitioner. *Arthur K. Bolton*, Attorney General of Georgia, *Harold N. Hill, Jr.*, Executive Assistant Attorney General, and *Marion O. Gordon*, Assistant Attorney General, for respondent. Reported below: 225 Ga. 328, 168 S. E. 2d 587.

No. 929, Misc. *HEMMINGER v. KANSAS.* Sup. Ct. Kan. Certiorari denied. Reported below: 203 Kan. 868, 457 P. 2d 141.

No. 931, Misc. *STACY v. VAN CUREN, CORRECTIONAL SUPERINTENDENT.* Sup. Ct. Ohio. Certiorari denied. Reported below: 18 Ohio St. 2d 188, 248 N. E. 2d 603.

No. 947, Misc. *CUEVAS v. CALIFORNIA.* Ct. App. Cal., 4th App. Dist. Certiorari denied.

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No. 948, Misc. SANCHEZ *v.* FIELD, MEN'S COLONY SUPERINTENDENT. Sup. Ct. Cal. Certiorari denied.

No. 949, Misc. REILLY *v.* FLORIDA. Dist. Ct. App. Fla., 3d Dist. Certiorari denied. *Phillip A. Hubbart* for petitioner. Reported below: 212 So. 2d 796.

No. 1048, Misc. DE PALMA *v.* UNITED STATES. C. A. 9th Cir. Certiorari denied. *Morris Lavine* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 414 F. 2d 394.

No. 1050, Misc. GEARING *v.* TEXAS. Ct. Crim. App. Tex. Certiorari denied.

No. 1052, Misc. KLEINHANS *v.* KLEINHANS. Sup. Ct. Wis. Certiorari denied.

No. 1062, Misc. GITTLEMACHER ET UX. *v.* COUNTY OF PHILADELPHIA ET AL. C. A. 3d Cir. Certiorari denied. *William J. O'Brien* for respondent Williamsport Hospital. Reported below: 413 F. 2d 84.

No. 1066, Misc. LAWLER *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Julius Lucius Echeles* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 413 F. 2d 622.

No. 1111, Misc. MITCHELSON *v.* McMANN, WARDEN. C. A. 2d Cir. Certiorari denied.

No. 1171, Misc. PENRICE *v.* CALIFORNIA ADULT AUTHORITY. C. A. 9th Cir. Certiorari denied.

No. 1277, Misc. WASHINGTON *v.* WAINWRIGHT, CORRECTIONS DIRECTOR. C. A. 5th Cir. Certiorari denied.

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No. 1102, Misc. *YOUNG v. MCGEE, CORRECTIONS AGENCY ADMINISTRATOR, ET AL.* C. A. 9th Cir. Certiorari denied. Reported below: 415 F. 2d 473.

No. 1312, Misc. *THOMPSON v. UNITED STATES.* C. A. 4th Cir. Certiorari denied. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for the United States. Reported below: 417 F. 2d 196.

No. 1316, Misc. *McFADDEN v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied.

No. 1368, Misc. *WENNER v. UNITED STATES.* C. A. 8th Cir. Certiorari denied. Reported below: 417 F. 2d 979.

No. 281, Misc. *DUPREE v. ILLINOIS.* Sup. Ct. Ill. Certiorari denied. MR. JUSTICE BLACK is of the opinion that certiorari should be granted. Reported below: 42 Ill. 2d 249, 246 N. E. 2d 281.

Rehearing Denied

No. 19. *FIRST NATIONAL BANK IN PLANT CITY v. DICKINSON, COMPTROLLER OF FLORIDA, ET AL., ante*, p. 122;

No. 612. *BROWN v. COMMERCIAL NATIONAL BANK OF PEORIA, TRUSTEE, ET AL., ante*, p. 961;

No. 505, Misc. *CARLTON ET UX. v. GERSTEIN, ante*, p. 992;

No. 569, Misc. *IN RE LIPSCOMB, ante*, p. 993;

No. 594, Misc. *WILLIAMS v. UNITED STATES, ante*, p. 966; and

No. 1086, Misc. *MORALES v. CRAVEN, WARDEN, ante*, p. 994. Petitions for rehearing denied.

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Miscellaneous Orders

No. —. *DYMAN v. UNITED STATES*. C. A. 2d Cir. Application for bail presented to MR. JUSTICE DOUGLAS, and by him referred to the Court, denied. *Solicitor General Griswold* in opposition.

