

SPECIAL TERM JULY 1972

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Special Term of Court called by Chief Justice (July 7, 1972)-----	1
Brennan, J., absent but participated in cases (A-23, A-24, 72- 34, 72-35, A-1320)-----	1
Per curiam opinion on stays (A-23, A-24) (July 7, 1972)-----	1
Stay entered by Court (A-1320)-----	1



SUPREME COURT OF THE UNITED STATES

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The Court met in Special Term pursuant to a call by the Chief Justice.

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

Mr. Justice Brennan was absent but, being unable to reach Washington in time for the Term, had stated his desire to participate on the basis of review of all the files and records in the cases.

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The Chief Justice declared the Special Term convened with the concurrence of all Justices, to consider applications Nos. A-23 and A-24 for the stays of the judgment of the United States Court of Appeals for the District of Columbia Circuit, and the petitions for writs of certiorari to said Court of Appeals, No. 72-34, *Lawrence F. O'Brien et al. v. Willie Brown et al.* and No. 72-35, *Thomas E. Keane et al. v. National Democratic Party et al.*

By *per curiam* opinion the applications for stays of the judgment of the Court of Appeals were granted. The action on the petitions for writs of certiorari was deferred for consideration in due course when responses have been filed. Concurring statement by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Douglas. Mr. Justice White would deny the applications for stays of the judgment of the Court of Appeals. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Douglas joins.

No. A-1320. The Atchison, Topeka and Santa Fe Railway Company et al., applicants, *v.* The Wichita Board of Trade et al.

On consideration of the appellants' application for stay, the appellees' reply to the application, and the affidavits and memoranda filed in support of the application and reply, IT IS ORDERED:

(1) That, subject to the condition set forth in paragraph 2 herein, the judgment of the United States District Court for the District of Kansas entered in this matter on June 8, 1972, be and hereby is stayed pending a final determination of the appeal by this Court.

(2) That, as a condition of the foregoing stay, each railroad collecting in-transit grain inspection charges under the challenged tariffs

shall immediately take steps, including publication of appropriate provisions in applicable tariffs, to do the following:

(a) keep accurate accounts in detail of all amounts hereafter received during the existence of the stay by reason of in-transit grain inspection charges, specifying by whom and in whose behalf such amounts are paid; and

(b) in the event the order suspending the charges is affirmed by this Court, refund (with interest) of such amounts to persons in whose behalf such amounts were paid, without the necessity for such persons to make applications for refunds. In the event this Court's action should be other than in affirmance of the results reached by the district court, this Court may make such further order concerning the disposition of the aforesaid amounts as the Court may deem appropriate.

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Adjourned to the time and place appointed by law.

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OCTOBER TERM, 1972

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II

STATISTICS

	Original	Paid Cases	In Forma Pauperis Cases	Total
Number of cases on docket.....	21	2, 183	2, 436	4, 640
Cases disposed of.....	8	1, 617	1, 947	3, 572
Remaining on docket.....	13	566	489	1, 068

Cases docketed during term:

Paid cases.....	1, 741
In forma pauperis cases.....	2, 000
Original cases.....	8
<b>Total.....</b>	<b>3, 749</b>

Cases remaining from last term.....	891
Total cases on docket.....	4, 640
Cases disposed of.....	3, 572
Number remaining on docket.....	1, 068

Petitions for certiorari granted:

In paid cases.....	84
In in forma pauperis cases.....	17

Appeals granted:

In paid cases.....	49
In in forma pauperis cases.....	4

Total cases granted plenary review..... 154

Cases argued during term..... <sup>1</sup>177

    Number disposed of by full opinions..... <sup>2</sup>159

    Number disposed of by per curiam opinions..... <sup>3</sup>18

    Number set for reargument next term..... 0

Cases available for argument at beginning of term..... 99

Disposed of summarily after review was granted..... 3

Original cases set for argument..... 3

Cases reviewed and decided without oral argument..... 265

Total cases available for argument at start of next term..... 76

Number of written opinions of the Court..... <sup>2</sup>140

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<sup>1</sup> Includes 27 Orig., 30 Orig., 36 Orig. and 59 Orig.

<sup>2</sup> Includes 27 Orig. and 36 Orig.

<sup>3</sup> Includes 30 Orig. and 59 Orig.

Number of lawyers admitted to practice..... 4, 758

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# SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

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The Chief Justice said:

"I have the honor to announce that the 1972 Term of the Supreme Court of the United States is now convened."

## ADMISSION OF ATTORNEYS DURING THE SUMMER RECESS

The following attorneys were admitted to the Bar of this Court by action of single Justices during the summer recess, pursuant to the Order of this Court entered on the twenty-fourth day of May, 1971:

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### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

