

Per Curiam

UNITED STATES v. MERCHANT

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR
THE NINTH CIRCUIT

No. 85-1672. Argued March 4, 1987—Decided March 24, 1987
Certiorari dismissed. Reported below: 760 F. 2d 963.

Paul J. Larkin, Jr., argued the cause for the United States. With him on the briefs were *Solicitor General Fried*, *Assistant Attorney General Trott*, and *Deputy Solicitor General Bryson*.

Penelope M. Cooper argued the cause for respondent. With her on the brief were *Cristina C. Arguedas* and *Ted W. Cassman*.*

PER CURIAM.

The writ of certiorari is dismissed as improvidently granted.

**Nancy Gertner* and *Judith H. Mizner* filed a brief for the American Civil Liberties Union et al. as *amici curiae* urging affirmance.