No. —. *ARAYA-MURCHIO v. UNITED STATES*. C. A. 2d Cir. Application for reduction of bail pending trial presented to MR. JUSTICE DOUGLAS, and by him referred to the Court, denied. *Judah Best* for applicant. *Solicitor General Griswold* in opposition.

No. 387. *CALIFORNIA v. GREEN*. Sup. Ct. Cal. [Certiorari granted, *ante*, p. 1001.] Motion of respondent for appointment of counsel granted. It is ordered that *E. Barrett Prettyman, Jr., Esquire*, of Washington, D. C., a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for respondent in this case.

No. 445. *STANDARD INDUSTRIES, INC. v. TIGRETT INDUSTRIES, INC., ET AL.* C. A. 6th Cir. [Certiorari granted, *ante*, p. 885.] Motion of respondents to remove case from summary calendar denied. *Ralph W. Kalish* on the motion.

No. 944. *CARTER ET AL. v. WEST FELICIANA PARISH SCHOOL BOARD ET AL.*; and

No. 972. *SINGLETON ET AL. v. JACKSON MUNICIPAL SEPARATE SCHOOL DISTRICT ET AL.*, *ante*, p. 290. Motion of the Governor of Florida for leave to intervene and to recall judgments denied. *Gerald Mager* on the motion.

Certiorari Granted. (See No. 743, *ante*, p. 482.)

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Certiorari Denied

No. 687. GINZBURG ET AL. *v.* GOLDWATER. C. A. 2d Cir. Certiorari denied. THE CHIEF JUSTICE took no part in the consideration or decision of this petition. *Harold E. Kohn* and *David H. Marion* for petitioners. *John J. Wilson* for respondent. Reported below: 414 F. 2d 324.

MR. JUSTICE BLACK, with whom MR. JUSTICE DOUGLAS joins, dissenting.

Shortly before the 1964 presidential election, *Fact* magazine published an issue entitled "The Unconscious of a Conservative: A Special Issue on the Mind of Barry Goldwater." The thrust of the two main articles in this issue of *Fact* was that Senator Barry Goldwater, the 1964 Republican nominee for the Presidency, had a severely paranoid personality and was psychologically unfit for the high office to which he aspired. The articles in the magazine attempted to support the thesis that Senator Goldwater was mentally ill by citing allegedly factual incidents from his public and private life and by reporting the results of a "poll" of 12,356 psychiatrists, together with a "sampling" of the comments made by the 2,417 psychiatrists who responded to the poll questionnaire that the magazine mailed out. Shortly after the publication of the "special Goldwater issue," Senator Goldwater commenced this libel action for damages against *Fact Magazine, Inc.*, Warren Borson, the named author of one of the articles, and Ralph Ginzburg, the editor and publisher of *Fact*. The suit was brought in the United States District Court for the Southern District of New York on the basis of diversity of citizenship. After 15 days of trial, the jury returned a verdict against each of the defendants. Although the jury awarded Goldwater only \$1 in compensatory damages against all three defendants, it went on to

award him punitive damages of \$25,000 against Ginzburg and \$50,000 against Fact Magazine, Inc. In their appeal to the United States Court of Appeals for the Second Circuit, Ginzburg and the other defendants attacked this award of damages, arguing that it severely penalized them for exercising their First Amendment rights to free speech and a free press. The Court of Appeals found, however, that the defendants had been accorded at trial all the First Amendment protection to which they were entitled under this Court's holdings in *New York Times Co. v. Sullivan*, 376 U. S. 254 (1964), and its progeny. *New York Times* and the cases following it permit public figures and officials to recover damages for libelous statements made about them if the publication was made with "actual malice"—that is, with knowledge that it was false or with reckless disregard of whether it was false or not." *New York Times Co. v. Sullivan*, *supra*, at 280. See, e. g., *Rosenblatt v. Baer*, 383 U. S. 75 (1966). The Court of Appeals found that the District Court had properly applied the *New York Times* "actual malice" rule and affirmed Goldwater's libel award. Defendants Ginzburg and Fact Magazine, Inc., then petitioned this Court for a writ of certiorari to review the judgment of the Court of Appeals. It is this petition which this Court today denies.