July 12, 1972

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Lucius Pharr Abner	Winter Park, Fla.	James Thomas Gurney.
Maurice Meier Abrahams	New York, N. Y.	Edward J. Mallon.
Ralph Albert Amado	Beverly Hills, Calif.	David Martin Schacter.
Stephen Arinson	Philadelphia, Pa.	Harvey Lee Anderson.
James Everitt Baine	El Dorado, Ark.	Earl R. Stanley.
Phillip L. Baker	Independence, Mo.	James E. May.
Harry Kyle Barr III	Interlaken, N.J.	Arthur P. Berg.
Andrew B. Beath	La Crosse, Wis.	Louis Weiner.
Louis Delamare Beer	Detroit, Mich.	Wallace D. Riley.
Carl Joseph Bensinger	Louisville, Ky.	L. Stanley Chauvin, Jr.
Warren W. Bentz	Erie, Pa.	John J. Galbo.
Roy W. Bergmann	Clayton, Mo.	Theodore S. Schechter.
Michael R. Bernstein	Springfield, N.J.	Jacob Siegal.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John N. Boggs III	Panama City, Fla.	Larry Glenn Smith.
Thomas R. Boland	Washington, D.C.	Ronald P. Kananen.
William A. Bolgrien	Beloit, Wis.	Samuel B. Loizzo.
James Albert Boorman III	Houston, Tex.	Charles Edward Crenshaw.
Isidoor Bornstein	San Francisco, Calif.	James Herbert Handler.
Carl Boronkay	Los Angeles, Calif.	Edward M. Belasco.
James Walton Bouska	Overland Park, Kans.	Howard E. Payne.
Donald Mack Bouton	St. Thomas, Virgin Islands	John Jefferson Scott.
Richard S. Bowers	Boston, Mass.	Paul B. Sargent.
John Sterling Boyden, Jr.	Salt Lake City, Utah	John S. Boyden, Sr.
Peter W. Boznos	Chicago, Ill.	John C. Castanes.
Murray Brasky	Los Angeles, Calif.	Houston Hunter Slate.
Emanuel Braude	Los Angeles, Calif.	Irving S. Feffer.
John Allan Brooke	Baltimore, Md.	Miss Helen A. Sliwka.
Mary Ellen Brooke (Miss)	Baltimore, Md.	Miss Helen A. Sliwka.
Dorothy Carolyn Busch (Miss)	Austin, Tex	Charles Pat Bailey.
John Nathan Bush	New York, N.Y.	Andrew J. Connick.
Donald B. Caldwell	Vernon, Conn.	Abbot B. Schwebel.
James Marshall Campbell	Anniston, Ala.	Horace R. Burnham.
W. Roland Campbell	Atlanta, Ga.	Robert John Flynn, Jr.
Ernest Andrew Carpenter	Pittsburgh, Pa.	William V. Kane.
Jerold A. Cartin	Tucson, Ariz.	William Edward Morgan.
Joseph E. Cartwright	St. Paul, Minn.	Michael F. Fetsch.
William Robert Chambers	Shawnee Mission, Kans.	George W. Thomas.
Thomas E. Clancy	Bound Brook, N.J.	Raymond R. Trombadore.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard David Clyde	San Francisco, Calif.	Lucien Bruce Lindsey.
Gene Stuart Cobb	Lubbock, Tex.	David Michael Worley.
Stephen Bruce Cohen	Chicago, Ill.	George Constan- tine Pontikes.
Bryce Barry Colton	New York, N.Y.	William Holmes Cook.
Melvin Eugene Corley	Austin, Tex.	Charles Pat Bailey.
Dorothy Gaines Cox (Miss)	Louisville, Ky.	Laurence Edwin Higgins.
Thomas G. Cox	Tucson, Ariz.	William Edward Morgan.
Alton Don Crowder	Dallas, Tex.	William F. Billings.
Jack Ewalt Dalton	Dodge City, Kans.	James B. Pearson.
William E. Dannemeyer	Fullerton, Calif.	Charles L. Ruby.
Stephen Davis	New York, N.Y.	Miss Joy M. Holz.
Albert Bartholamew Dawkins	Denver, Colo.	Howard K. Phillips.
Albert B. Dearden	Ridgewood, N.J.	Oscar H. Davis.
Robert C. Dedekam	Eureka, Calif.	Frederick L. Hilger.
Stephen Adrian Derkum	Anaheim, Calif.	Marvin O. Burton
Nathan Z. Dershowitz	New York, N.Y.	Alvin K. Heller- stein.
Donald E. Dickerman	Tucson, Ariz.	Adolph O. Johnson.
Robert Joseph Donovan	Jacksonville, Ark.	J. Smith Henley.
William F. Donovan	Beloit, Wis.	Samuel B. Loizzo.
Robert K. Dorsey	Las Vegas, Nev.	Charles E. Catt.
Clyde Weldon Eberhardt	Atlanta, Ga.	Wesley Robert Asinof.
Cecil William Emerson, Jr.	Dallas, Tex.	W. M. Taylor, Jr.
James A. Erisman	Wilmington, Del.	Jay Harold Con- ner.
G. Gregg Everngam	Silver Spring, Md.	J. Ambrose Kiley.
John Frederick Fader II	Towson, Md.	Joseph S. Kauf- man.
Edward Lee Faunce	Los Angeles, Calif.	Steven N. Katz- nelson.
H. Eugene Fisher	Fort Lauderdale, Fla.	Earl R. Stanley.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Bruce B. Fitts	Wichita, Kans.	Robert F. Bailey.
Clarence J. Fleming	Chicago, Ill.	Dugald S. McDougall.
Albert M. Fortier, Jr.	Boston, Mass.	Paul B. Sargent.
John L. Francis	Columbus, Ohio	Thomas Adelbert Bustin.
Stanley Maynard Franklin	Fairfax, Va.	Thomas J. Middleton, Jr.
Ronald Arthur Frederick	Winterset, Iowa	Jeffrey McKenzie Graham.
Daniel Friedman	Thousand Oaks, Calif.	Raymond C. Clayton.
Steven Michael Friedman	Phoenix, Ariz.	Horace L. Lurie.
