

HESTER *v.* ILLINOIS

CERTIORARI TO THE SUPREME COURT OF ILLINOIS

No. 82. Argued November 18, 1969—Decided April 27, 1970

39 Ill. 2d 489, 237 N. E. 2d 466, certiorari dismissed.

*Marshall Kaplan* argued the cause for petitioner. With him on the brief was *Edward Kaplan*.

*Joel M. Flaum*, Assistant Attorney General of Illinois, argued the cause for respondent. With him on the brief were *William J. Scott*, Attorney General, and *James R. Thompson*, *James B. Zagel*, *Thomas J. Immel*, and *Morton E. Friedman*, Assistant Attorneys General.

PER CURIAM.

The writ of certiorari is dismissed as improvidently granted.

MR. JUSTICE DOUGLAS, MR. JUSTICE BRENNAN, and MR. JUSTICE MARSHALL dissent.