I cannot subscribe to the result the Court reaches today because I firmly believe that the First Amendment guarantees to each person in this country the unconditional right to print what he pleases about public affairs. See *Curtis Publishing Co. v. Butts*, 388 U. S. 130, 170 (concurring in result and dissenting); and *New York Times Co. v. Sullivan*, *supra*, at 293 (concurring). This case perhaps more than any I have seen in this area convinces me that the *New York Times* constitutional rule is wholly inadequate to assure the "uninhibited,

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robust, and wide-open" public debate which the majority in that case thought it was guaranteeing. See *New York Times Co. v. Sullivan, supra*, at 270. What I wrote in my separate opinion in *Rosenblatt v. Baer, supra*, at 95, seems to me equally applicable here:

"This case illustrates I think what a short and inadequate step this Court took in the *New York Times* case to guard free press and free speech against the grave dangers to the press and the public created by libel actions. Half-million-dollar judgments for libel damages like those awarded against the New York Times will not be stopped by requirements that 'malice' be found, however that term is defined. Such a requirement is little protection against high emotions and deep prejudices which frequently pervade local communities where libel suits are tried. And this Court cannot and should not limit its protection against such press-destroying judgments by reviewing the evidence, findings, and court rulings only on a case-by-case basis. The only sure way to protect speech and press against these threats is to recognize that libel laws are abridgments of speech and press and therefore are barred in both federal and state courts by the First and Fourteenth Amendments. I repeat what I said in the *New York Times* case that 'An unconditional right to say what one pleases about public affairs is what I consider to be the minimum guarantee of the First Amendment.'"

Moreover, there are two special factors in this case that make the holding of the Court of Appeals all the more repressive and ominous. This suit was brought by a man who was then the nominee of his party for the Presidency of the United States. In our times, the person who holds that high office has an almost unbounded power for good or evil. The public has an

unqualified right to have the character and fitness of anyone who aspires to the Presidency held up for the closest scrutiny. Extravagant, reckless statements and even claims that may not be true seem to me an inevitable and perhaps essential part of the process by which the voting public informs itself of the qualities of a man who would be President. The decisions of the District Court and the Court of Appeals in this case can only have the effect of dampening political debate by making fearful and timid those who should under our Constitution feel totally free openly to criticize Presidential candidates. Doubtless, the jury was justified in this case in finding that the Fact articles on Senator Goldwater were prepared with a reckless disregard of the truth, as many campaign articles unquestionably are. But, even if I believed in a balancing process to determine the scope of the First Amendment, which I do not, the grave dangers of prohibiting or penalizing the publication of even the most inaccurate and misleading information seem to me to more than outweigh any gain, personal or social, that might result from permitting libel awards such as the one before the Court today. I firmly believe it is precisely because of these considerations that the First Amendment bars in absolute, unequivocal terms any abridgment by the Government of freedom of speech and press.

Another reason for the particular offensiveness of this case is that the damages awarded Senator Goldwater were, except for \$1, wholly punitive. Senator Goldwater neither pleaded nor proved any special damages, and the jury's verdict of \$1 nominal compensatory damages establishes that he suffered little if any actual harm. In spite of this, Ginzburg and his magazine are being punished to the extent of being forced to pay Senator Goldwater \$75,000 in punitive damages. It is bad enough when the First Amendment is violated to

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compensate a person who has actually suffered a provable injury as a result of libelous statements; it is incomprehensible that a person who has suffered no provable harm can recover libel damages imposed solely to punish defendants who have exercised their First Amendment rights.

I would grant certiorari and reverse the Court of Appeals summarily.

No. 798. *EDELMAN v. UNITED STATES*. C. A. 2d Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. *Jacob P. Lefkowitz* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Edward Fenig* for the United States. Reported below: 414 F. 2d 539.

Rehearing Denied

No. 944. *CARTER ET AL. v. WEST FELICIANA PARISH SCHOOL BOARD ET AL.*, *ante*, p. 290; and

No. 1003. *WEST FELICIANA PARISH SCHOOL BOARD ET AL. v. CARTER ET AL.*, *ante*, p. 1032. Petitions for rehearing denied.

No. 972. *SINGLETON ET AL. v. JACKSON MUNICIPAL SEPARATE SCHOOL DISTRICT ET AL.*, *ante*, p. 290. Petitions for rehearing of Board of Public Instruction of Alachua County, Florida, and Board of Public Instruction of Bay County, Florida, denied.

JANUARY 27, 1970

Miscellaneous Orders

No. —. *RUSO v. NEW JERSEY*. Sup. Ct. N. J. Application for stay presented to MR. JUSTICE DOUGLAS, and by him referred to the Court, denied. Reported below: 55 N. J. 249, 261 A. 2d 129.

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No. —. ZICARELLI ET AL. *v.* NEW JERSEY. Sup. Ct. N. J. Application for stay presented to MR. JUSTICE DOUGLAS, and by him referred to the Court, denied. *Michael A. Querques* and *Daniel E. Isles* for applicants. *Kenneth P. Zauber* and *Wilbur H. Mathesius* for New Jersey Commission of Investigation in opposition. Reported below: 55 N. J. 249, 261 A. 2d 129.