Sybille C. Fritzsche (Mrs.)	Chicago, Ill.	William W. Brackett.
Harold James Frobish	Peoria, Ill.	James L. Hafele.
Robert A. Froehlich	Hicksville, N.Y.	William I. Harkaway.
Joseph William Fromme	Hoxie, Kans.	James B. Pearson.
John W. Frost II	Bartow, Fla.	Wofford H. Stidham.
Gerald Wayne Fudge	Atlanta, Ga.	Joel S. Thwaites.
Gerald R. Gates	Everett, Wash.	Charles Eugene Hunter.
G. John Gazerro, Jr.	West Warwick, R.I.	Richard J. Israel.
Thomas B. Givhan	Shepherdsville, Ky.	D. H. Robinson.
Anthony Michael Glassman	Los Angeles, Calif.	Stephen David Miller.
Charles S. Gleason	Indianapolis, Ind.	Mark W. Gray.
George Edward Goldstein	Philadelphia, Pa.	Bernard L. Segal.
Stuart Arthur Goldstein	Washington, D.C.	Allen J. Berk.
John Aaron Gorman	Peoria, Ill.	James L. Hafele.
Ronald M. Greenberg	Los Angeles, Calif.	Ronald Marc George.
Lawrence R. Greene	Detroit, Mich.	Sol Plafkin.
Ralph Stephen Greer	Rockville, Md.	Edward Donald Coxen.
Thomas Grippando	Chicago, Ill.	Michael Francis Lefkow.
Robert H. Groman	Roslyn Heights, N.Y.	Dennis A. Bengels.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William J. Guste, Jr.	New Orleans, La.	Weldon Anthony Cousins.
John Donald Hansen	Rutland, Vt.	Theodore Corsones.
Julius I. Hanslovsky	East Lansing, Mich.	Charles Ernest Chamberlain.
H. S. Harnsberger, Jr.	Riverton, Wyo.	Donald Paul White.
Charles W. Harris	Wichita, Kans.	James B. Pearson.
Micalyn S. Harris (Mrs.)	St. Louis, Mo.	John H. Cassidy.
Norman E. Hay	Cannelton, Ind	Llyod Whitmer.
H. E. Pat Healy	Wichita, Kans	James B. Pearson.
William Patrick Heaston	Omaha, Nebr.	Walter J. Scott.
Norman Heiman	Syosset, N.Y.	Victor J. Nearing.
William B. M. Hingeley	Towson, Md.	John F. Burgan.
Thomas Edward Holum	Chicago, Ill.	James Block Zagel.
William Boley Ingersoll	Fairfax, Va.	Samuel N. Klewans.
Harvey Myers Johnson	El Monte, Calif.	George E. Danielson.
J. Richard Johnston	Oakland, Calif.	Robert Harris Solomon.
David Currier Jones	St. Louis, Mo.	Richard Gordon Dahlen.
Robert Delano Jones	Bloomington, Ind.	Daniel H. Skerritt.
Robert J. Kafin	Glen Falls, N.Y.	Jacob Imberman.
Robert Frederick Kaucher	Belleville, Ill.	Stanford S. Meyer.
Ken M. Kawaichi	Oakland, Calif.	Mas Yonemura.
James E. Keenan	Durham, N.C.	Adam Stein.
Joseph Raymond Keilp	Phoenix, Ariz.	Richard K. Burke.
James Joseph Kenny	Miami, Fla.	Hugo L. Black, Jr.
William M. Kerr	Midland, Tex.	Gerald Fitz-Gerald.
Donald Paul Kirkpatrick	Bellingham, Wash.	Daniel A. Lennon; Jr.
William J. Kihneman	New Orleans, La.	Cicero C. Sessions.
George J. Laird	Fond du Lac, Wis.	George M. St. Peter.
Douglas Lancaster	Overland Park, Kans.	Keith Upham Martin.
Ronald Sheldon Laurie	San Francisco, Calif.	Stephen S. Townsend.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Carolee Sauder Leek (Mrs.)	Shawnee Mission, Kans.	Keith Upham Martin.
Charles M. Leibson	Louisville, Ky.	Laurence Edwin Higgins.
John Charles Lenderman	St. Petersburg, Fla.	Louis C. Schowe.
John Douglas Liber	Youngstown, Ohio	Wm. Saxbe.
George E. Link	San Francisco, Calif.	Paul S. Marrin.
John G. Loomos	Miami, Fla.	Richard H. Jones.
Edwin M. Luedeka	Knoxville, Tenn.	Cyril A. Soans.
Malcolm H. Mackey	Los Angeles, Calif.	Miss Roberta Ralph.
Frank Mancino	Cleveland, Ohio	Bernard J. Stu- plinski.
Jim Mangan	Dodge City, Kans.	James B. Pearson.
Charles B. Marshall	Evanston, Ill.	Sol August.
Harry R. Marshall, Jr.	New York, N.Y.	Elliot Paskoff.
Franklin Edwin Martin	Wilmington, N.C.	Maurice Victor Barnhill, Jr.
James B. Martin	Chicago, Ill.	John C. Castanes.
James Edward Masson II	Richmond, Ind.	James C. Puckett.
Albert L. McDermott	Washington, D.C.	James Miller Russell.
Anthony Joseph McMahon	Washington, D.C.	Paul E. McGraw.
Robert C. McNicholas	St. Louis, Mo.	Eugene P. Free- man.
Gerald S. Meisel	Westwood, N.J.	Morton Isaacs.
Michael Allen Mendelson	San Francisco, Calif.	Jack K. Berman.
Donald Juan Metcalfe	Dallas, Tex.	Stanley I. Weinberg.
Edward T. Moore	Houston, Tex.	William Howard January.
Ronald P. Moran	Upper Arlington,	Wesley E. Forte.
J. T. Morgan	Portales, N.M.	Charles Vance Mauney.
John Franklin Morrow	Winston-Salem, N.C.	Paul Eugene Price, Jr.
William J. Mullins, Jr.	Shawnee Mission, Kans.	Keith Upham Martin.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Patrick Mulloy	Louisville, Ky	Laurence Edwin Higgins.
James J. Nallin	Pasadena, Tex.	A. Frank Smith, Jr.
