

Per Curiam

## KISSINGER ET AL. v. HALPERIN ET AL.

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE  
DISTRICT OF COLUMBIA CIRCUIT

No. 79-880. Argued December 8, 1980—Decided June 22, 1981

196 U. S. App. D. C. 285, 606 F. 2d 1192, affirmed in part by an equally  
divided Court, and certiorari dismissed in part.

*Solicitor General McCree* argued the cause for petitioners. With him on the briefs were *Assistant Attorney General Daniel*, *Deputy Solicitor General Geller*, *Mark I. Levy*, *Barbara L. Herwig*, and *Larry L. Gregg*.

*Mark H. Lynch* argued the cause for respondents. With him on the brief were *John H. F. Shattuck*, *Alan B. Morrison*, and *John Cary Sims*.\*

## PER CURIAM.

The judgment with respect to petitioners Kissinger, Nixon, and Mitchell is affirmed by an equally divided Court. With respect to petitioner Haldeman, the writ of certiorari is dismissed as improvidently granted.

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

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\*Briefs of *amici curiae* urging affirmance were filed by *Bertram Zweibon*, *pro se*, for *Bertram Zweibon et al.*; and by *Leon Friedman*, *Floyd Abrams*, *Gerald J. Brown*, and *James C. Goodale* for *Hedrick Smith et al.*