JANUARY 28, 1970

Dismissal Under Rule 60

No. 842. PROMENADE HOSIERY MILLS, INC. *v.* KIKI UNDIES CORP. C. A. 2d Cir. Petition for writ of certiorari dismissed pursuant to Rule 60 of the Rules of this Court. *Maximilian Bader* and *I. Walton Bader* for petitioner. Reported below: 411 F. 2d 1097.

FEBRUARY 2, 1970

Miscellaneous Orders

No. 477. ATLANTIC COAST LINE RAILROAD CO. *v.* BROTHERHOOD OF LOCOMOTIVE ENGINEERS ET AL. C. A. 5th Cir. [Certiorari granted, *ante*, p. 901.] An additional thirty minutes allotted to each side in this case. MR. JUSTICE MARSHALL took no part in the consideration or decision of this matter.

No. 1136. NORTHCROSS ET AL. *v.* BOARD OF EDUCATION OF MEMPHIS, TENNESSEE, CITY SCHOOLS. C. A. 6th Cir. Motion to advance granted. Brief or briefs opposing petition for writ of certiorari shall be filed on or before February 16, 1970. *Jack Greenberg* and *James M. Nabrit III* on the motion. Reported below: 420 F. 2d 546.

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No. —. CULLEN *v.* YEAGER, PRINCIPAL KEEPER. C. A. 3d Cir. Application for bail presented to MR. JUSTICE BRENNAN, and by him referred to the Court, denied.

No. —. WHITCOMB, GOVERNOR OF INDIANA *v.* CHAVIS ET AL. Emergency application for stay of judgment of United States District Court for the Southern District of Indiana presented to MR. JUSTICE MARSHALL, and by him referred to the Court, granted pending timely filing and disposition of an appeal. *Theodore L. Sendak*, Attorney General of Indiana, *Richard C. Johnson*, Chief Deputy Attorney General, and *William F. Thompson*, Assistant Attorney General, for applicant. *James Manahan* in opposition. Reported below: 307 F. Supp. 1362.

No. 1197, Misc. POWELL *v.* HART, U. S. DISTRICT JUDGE. Motion for leave to file petition for writ of mandamus denied. THE CHIEF JUSTICE took no part in the consideration or decision of this motion. *Herbert O. Reid*, *Arthur Kinoy*, *Robert L. Carter*, *Hubert T. Delany*, *William Kunstler*, *Frank D. Reeves*, and *Henry R. Williams* for petitioner. *Solicitor General Griswold* in opposition.

Probable Jurisdiction Noted or Postponed; Certiorari Before Judgment Granted

No. 513. IN RE SPENCER. Appeal from Sup. Ct. La. Motion of appellee, Judge R. B. Williams, to file additional record granted. Further consideration of question of jurisdiction postponed to hearing of case on the merits. *Jack P. F. Gremillion*, Attorney General of Louisiana, on the motion.

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No. 914. NEW YORK, NEW HAVEN & HARTFORD RAILROAD COMPANY FIRST MORTGAGE 4% BONDHOLDERS COMMITTEE *v.* SMITH, TRUSTEE OF PROPERTY OF NEW YORK, NEW HAVEN & HARTFORD RAILROAD CO., ET AL.;

No. 916. MANUFACTURERS HANOVER TRUST CO., TRUSTEE *v.* UNITED STATES ET AL.;

No. 920. CHASE MANHATTAN BANK, N. A., TRUSTEE *v.* PENN CENTRAL CO. ET AL.;

No. 1038. PENN CENTRAL CO. *v.* MANUFACTURERS HANOVER TRUST CO., TRUSTEE, ET AL.; and

No. 1057. UNITED STATES ET AL. *v.* NEW YORK, NEW HAVEN & HARTFORD RAILROAD COMPANY FIRST MORTGAGE 4% BONDHOLDERS COMMITTEE ET AL. Petitions for certiorari before judgment to C. A. 2d Cir.; and

No. 915. NEW YORK, NEW HAVEN & HARTFORD RAILROAD COMPANY FIRST MORTGAGE 4% BONDHOLDERS COMMITTEE *v.* UNITED STATES ET AL.;

No. 917. MANUFACTURERS HANOVER TRUST CO., TRUSTEE *v.* UNITED STATES ET AL.; and

No. 921. CHASE MANHATTAN BANK, N. A., TRUSTEE *v.* UNITED STATES ET AL. Appeals from D. C. S. D. N. Y.