Joseph Edwin Naron	Houston, Tex,	David A. Gibson.
Neil E. Needleman	Glens Falls, N. Y.	Jacob Imberman.
Joseph William Nelkin	New Orleans, La.	Benjamin E. Smith.
Robert Thomas Nichols	Alexandria, Va.	David J. Humphreys.
Peter L. Niles	Daytona Beach, Fla.	John Thomas Gilbertson.
Melbourne A. Noel, Jr.	Chicago, Ill.	James Block Zagel.
Gerald Wilfred Noll	Beloit, Wis.	Samuel B. Loizzo.
Charles E. Nutt	Pasadena, Calif.	Robert E. Early.
James L. O'Donnell	Sarasota, Fla.	Charles E. Early.
Robert Oswald	Pascagoula, Miss.	Raymond L. Brown.
Maurice L. Perkinson	LaGrange, Ky.	John P. Sandidge.
Jon Charles Pfenning	Baytown, Tex.	William Duane Darling.
Stephen Pierson	Darien, Conn.	Alexander John Holland.
John D. Pincura III	Lorain, Ohio	Joseph Richard Grunda.
Burt S. Pines	Los Angeles, Calif.	James Randall Dunn.
George William Pring	Cleveland, Ohio	Charles Fenton Clarke.
David T. Prosser, Jr.	Appleton, Wis.	Richard G. Kleindienst.
Hal Rachal, Jr.	Dallas, Tex.	William F. Douglass.
Thomas Albert Ramsey	Long Beach, Calif.	Joseph A. Ball.
Albert A. Raphael, Jr.	Waitsfield, Vt.	Mitchell M. Bailey.
William Peter Rinderer, Jr.	San Francisco, Calif.	Raymond Evans Small.
Henry Huntington Rossbacher	New York, N.Y.	Harry C. Batchelder, Jr.
Robert J. Ruth	Beloit, Wis.	Samuel B. Loizzo.
Donald P. Ryan	Warwick, R.I.	Richard J. Israel.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Rhett R. Ryland	Columbia, La.	Edwin Rene Hughes.
Leonard J. Santisi	New York, N. Y.	John A. Mitchell.
Edward Anthony Schlotman.	Los Angeles, Calif.	Michael Thomas Sauer.
Bill Edward Schroeder	Los Angeles, Calif.	Joseph Riley Austin.
Raymond Frederick Schroeder, Jr.	San Diego, Calif.	John Daniel Duddy.
J. Ben Shapiro, Jr.	Atlanta, Ga.	Albert Felton Jenkins, Jr.
Albert P. Sharpe III	Cleveland, Ohio	Robert J. Fay.
Edgar Bernard Shaw	Atlanta, Ga.	Grady Seals Aiken.
Terry Guy Shipley	Noble, Okla.	Charles Rudolph Nesbitt.
Major Carl Slough	Shawnee Mission, Kans.	Keith Upham Martin.
Lucian L. Smith, Jr.	Montgomery, Ala.	William L. Dickinson.
Walter L. Smith, Jr.	Baton Rouge, La.	Jack Edward Yelverton.
John S. Solakian	Bedford, Mass.	Roger W. Jensen.
Melvin H. Sorkin	Chicago, Ill.	John Barry Schwartz.
Frank G. Spurney	Belleville, Kans.	James B. Pearson.
Robert C. Stone	Hollywood, Fla.	J. Leonard Fleet.
Malcolm P. Strohson	Phoenix, Ariz.	William P. Sargeant III.
John S. Stump	Alexandria, Va.	William W. Koontz.
William E. Swatek	Birmingham, Ala.	Michael John Romeo.
Robert G. Tate	Birmingham, Ala.	James R. Forman, Jr.
Samuel B. Taylor, Jr.	Santa Ana, Calif.	Larry Wong.
Eugene Albert Theroux	Washington, D.C.	James F. Fitzpatrick.
Harold A. Thomas, Jr.	St. Louis, Mo.	Edgar T. Farmer.
Peter Jeffrey Thompson	Minneapolis, Minn.	Robert G. Renner.
Jacob Winston Todd	Raleigh, N C.	William Joslin.
J. Toll Underwood	Houston, Tex.	Decatur J. Holcombe III.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Raymond Sonji Uno	Salt Lake City, Utah	Jimi Mitsunaga.
Thomas K. Vann, Jr.	Thomasville, Ga.	Roy Miller Lilly, Jr.
L. Norman Vaughan- Birch	Sarasota, Fla.	John R. Wood.
Patrick Joseph Vaughan	Arlington, Va.	Frank Eugene Brown, Jr.
Ernest Merle Vieux	Dodge City, Kans.	James B. Pearson.
Lawrence R. Wagner	Shawnee Mission, Kans.	Keith Upham Martin.
Richard Allen Walkovets	Chicago, Ill.	Edwin K. Taylor.
Benj. O. Walters, Jr.	Anchorage, Alaska	Robert Lee Hartig.
Pat Harrison Watts, Jr.	Pascagoula, Miss.	Donald W. Cumbest.
John Bernard Weaver	Grosse Pointe Farms, Mich.	Rockwell T. Gust.
Walter E. Webster, Jr.	Seattle, Wash.	Jerome Shulkin.
Michael Anthony Weight	Honolulu, Hawaii	Hyman M. Greenstein.
Walter D. Wekstein	Newton, Mass.	David B. Goldberg.
Frank Howard White	St. Petersburg, Fla.	Robert E. Jagger.
Frank George Wies	Campbell, Calif.	Ralph J. Steinberg.
Louis B. Wies	Hayward, Calif.	James Leonard Crew.
Harold R. Wilson	Winston-Salem, N.C.	Robert V. Brawley.
William J. Wimbiscus, Jr.	Spring Valley, Ill.	Ralph Gabric.
DeWitt Wolfe	Houston, Tex.	Duane Lee Riggs.
Lorraine N. Woods (Mrs.)	Chicago, Ill.	Robert S. Cush- man.
Timothy William Woods	South Bend, Ind.	Roland Oben- chain, Jr.
Harold Eric Wurst	Los Angeles, Calif.	John M. Lee.
Donald C. Yeoman	New York, N.Y.	Ira Greenberg.
Paul B. Young	Pine Bluff, Ark.	Edward L. Wright.
Wayne J. Zuck	Overland Park, Kans.	James B. Pearson.

