

397 U.S.

February 27, 1970

YOUNG *v.* UNITED STATES

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

No. 579, Misc. Decided February 27, 1970

Certiorari granted; vacated and remanded.

Solicitor General Griswold, Assistant Attorney General Wilson, Beatrice Rosenberg, and Roger A. Pauley for the United States.

PER CURIAM.

The motion for leave to proceed *in forma pauperis* and the petition for a writ of certiorari are granted. The judgment is vacated and the case is remanded to the United States Court of Appeals for the Eighth Circuit with directions to appoint counsel for the petitioner. If thereafter counsel is unable to present any non-frivolous issue on appeal, the Court of Appeals would then be free to dismiss the appeal as legally insubstantial.

THE CHIEF JUSTICE is of the opinion that the petition for a writ of certiorari should be denied.