Motion to expedite granted. Probable jurisdiction noted in Nos. 915, 917, and 921. Certiorari granted in Nos. 914, 916, 920, 1038, and 1057. Cases consolidated and a total of three hours allotted for oral argument. The bondholders and the New Haven trustee shall file their main briefs by February 26, 1970; and the briefs of Penn Central, the United States, the Interstate Commerce Commission, and the States of Connecticut and New York shall be filed by March 18, 1970. MR. JUSTICE MARSHALL took no part in the consideration or decision of these matters.

Lester C. Migdal and *Lawrence W. Pollack* for petitioner in No. 914, and for appellant in No. 915. *Whitney North Seymour* and *Albert X. Bader, Jr.*, for petitioner in No. 916, and for appellant in No. 917. *Wilkie Bushby*

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and *Joseph Schreiber* for petitioner in No. 920, and for appellant in No. 921. *Hugh B. Cox, Roswell B. Perkins, Ulrich Schweitzer, Francis T. P. Plimpton, Samuel E. Gates,* and *Robert L. King* for petitioner in No. 1038. *Solicitor General Griswold, Assistant Attorney General McLaren, Deputy Solicitor General Springer, Howard E. Shapiro, Robert W. Ginnane,* and *Leonard S. Goodman* for the United States et al. in No. 1057. They also filed a memorandum for the United States in Nos. 914, 915, 916, 917, 920, 921, and 1038. *Joseph Auerbach, James Wm. Moore, Robert G. Bleakney, Jr.,* and *Morris Raker* for Smith, respondent in Nos. 914, 916, and 920, and appellee in Nos. 915, 917, and 921. *Messrs. Griswold* and *Ginnane* on the motion to expedite. Reported below: Nos. 915, 917, and 921, 305 F. Supp. 1049. Nos. 914, 916, 920, 1038, and 1057, see 304 F. Supp. 793 and 1136.

Certiorari Granted. (See also Nos. 914, 916, 920, 1038, and 1057, *supra*.)

No. 963, Misc. *ELKANICH v. UNITED STATES*. C. A. 9th Cir. Motion for leave to proceed *in forma pauperis* granted. *Certiorari* granted. Case transferred to appellate docket and set for oral argument immediately following No. 269 [*Price v. Georgia*, *certiorari* granted, 395 U. S. 975]. *Solicitor General Griswold* for the United States.

Certiorari Denied. (See also No. 832, *ante*, p. 554.)

No. 753. *SABATINO, ADMINISTRATOR v. CURTISS NATIONAL BANK OF MIAMI SPRINGS*; and

No. 959. *CURTISS NATIONAL BANK OF MIAMI SPRINGS v. SABATINO, ADMINISTRATOR*. C. A. 5th Cir. *Certiorari* denied. *Louis A. Sabatino*, petitioner, *pro se*, in No. 753, and respondent, *pro se*, in No. 959. *Lewis Horwitz* for respondent in No. 753 and for petitioner in No. 959. Reported below: 415 F. 2d 632.

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No. 813. SCHROEDER *v.* PRUDENTIAL INSURANCE CO. OF AMERICA. C. A. 5th Cir. Certiorari denied. *Bert Bader* and *Richard T. Marshall* for petitioner. *R. Philip Schulze* and *William Duncan* for respondent. Reported below: 414 F. 2d 1316.

No. 815. McCABE *v.* UNITED STATES. C. A. 7th Cir. Certiorari denied. *Edward J. Calihan, Jr.*, for petitioner. *Solicitor General Griswold*, *Assistant Attorney General Walters*, *Joseph M. Howard*, and *John M. Brant* for the United States. Reported below: 416 F. 2d 957.

No. 816. LODGE 1746, INTERNATIONAL ASSOCIATION OF MACHINISTS & AEROSPACE WORKERS, AFL-CIO, ET AL. *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. D. C. Cir. Certiorari denied. *Plato E. Papps* and *Mozart G. Ratner* for petitioners. *Solicitor General Griswold* and *Arnold Ordman* for National Labor Relations Board, and *Guy Farmer*, *John A. McGuinn*, and *Joseph C. Wells* for United Aircraft Corp., respondents. Reported below: 135 U. S. App. D. C. 52, 416 F. 2d 809.

No. 819. WARE ET AL. *v.* ROYAL INDEMNITY CORP. ET AL. C. A. 10th Cir. Certiorari denied. *Robert J. Woolsey* for petitioners Ware et al. *Philip N. Landa* for respondents. Reported below: 411 F. 2d 1011.