August 14, 1972

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Risden C. Ackerman	San Jose, Calif.	Michael Jacques von Mandel.
Gilbert Timbrell Adams, Jr.	Beaumont, Tex.	Price Daniel.
Edward P. Ahrens, Jr.	Miami, Fla.	Norman A. Coll.
Lehman Murray Alley, Jr.	Birmingham, Ala.	Jos. F. Johnston.
H. Eugene Anderson	Elberon, Iowa	Jack R. Miller.
Stephen Apollo	Hackensack, N.J.	Walter Whittman.
Rex Gavin Baker, Jr.	Houston, Tex.	Marx Leva.
Bill J. Ballard	Wichita Falls, Tex.	Robert M. Helton.
Willis Lee Berrier	El Paso, Tex.	Richard C. White.
Jim Blair	Amarillo, Tex.	Larry Brandon.
Gray MacLean Blanchard	Louisville, Ky.	L. Stanley Chauvin, Jr.
Fredric Martin Block	Marlton, N.J.	Fred A. Gravino.
David Byron Bogard	Little Rock, Ark.	Leon B. Catlett.
Paul John Boll	Clayton, Mo.	George D. Pitt- man, Jr.
George Verdery Boyd	Atlanta, Ga.	J. Ben Shapiro, Jr.
John W. Brahm	Milwaukee, Wis.	Herbert P. Wiedemann.
David Hays Brickner	Santa Ana, Calif.	William L. Mock.
John F. Bringolf	Mason City, Iowa	Dean S. Clatter- buck.
Charles Franklin Broome	Titusville, Fla.	L. C. Crofton.
Ashmun Brown	Cocoa Beach, Fla.	Walter Stockman.
Betty Ruth Brown (Miss)	Madison, Wis.	George B. Schwahn.
James D. Brown	Ozark, Ala.	William L. Dickinson.
George Charles Bruno	Woodstock, N. Y.	E. Clinton Bam- berger.
Larry L. Busick	Fort Wayne, Ind.	Birch E. Bayh, Jr.
George Rodney Campbell	Parkersburg, W. Va.	Francis D. O'Brien.
Charles Collier Carlton	Montgomery, Ala.	William L. Dickinson.
Thomas Allen Cave	Hurst, Tex.	Beale Dean.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jonathon B. Chase	Boulder, Colo.	Donald Juneau.
Pasquale Richard Cheche	Phoenix, Ariz.	Warren L. Mc-Carthy.
Neil Chessin	Paterson, N.J.	Harry M. Rapkin.
Herman Chill	Chicago, Ill.	Max Chill.
William S. Christopher	Los Angeles, Calif.	Paul E. Iverson.
Angel Manuel Ciordia	Vega Baja, Puerto Rico.	John J. Dempsey.
William Kenneth Clark	Hill City, Kans.	James B. Pearson.
Thomas Lee Clarke, Jr.	Lakeland, Fla.	Milo Craig Massey.
Carl Arthur Cline	Merriam, Kans.	James B. Pearson.
Ralph A. Cohen	Indianapolis, Ind.	Harry T. Ice.
Richard Sanford Cohen	Los Angeles, Calif.	John J. Quinn.
Charles A. Colistro	Portland, Oreg.	C. Laird McKenna.
Lionel Randolph Collins	Gretna, La.	Revius O. Ortique, Jr.
Rolland Lee Comstock	Springfield, Mo.	William A. Moon.
Ralph Luke Concannon	New York, N.Y.	Thomas F. Daly.
Neal L. Conner, Jr.	Waycross, Ga.	Dewey Hayes.
Robert L. Constable	Salina, Kans.	James B. Pearson.
Jack Leonard Cooper	Augusta, Ga.	Hinton R. Pierce.
Joseph W. Cotchett	San Mateo, Calif.	Saul N. Ross.
Michael Prentice Cox	Lexington, Ky.	Richard E. Vimont.
Thomas J. Cunningham	Chicago, Ill.	Jack F. Kuhlman.
Merle E. Davis	White Plains, N.Y.	Benjamin Burstein.
Stephen Henry Davis	Jacksonville, Fla.	Philip Donald DeHoff.
Jerome J. Donnellon	Cincinnati, Ohio	Richard H. Finan.
George Edward Doughton, Jr.	Winston-Salem, N.C.	W. Pendleton Sandridge.
Leland George Dribin	Washington, D.C.	John D. Fauntleroy.
Edwin J. Dubiel	Woodland Hills, Calif.	Edward M. Belasco.
Ian Douglas Dunipace	Phoenix, Ariz.	Rex E. Lee.
Howard O. Edmonds	Chicago, Ill.	Howard T. Savage.
Mitchell Wolf Egers	Los Angeles, Calif.	Robert P. Gordon.
Theodore E. B. Einhorn	Denville, N.J.	Carl Greenberg.
Richard B. Eismann	Homedale, Idaho	Samuel Kaufman, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Edward Michael Ellis	Knoxville, Tenn.	John D. Lockridge.
Myron Ray Ely	Knoxville, Tenn.	H. H. McCampbell, Jr.
Franklin V. Endom, Jr.	New Orleans, La.	Robert G. Polack.
Alexis A. Fafenrodt	Los Angeles, Calif.	John V. Tunney.
James F. Farmer, Jr.	Dothan, Ala.	William L. Dickinson.
Howard S. Feldman	Tucson, Ariz.	Jack H. Lasseter.
Stephen L. Ferguson	Bloomington, Ind.	William D. Ruckelshaus.
Bernard Rodolph Fielding	Charleston, S.C.	Daniel Ezekiel Martin.
Charles H. Fier	Brooklyn, N.Y.	Andrew F. Modica.
Stuart Michael Foss	Alexandria, Va.	Richard M. Kobdish.
John Albert Fowler	New York, N.Y.	John G. McQuaid.
Lawrence Alexander Freeman	Miami, Fla.	Jose E. Martinez.
Paul D. Frenz	Chicago, Ill.	Frank A. Wollaeger.
William A. Frieder	Miami, Fla.	Guy Allen Gladson, Jr.
James S. Fuller	Port Arthur, Tex.	Jep S. Fuller.
Leman D. Gandy	Jackson, Miss.	Charles A. Marx.
Peter Walter Garretson	Manhattan, Kans.	William R. Mullins.
Osie Hurley Gay, Jr.	Virginia Beach, Va.	Richard G. Brydges.
Joyce Jackson George (Miss)	Akron, Ohio	William R. Baird.
Steven N. Gerhardt	Madison, Wis.	Robert B. L. Murphy.
George N. Gingold	Hartford, Conn.	William Bruce Loudon.
W. Dent Gitchel	Little Rock, Ark.	Robert Luther Shults, Jr.
James A. Glascock, Jr.	New York, N.Y.	A. Donald MacKinnon.
Raymond Glickman	San Francisco, Calif.	Arthur C. Zief.
Lawrence S. Goldman	New York, N.Y.	Frederick P. Hafetz.
Ralph J. Gonnella	Providence, R.I.	Joseph F. Dugan.
Joel Mark Gora	New York, N.Y.	Melvin L. Wulf.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Edward G. Gorman	Torrance, Calif.	James J. Mooney.
Robert Houston Graham	Farmington, N. Mex.	Marvin Baggett, Jr.
Ernest W. Graves	Laurel, Miss.	Rowland W. Heidelberg.
David I. Grunfeld	Philadelphia, Pa.	Morton S. Gore- lick.
