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KOLDEN *v.* SELECTIVE SERVICE LOCAL
BOARD NO. 4ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED
STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT

No. 70. Decided February 24, 1970*

Certiorari granted; No. 70, 406 F. 2d 631; No. 331, 408 F. 2d 622; No. 449, 410 F. 2d 492; and Nos. 73, 164, and 183, vacated and remanded.

Melvin L. Wulf, Chester Bruvold, and Lynn Castner for petitioner in No. 70. *John J. Abt* for petitioner in No. 73. *Stanley Faulkner* for petitioner in No. 164. *Mr. Wulf* for petitioner in No. 183. *Robert Eugene Smith* for petitioner in No. 331. *Sheldon M. Meizlish* for petitioners in No. 449.

Solicitor General Griswold, Assistant Attorney General Ruckelshaus, Morton Hollander, and Ralph A. Fine for respondents in Nos. 70, 164, and 183. *Solicitor General Griswold, Assistant Attorney General Ruckelshaus, and Mr. Hollander* for respondents in No. 73. *Solicitor General Griswold* for respondents in Nos. 331 and 449.

PER CURIAM.

The petitions for writs of certiorari are granted, the judgments are vacated and the cases are remanded

*Together with No. 73, *Chaikin v. Selective Service Local Board No. 66 et al.*; No. 164, *Faulkner v. Laird, Secretary of Defense, et al.*; No. 183, *Osher v. Selective Service Local Board No. 6 et al.*, on petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit; No. 331, *Kraus v. Selective Service System Local 25 et al.*, on petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit; and No. 449, *Anderson et al. v. Hershey, National Director, Selective Service System, et al.*, on petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit.

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to the respective United States Courts of Appeals for further consideration in light of *Breen v. Selective Service Board*, 396 U. S. 460.

MR. JUSTICE HARLAN would reverse the judgments in these cases and remand them on the basis of his concurring opinion in *Breen v. Selective Service Board*, 396 U. S., at 468, and the Court's opinion in *Gutknecht v. United States*, 396 U. S. 295.

TROUTMAN *v.* UNITED STATES

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE EIGHTH CIRCUIT

No. 623. Decided February 24, 1970*

Certiorari granted; No. 623, 412 F. 2d 810, and No. 411, Misc., 409 F. 2d 910, vacated and remanded.

George C. Pontikes for petitioner in No. 623. *Howard Moore, Jr.*, for petitioner in No. 411, Misc.

Solicitor General Griswold, *Assistant Attorney General Wilson*, and *Philip R. Monahan* for the United States in No. 623. *Solicitor General Griswold*, *Assistant Attorney General Wilson*, *Jerome Feit*, and *Edward Fenig* for the United States in No. 411, Misc.

PER CURIAM.

The motion to proceed *in forma pauperis* in No. 411, Misc., is granted. The petitions for writs of certiorari are granted, the judgments are vacated, and the cases remanded to the respective United States Courts of Appeals for further consideration in light of *Gutknecht v. United States*, 396 U. S. 295.

*Together with No. 411, Misc., *Battiste v. United States*, on petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.