No. 850. C & P PLAZA DEPARTMENT STORE, DIVISION OF C & P SHOPPING CENTER, INC. *v.* NATIONAL LABOR RELATIONS BOARD ET AL. C. A. 7th Cir. Certiorari denied. *Paul C. Gartzke* for petitioner. *Solicitor General Griswold*, *Arnold Ordman*, *Dominick L. Manoli*, *Norton J. Come*, and *Linda Sher* for respondent National Labor Relations Board. Reported below: 414 F. 2d 1244.

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No. 821. *HARGRAVE v. UNITED STATES*. C. A. 4th Cir. Certiorari denied. *Stanley E. Sacks* for petitioner. *Solicitor General Griswold* for the United States. Reported below: 416 F. 2d 966.

No. 827. *CHEROKEE LABORATORIES, INC., ET AL. v. PIERSON, EXECUTRIX*. C. A. 10th Cir. Certiorari denied. *Claude H. Rosenstein* for petitioners. *James R. Eagleton* for respondent. Reported below: 415 F. 2d 85.

No. 817. *MASTRIPPOLITO v. UNITED STATES*. C. A. 9th Cir. Certiorari denied. *Burton Marks* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Mervyn Hamburg* for the United States. Reported below: See 397 F. 2d 72.

No. 831. *ZIRINSKY v. SHEEHAN ET AL.* C. A. 8th Cir. Certiorari denied. *Bernard G. Heinzen* and *William J. Hempel* for petitioner. *Joe A. Walters* and *Harold J. Soderberg* for respondents Sheehan et al. Reported below: 413 F. 2d 481.

No. 834. *GRAYSON v. UNITED STATES*. C. A. 5th Cir. Certiorari denied. *Morris Lavine* for petitioner. *Solicitor General Griswold, Assistant Attorney General Walters, and Joseph M. Howard* for the United States. Reported below: 416 F. 2d 1073.

No. 840. *LACOB v. UNITED STATES*. C. A. 7th Cir. Certiorari denied. *Anna R. Lavin* for petitioner. *Solicitor General Griswold, Assistant Attorney General Walters, Joseph M. Howard, and John P. Burke* for the United States. Reported below: 416 F. 2d 756.

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No. 838. WILLIAMS ET AL. *v.* WISCONSIN BARGE LINE, INC.; and

No. 839. WISCONSIN BARGE LINE, INC. *v.* WILLIAMS ET AL. C. A. 7th Cir. Certiorari denied. *Harold Gruenberg* for petitioners in No. 838. *V. Lee McMahon* for petitioner in No. 839 and for respondent in No. 838. Reported below: 416 F. 2d 28.

No. 849. BROOK *v.* UNITED STATES. C. A. 5th Cir. Certiorari denied. *E. David Rosen* for petitioner. *Solicitor General Griswold, Assistant Attorney General Walters, and Joseph M. Howard* for the United States. Reported below: 414 F. 2d 804.

No. 855. LOUISIANA & ARKANSAS RAILWAY Co. *v.* MISSOURI PACIFIC RAILROAD Co. ET AL. C. A. 5th Cir. Certiorari denied. *W. Scott Wilkinson and Robert E. Zimmerman* for petitioner. *Robert H. Stahlheber, William R. McDowell, and Murray Hudson* for Missouri Pacific Railroad Co. et al., and *George Mathews* for Greater Baton Rouge Port Commission, respondents. Reported below: 415 F. 2d 751.

No. 857. MITCHELL ET UX. *v.* COMMISSIONER OF INTERNAL REVENUE. C. A. 7th Cir. Certiorari denied. *Irwin Prince* for petitioners. *Solicitor General Griswold, Assistant Attorney General Walters, and Joseph M. Howard* for respondent. Reported below: 416 F. 2d 101.

No. 811. NELSON *v.* UNITED STATES. C. A. 5th Cir. Motion of petitioner to file a supplemental exhibit granted. Certiorari denied. *Hume Cofer and John D. Cofer* for petitioner. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for the United States. Reported below: 415 F. 2d 483.

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No. 824. WALKER ET AL. *v.* COUNTY SCHOOL BOARD OF BRUNSWICK COUNTY, VIRGINIA, ET AL. C. A. 4th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Jack Greenberg, James M. Nabrit III, William Bennett Turner, S. W. Tucker, and Henry L. Marsh III* for petitioners. *Frederick T. Gray* for respondents. Reported below: 413 F. 2d 53.