Nicholas C. Guttilla	Phoenix, Ariz.	John M. Mc- Gowan II.
Robert Ralph Hagaman	Naples, Fla.	Arthur Ward Wagner, Jr.
John H. Haley	Little Rock, Ark.	Leon B Catlett.
Claude Meredith Hamrick	Winston-Salem, N.C.	W. Pendleton Sandridge.
Timmie Hancock	Jackson, Miss.	William A. Allain.
Harold D. Hardin	Nashville, Tenn.	K. Harlan Dodson, Jr.
William A. Harding	Lincoln, Nebr.	Richard P. Nelson.
Roger Neil Havekost	El Paso, Tex.	Richard C. White.
Garland F. Henley	Houston, Tex.	Vincent W. Rehmet, Jr.
J. R. Herring	Dothan, Ala.	William L. Dickinson.
James J. Heyda	Berwyn, Ill.	Robert Taft, Jr.
Clifford J. Hofmann	Window Rock, Ariz.	Ellis J. French.
Melvyn Honig	Los Angeles, Calif.	Edward S. Freeman.
Allan Paterson Hubbard	Madison, Wis.	Theodore L. Priebe.
Adolph S. Hubschman	Little Silver, N.J.	Walter E. Schroeder.
Thomas B. Huie	Birmingham, Ala.	James A. Simpson.
Lyman Walker Hull	Seattle, Wash	Donald C. Dahlgren.
John R. Hutcherson	Gladstone, Mo.	Robert Gene Duncan.
Fred A. Iannaccone	Paterson, N.J.	Harry M. Rapkin.
Harry Irwin Jacobs	Los Angeles, Calif.	Robert Bruce Corpening.
Donn E. Johnson	Chicago, Ill.	John Cadwalader Menk.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gerald S. Johnson	Los Angeles, Calif.	Fred William Gabourie.
Charles Edward Jones	Los Angeles, Calif.	Herman F. Selvin.
Thomas Cash Jorling	Williamstown, Mass.	Thomas F. Eagleton.
William Kaufman	Stamford, Conn.	Arthur J. Goldberg.
Bernard Francis Kemper	Los Angeles, Calif.	Kenneth B. Sabo.
Laird Clifford Kirkpatrick	Portland, Oreg.	Noreen K. Saltveit.
Miles W. Kirkpatrick	Philadelphia, Pa.	Alan S. Ward.
Charles W. Knowlton	Columbia, S.C.	Julian J. Nexsen.
Gilbert Gerald Kovelman	Los Angeles, Calif.	William K. Rieber.
Emil Arthur Kratovil, Jr.	New York, N.Y.	Gordon W. Paulsen.
Leonard Kravets	Chicago, Ill.	Benjamin B. Crane.
Richard Earl Kreegar	Anderson, Ind.	William F. Lawler, Jr.
Herbert E. Lahr	Tucson, Ariz.	Jack H. Lasseter.
Leonard S. Lakin	Boston, Mass.	Mark J. Levinson.
Arthur Jefferson Lamb	Amarillo, Tex.	Clifford A. Stein.
David John Langum	San Jose, Calif.	Bruce H. Hasenkamp.
Roger Glenn Lanphear	Laguna Beach, Calif.	Tully H. Seymour.
Cyrus Field Lee	Wilson, N.C.	William J. Ormsby, Jr.
James John Lee	Newark, N.J.	William V. Kolshorn, Jr.
Nevin Elroy Leese	Baltimore, Md.	Clayton Wilbur Daneker
Gerald L. Lett	Washington, D.C.	Edward F. McKie, Jr.
Hervey P. Levin	Chicago, Ill.	Stanley J. Horn.
John M. Levy	Richmond, Va.	Kurt Berggren.
William Henry Lewis	Denver, Colo.	Peter H. Dominick.
Paul John Litz	Beverly Hills, Calif.	Jeffrey L. Linden.
John Abner Lockett, Jr.	Selma, Ala.	Thomas G. Gayle.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Randall Lundy	Midland, Tex.	James Morris Alsup.
Ferdinand Emmanuel Maese	San Antonio, Tex.	Clay Carter Cunningham.
Stuart S. Malawer	New York, N. Y.	Harold Dever Cunningham, Jr.
Daniel Gabe Marsh	Vancouver, Wash.	Steven A. Memovich.
Frank J. Marston	Miami, Fla.	Cody Fowler.
Robert Potter Mason	Richmond, Calif.	Miss Carol Ruth Silver.
John Michael May	Los Angeles, Calif.	William H. MacAllister, Jr.
Thomas Bernard McCul- lough, Jr.	Boca Raton, Fla.	David A. Fischer.
David Jamison McDaniel	San Francisco, Calif.	Morris M. Doyle.
Robert Hugh McDowall	Cuyahoga Falls, Ohio	Dennis Michael Whalen.
J. Carter McFerrin	Birmingham, Ala.	George Summers Brown.
Thomas H. McGovern	Los Angeles, Calif.	Everett B. Lay- bourne.
Eugene Francis McGuire	Denver, Colo.	Frederick Bernays Wiener.
Rooney McInerney	Tulsa, Okla.	Denver N. Davi- son.
Patrick Lowther McMa- hon	Santa Barbara, Calif.	Harry W. Brels- ford.
Ray W. McPeters	Mount Clemens, Mich.	Miss Mary E. McDevitt.
Stephen Troub Meadow	Phoenix, Ariz.	Warren L. McCarthy.
Donald Travis Mefford	Auburn, Ind.	Winslow Van Horne.
Sidney N. Mendelshon, Jr.	Tucson, Ariz.	Jack H. Lasseter.
Stephen Thomas Mermigis	Kansas City, Kans.	Marion C. Miller.
Brownell Merrell, Jr.	Los Angeles, Calif.	Raymond Wicks Stephens II.
Sidney Wayne Millard	Columbus, Ohio	Robert J. Fay.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Cleve Douglas Miller	Salina, Kans.	James P. Mize.
David B. Mogilefsky	San Francisco, Calif.	Marvin E. Lewis.
Gene L. Mortensen	Tulsa, Okla.	Claude H. Rosen- stein.
Paul E. Myerson	Philadelphia, Pa.	Louis Weiner.
August J. Nesterowicz	Chicago, Ill.	Elmer James Justus.
Charles Louis Neustein	Miami, Fla.	Eugene Charles Heiman.
Joel Morrie Nomberg	Dothan, Ala.	William L. Dickinson.
William E. Norris	Boonton, N.J.	Gerald T. Foley, Jr.
Larry Douglas Nuss	Fort Scott, Kans.	Gary A. Savaiano.
James F. Ogden	Covington, Ky.	Martin William Mitchell.
Hanford O'Hara	Washington, D.C.	Fritz R. Kahn.
Byron Donn Olsen	St. Paul, Minn.	Anthony Kane.
Dolores C. Orey (Mrs.)	St. Paul, Minn.	Alan Wm. Weinblatt.
Richard Orlikoff	Chicago, Ill.	Arnold M. Flamm.
Martin Baxter Ortlieb	San Diego, Calif.	Jefferson K. Stick- ney, Jr.
Robert Charles Packard	Los Angeles, Calif.	James Harry Pat- ton, Jr.
Mark T. Patterson	Everett, Wash.	Charles Eugene Hunter.
John Lynwood Pearce	Tallahassee, Fla.	Miss Betty Owen Stinson.
Richard Carl Pearson	Los Angeles, Calif.	Paul N. McClos- key, Jr.
