

June 29, 1970

399 U.S.

## HUTCHERSON ET AL. v. LEHTIN ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF CALIFORNIA

No. 1385. Decided June 29, 1970

313 F. Supp. 1324, appeal dismissed.

## PER CURIAM.

The motion to dismiss is granted and the appeal is dismissed for want of jurisdiction. *Gunn v. University Committee to End the War in Viet Nam*, ante, p. 383, and *Mitchell v. Donovan*, 398 U. S. 427.

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## PENNER v. UNITED STATES

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

No. 1532. Decided June 29, 1970

Certiorari granted; 420 F. 2d 344, vacated and remanded to District Court.

## PER CURIAM.

On the basis of a confession of error by the Solicitor General and of an independent review of the record, the petition for a writ of certiorari is granted, the judgment of the Court of Appeals is vacated, and the case is remanded to the United States District Court for the Western District of Oklahoma with instructions to dismiss the indictment.