No. 820. NEW YORK STATE BROADCASTERS ASSN., INC., ET AL. *v.* UNITED STATES ET AL. C. A. 2d Cir. Certiorari denied. MR. JUSTICE BLACK and MR. JUSTICE DOUGLAS are of the opinion that certiorari should be granted. *Robert A. Dreyer* for petitioners. *Solicitor General Griswold, Assistant Attorney General McLaren, Henry Geller, John H. Conlin, and Lenore G. Ehrig* for the United States et al. *George S. Pappagianis, Attorney General, for the State of New Hampshire as amicus curiae* in support of the petition. Reported below: 414 F. 2d 990.

No. 841. SYLVANIA ELECTRIC PRODUCTS, INC. *v.* COLUMBIA BROADCASTING SYSTEM. C. A. 1st Cir. Certiorari denied. MR. JUSTICE WHITE is of the opinion that certiorari should be granted. *John Hoxie* for petitioner. Reported below: 415 F. 2d 719.

No. 823. WILLIAMS ET AL. *v.* KIMBROUGH ET AL. C. A. 5th Cir. Certiorari denied. MR. JUSTICE DOUGLAS is of the opinion that certiorari should be granted. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Jack Greenberg, James M. Nabrit III, William Bennett Turner, and Murphy W. Bell* for petitioners. Reported below: 415 F. 2d 874.

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No. 818. HAWAIIAN OKE & LIQUORS, LTD. v. JOSEPH E. SEAGRAM & SONS, INC., ET AL. C. A. 9th Cir. Certiorari denied. MR. JUSTICE BLACK, MR. JUSTICE DOUGLAS, and MR. JUSTICE WHITE are of the opinion that certiorari should be granted. *Joseph L. Alioto* and *Peter J. Donnici* for petitioner. *J. Garner Anthony* for Joseph E. Seagram & Sons, Inc., et al., *Herbert Y. C. Choy* for Barton Distilling Co. et al., and *Livingston Jenks* for McKesson & Robbins, Inc., respondents. Reported below: 416 F. 2d 71.

No. 846. WESTON ET AL. v. UNITED STATES. C. A. 4th Cir. Motion to dispense with printing petition granted. Certiorari denied. *James P. Jones*, *Robert T. Winston*, and *James C. Roberson* for petitioners. Reported below: 417 F. 2d 181.

No. 918. PROVIDENCE & WORCESTER CO., FORMERLY PROVIDENCE & WORCESTER RAILROAD CO. v. SMITH, TRUSTEE. C. A. 2d Cir. Certiorari denied. MR. JUSTICE MARSHALL took no part in the consideration or decision of this petition. *Harold I. Meyerson* for petitioner. *Solicitor General Griswold*, *Assistant Attorney General McLaren*, *Deputy Solicitor General Springer*, *Howard E. Shapiro*, *George Edelstein*, *Robert E. Ginnane*, and *Leonard S. Goodman* filed a memorandum for the United States et al.

Rehearing Denied

No. 1121, October Term, 1967. PETO v. MADISON SQUARE GARDEN CORP. ET AL., 390 U. S. 989, 1046. Motion for leave to file second petition for rehearing denied. THE CHIEF JUSTICE took no part in the consideration or decision of this motion.

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- No. 576. FAHEY *v.* UNITED STATES, *ante*, p. 957;
No. 599. NEW ORLEANS CHAPTER, ASSOCIATED GENERAL CONTRACTORS OF AMERICA, INC. *v.* UNITED STATES, *ante*, p. 115;
No. 618. GOWDY *v.* UNITED STATES, *ante*, p. 960;
No. 360, Misc. GERARDI *v.* SIPOS ET AL., *ante*, p. 880;
No. 517, Misc. CASTLE *v.* UNITED STATES, *ante*, p. 975; and
No. 772, Misc. CROSS *v.* BRUNING, COUNTY CLERK, ET AL., *ante*, p. 970. Petitions for rehearing denied.

FEBRUARY 3, 1970

Miscellaneous Orders

No. —. SINATRA *v.* NEW JERSEY STATE COMMISSION OF INVESTIGATION ET AL. Application for stay pending appeal to United States Court of Appeals denied. MR. JUSTICE BLACK, MR. JUSTICE DOUGLAS, and MR. JUSTICE MARSHALL are of the opinion that the application should be granted. MR. JUSTICE BRENNAN took no part in the consideration or decision of this application. *Bruce W. Kauffman* and *William T. Coleman, Jr.*, for applicant.