Joseph Gray Peatman	Napa, Calif.	Philip A. Champlin
Samuel Charles Pelter	Los Angeles, Calif.	Ronald A. Hecker.
Carlo M. Perfetto	Buffalo, N.Y.	Michael J. McMorrow.
Ellard Joseph Pexa, Jr.	Milwaukee, Wis.	William Randolph Eleazer.
Joe N. Pigott	McComb, Miss.	William Saunders Henley.
Francis Morris Pinckney	Charlotte, N.C.	Dalbert Uhrig Shefte.
William Alexander Platz	Madison, Wis.	Sverre Olav Tinglum.
Douglas Allan Poe	Chicago, Ill.	H. Templeton Brown.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William K. Poindexter	Lee's Summit, Mo.	Heywood H. Davis.
Eugene Hardwick Polleys, Jr.	Columbus, Ga.	J. Walter Owens.
Nicholas Prasinos	Lincoln, Mass.	John S. Solakian.
Ralph Marble Pray III	San Diego, Calif.	Richard Alex- ander Burt.
Thomas Nicholas Prelock	El Cerrito, Calif.	Donald Gordon Ingraham.
Robert E. Prince	Seattle, Wash.	Thomas H. S. Brucker.
Joel H. Pullen	San Antonio, Tex.	Elmer Ware Stahl.
John F. Raymond	Seattle, Wash.	James V. Abbott.
Thomas Ryan Rees	Chicago, Ill.	Edward J. Metzdorf.
Roy L. Regozin	Washington, D.C.	Donald J. Mulvihill.
Michael J. Reily	Atlanta, Ga.	Thomas S. Adair.
Patrick M. Reily	New Orleans, La.	Robert G. Polack.
William John Rieb	Rapid City, S. Dak.	Gene R. Bushnell.
Andrew L. Ringers	Orlando, Fla.	Goble D. Dean.
A. J. Robinson	Amarillo, Tex.	Thomas James Fotheringham.
Margaret Sullivan Rogers (Mrs.)	Bethesda, Md.	Miss Janet Dun- ham Saxon.
Robert J. Rogers	Roanoke, Va.	William B. Poff
Charles H. Roistacher	Silver Spring, Md.	John A. Terry.
Melvyn K. Roth	Lawrence, N. Y.	William Cahn.
Leslie Steven Rothenberg	Los Angeles, Calif.	Herman F. Selvin.
Ronald Martin Rubenstein	Cleveland, Ohio	David Arnold.
Clyde Whittier Russell, Jr.	Chattanooga, Tenn.	Henry Rothblatt.
Frederick E. Saefke, Jr.	Bismarck, N. Dak.	Irvin B. Nodland.
James White Schroeder	Denver, Colo.	James H. Mosley.
Donald Russell Scoggins	Dallas, Tex.	Charles W. Tessmer.
Roland B. Scott, Jr.	New York, N. Y.	Jerrold G. Van Cise.
David Lee Scull	Chevy Chase, Md.	Richard Schifter.
Daniel Edmund Seay	Lebanon, Tenn.	Henry Hall Waller, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Allen Leray Shelton	Hill City, Kans.	James B. Pearson.
Travis D. Shelton	Lubbock, Tex.	James H. Milam.
Richard G. Singer	Washington, D.C.	Wilbur R. Lester.
Alan T. Slyn	Louisville, Ky.	L. Stanley Chauvin, Jr.
Edwin Dudley Smith	Topeka, Kans.	Warren W. Shaw.
Nicholas A. Sordi, Jr.	Glen Cove, N.Y.	Herbert P. Giorgio.
A. W. SoRelle III	Amarillo, Tex.	W. M. Sutton.
John Wallace Stack	Washington, D.C.	Paul E. Truesch.
Arnold M. Stein	Denville, N.J.	Carl Greenberg.
Leonard N. Steinberg	Forest Park, Ga.	Thomas Knight McWhorter.
McNeill Stokes	Atlanta, Ga.	J. Ben Shapiro, Jr.
Stanley E. Stone	Renton, Wash.	Earl R. Stanley.
Leonard P. Strickman	Newton, Mass.	Jacob K. Javits.
Fred Clegg Strong	New Orleans, La.	Andrew M. Weir.
Allston Julius Stubbs	Durham, N.C.	Lillard H. Mount.
Frank W. Summers II	Abbeville, La.	Charles R. Sonmier.
Robert Anthony Tankersley	Los Angeles, Calif.	George Maslach.
Hamilton Joel Teaford	Columbus, Ohio	Paul E. McGraw.
George P. Telepas	Miami, Fla.	George E. Barket.
Donald Scott Thomas, Jr.	Austin, Tex.	Mrs. Mary Joe Carroll.
Ronald James Thomas	New York, N.Y.	Carl E. Buckley.
Jan Garrison Thompson	Selma, Ala.	W. McLean Pitts.
Herbert Holden Thorp	Fayetteville, N.C.	Harry B. Stein
Robert York Thrasher	Phoenix, Ariz.	Warren L. McCarthy.
John Randolph Torbet	Colorado Springs, Colo.	Donald E. Campbell.
Richard D. Totter	San Francisco, Calif.	Thomas Pierce Rogers.
James R. Toulouse	Albuquerque, N. Mex.	Pat Sheehan.
Patrick Alan Tuite	Chicago, Ill.	Sidney H. Projansky.
Winston Frederick Tyler	Los Angeles, Calif.	James Harry Patton, Jr.
Manuel Arturo Velasco	Houston, Tex.	Sol. Gen. Erwin N. Griswold.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ruy S. Villela	New Bedford, Mass.	Edward F. Harrington.
William D. Vines III	Knoxville, Tenn.	Ben F. McAuley.
Macbeth Wagnon, Jr.	Birmingham, Ala.	Romaine S. Scott, Jr.
H. Calvin Walter	Knoxville, Tenn.	Foster D. Arnett.
Phil K. Walter	Los Angeles, Calif.	Charles Connell Wilson.
Richard Guerin Ward	Detroit, Mich.	Robert Emmett Sullivan.
Robert S. Warren	Los Angeles, Calif.	Samuel O. Pruitt, Jr.
Thomas O. Watson, Jr.	Fredericksburg, Va.	Arthur Livingston Branning.
L. W. "Jim" Weber	Bellevue, Nebr.	Seymour L. Smith.
Harold M. Weine	New York, N. Y.	Miss Patricia Emily Eames.
Steven J. Weiss	New York, N. Y.	David Alter.
Edward D. Wheeler	Decatur, Ga.	Marmaduke Hardeman Blackshear.
Timothy Michael White	Minneapolis, Minn.	Richard P. Noland.
Frank J. Wilson	Washington, D.C.	Lloyd J. Derrickson.
Terry E. Wilson	San Ramon, Calif.	Thomas G. Johnson, Jr.
William Rudolph Winders	Durham, N.C.	Norman Ellis Williams.
Willis Witt	Houston, Tex.	Walter P. Zivley.
Marvin H. Wolf	Wantagh, N. Y.	Dennis A. Bengels.
Marvin Wolin	Tucson, Ariz.	Jack H. Lasseter.
Harris Spencer Wood	El Paso, Tex.	C. Frank Reifsnyder.
Nicholas Churchill Yost	Los Angeles, Calif.	Jay L. Shavelson.
Jack Young	Little Rock, Ark.	Leon B. Catlett.
William Alexander Ziegler	New York, N. Y.	Arthur H. Dean.

