

Per Curiam

HILL, ATTORNEY GENERAL OF TEXAS, ET AL. v.
PRINTING INDUSTRIES OF THE
GULF COAST ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF TEXAS

No. 74-456. Argued April 15, 1975—Decided June 30, 1975

In light of recent amendments to the Texas Election Code provision whose constitutionality is at issue, the District Court's judgment is vacated, and the case is remanded to that court for reconsideration and for dismissal if the case is or becomes moot.

382 F. Supp. 801, vacated and remanded.

John W. Odam, Executive Assistant Attorney General of Texas, argued the cause for appellants. On the briefs were *John L. Hill*, Attorney General, *pro se*, *David M. Kendall*, First Assistant Attorney General, and *Elizabeth B. Levatino*, First Special Assistant Attorney General.

Gerald M. Birnberg argued the cause for appellees. With him on the brief were *James T. Evans* and *Michael Anthony Maness*.*

PER CURIAM.

The parties to this case have informed us that the State of Texas has enacted the Political Funds Reporting and Disclosure Act of 1975, which will become effective on September 1, 1975.† Section 11 of that Act substantially amends Art. 14.10 (b) (Supp. 1974-1975) of the Texas Election Code, the constitutionality of which is at issue in this appeal. Although the parties take the position that these amendments do not affect this case,

**David Crump* filed a brief for Common Cause as *amicus curiae* urging reversal.

†Tex. Const., Art. 3, § 39.

Per Curiam

422 U. S.

we prefer to remand the case to the District Court for reconsideration in light of the recent amendments, rather "than render an unnecessary judgment on the validity of the constitutional views expressed by the District Court." *White v. Regester, ante*, p. 935.

The judgment of the District Court is vacated. The case is remanded to that court for reconsideration in light of the new legislation and for dismissal if the case is or becomes moot.

So ordered.

MR. JUSTICE DOUGLAS took no part in the consideration or decision of this case.

ORDERS FROM JUNE 16 THROUGH
JUNE 30, 1975

1975-16, 1975*

Appeals Docketed

No. 74-1019, Washington Register Case, et al., v. County of Los Angeles et al., Appeal from 9th App. Dist. Court, Reported 1975, 52 Cal. App. 3d 22, 116 Cal. App. 742.

REPORTER'S NOTE

The next page is purposely numbered 1001. The numbers between 938 and 1001 were intentionally omitted, in order to make it possible to publish the orders with *permanent* page numbers, thus making the official citations available upon publication of the preliminary prints of the United States Reports.

we prefer to remand the case to the District Court for reconsideration in light of the recent amendments rather than render an advisory judgment on the validity of the constitutional veto imposed by the District Court." *Wheat v. White*, ante, p. 835.

The judgment of the District Court is vacated. The case is remanded to that court for reconsideration in light of the new legislation and for dismissal if the case is no longer moot.

So ordered.

Mr. Justice Brennan dissents in the circumstances and reasons of this case.

The case was argued on October 10, 1974, and the Court was divided 5-4. The majority opinion was written by Mr. Chief Justice Burger and was joined by Mr. Justice White, Mr. Justice Rehnquist, Mr. Justice Stewart, and Mr. Justice Powell. Mr. Justice Brennan dissented and was joined by Mr. Justice Brandenburg, Mr. Justice Black, and Mr. Justice Douglas. The dissenting opinion was written by Mr. Justice Brennan and was joined by Mr. Justice Brandenburg, Mr. Justice Black, and Mr. Justice Douglas.