No. —. FIRST NATIONAL BANK OF CORNELIA *v.* JACKSON, SUPERINTENDENT OF BANKS OF GEORGIA, ET AL. Application for stay of order of United States District Court for the Northern District of Georgia presented to MR. JUSTICE BLACK, and by him referred to the Court, denied. *E. Barrett Prettyman, Jr.*, for applicant. *Arthur K. Bolton*, Attorney General of Georgia, *Harold N. Hill, Jr.*, Executive Assistant Attorney General, and *Robert J. Castellani*, Assistant Attorney General, for Jackson, and *Wm. B. Gunter* for First National Bank of Gainesville, Georgia, et al., in opposition.

FEBRUARY 6, 1970

Miscellaneous Orders

No. —. WHITCOMB, GOVERNOR OF INDIANA *v.* CHAVIS ET AL. D. C. S. D. Ind. Emergency motion to vacate or modify the stay order of February 2, 1970 [*ante*, p. 1055] denied. Motion to advance denied without prejudice to its renewal following filing of statement as to jurisdiction. *James Manahan* on the motion.

MR. JUSTICE DOUGLAS, dissenting.

After a trial on June 17 and 18, 1969, a three-judge District Court entered an order on July 28, 1969, in which it held the multi-member districting provisions of the present Indiana apportionment statutes unconstitutional as they applied to Marion County, Indiana. The State was given until October 1, 1969, to enact statutes redistricting the State so as to correct the constitutional infirmity. Upon the State's failure to enact such statutes, the District Court, on December 15, 1969, entered an order establishing legislative districts in the State. This Court, on February 2, 1970, granted a stay of the District Court's December 15 order pending the filing and disposition of an appeal from that order.

The respondents have now filed a motion to vacate the stay. I would grant the motion. The constitutionality of the present Indiana apportionment scheme was thoroughly briefed and argued in the three-judge District Court below. There is no reason to disturb the order of that court pending the disposition of the appeal by this Court. The date for the commencement of filing for the November 1970 election to the General Assembly is February 24, 1970. The Governor contends that without a stay the State will be forced to conduct the forthcoming election under the reapportionment plan of the District Court. By granting the stay, however,

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this Court has equally forced the respondents to go through the election under the present scheme which was held unconstitutional by the District Court. Under these circumstances, I see no reason to stay the order of the District Court.

No. —. SCHOOL DISTRICT OF GREENVILLE COUNTY, SOUTH CAROLINA, ET AL. *v.* WHITTENBERG ET AL. C. A. 4th Cir. Application for temporary stay presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. *J. Covington Parham, Jr.*, and *C. Thomas Wyche* for applicants. Reported below: See 424 F. 2d 195.

No. 1142. ELKANICH *v.* UNITED STATES. C. A. 9th Cir. [Certiorari granted, *ante*, p. 1057.] It is ordered that *Charles A. Miller, Esquire*, of Washington, District of Columbia, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for petitioner in this case.

FEBRUARY 10, 1970

Miscellaneous Orders

No. —. SCHOOL DISTRICT OF DARLINGTON COUNTY, SOUTH CAROLINA, ET AL. *v.* STANLEY ET AL. C. A. 4th Cir. Application for temporary stay presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. Reported below: See 424 F. 2d 195.

No. —. IN RE ROSENBAUM ET AL. D. C. D. C. Application for stay presented to THE CHIEF JUSTICE, and by him referred to the Court, denied. *Robert L. Weinberg* for applicants.

FEBRUARY 13, 1970

Dismissals Under Rule 60

No. 330. UNITED STATES *v.* EISDORFER. Appeal from D. C. E. D. N. Y. Appeal dismissed pursuant to Rule 60 of the Rules of this Court. *Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley* for the United States. *Michael J. Kunstler* for appellee. Reported below: 299 F. Supp. 975.

No. 637. UNITED STATES *v.* STEWART. Appeal from D. C. N. D. Cal. Appeal dismissed pursuant to Rule 60 of the Rules of this Court. *Solicitor General Griswold, Assistant Attorney General Wilson, and Philip R. Monahan* for the United States. Reported below: 306 F. Supp. 29.

REPORTER'S NOTE

Commencing with this volume, opinions in chambers of individual Justices are, pursuant to authorization, being published in the United States Reports. The in-chambers opinions that appear herein were issued since the end of the October Term, 1968. The next page is purposely numbered 1201. The numbers between 1066 and 1201 were intentionally omitted, in order to make it possible to publish in-chambers opinions in the current preliminary prints of the United States Reports with *permanent* page numbers, thus making the official citations available immediately.