September 18, 1972

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David Franklin Aberson	Los Angeles, Calif.	Maynard Davis.
Joseph Abraham, Jr.	El Paso, Tex.	Joseph A. Calamia.
David Lincoln Ader	Chicago, Ill.	Zeamore A. Ader.
Milton R. Adkins	Miami, Fla.	Lawton Chiles.
Charles Cantrell Aldridge	Midland, Tex.	Kenneth W. Nordeman.
George V. Allison, Jr.	Carson City, Nev.	Paul Laxalt.
James R. Amschler	Salt Lake City, Utah	Richard W. Giauque.
Ramon D. Asedo	Oceanside, Calif.	John A. Gorfinkel.
Jack Ronald Bailey	Houston, Tex.	William F. Walsh.
Charles F. Barbera	Metairie, La.	Jules G. Mollere.
D. Edgar Barkeloo	Columbus, Ohio	Russell Leach.
Joseph C. Barton	San Francisco, Calif.	Edgar B. Washburn.
S. Richard Beitling	Kansas City, Mo.	J. Arnot Hill.
Thomas Alvin Bell	Jackson, Miss.	Sherwood W. Wise.
Jack C. Benjamin	New Orleans, La.	Raymond H. Kierr.
Haldor T. Benson	Salt Lake City, Utah.	Richard W. Giauque.
Louis Leo Biro	Chicago, Ill.	Russell G. Miller.
Jason C. Blackford	Cleveland, Ohio	Herbert Buckman.
Alexander Hugo Blankingship, Jr.	Fairfax, Va.	Eastham Waller Dudley.
Gerald Blessey	Biloxi, Miss.	John M. Sekul.
David Eames Blount	Leesburg, Fla.	R. Dewey Burnsed.
David H. Bodiker	Columbus, Ohio	Samuel L. Devine.
Michael Buckley Bolan	Chicago, Ill.	Irving D. Levin.
Donald E. Bonacker	Springfield, Mo	Donald W. Jones.
William Donald Bonham	Houston, Tex.	Charles Harold Lloyd.
Edward John Boyd V	Garden City, N.Y.	Robert A. Morse.
George Angen Brescher	Miami, Fla.	Carl W. Welborn.
George G. Brin	Corpus Christi, Tex.	W. N. Woolsey.
William A. Brinkhaus	Opelousas, La.	Jacque B. Pucheu.
William Gray Broaddus	Richmond, Va.	Andrew P. Miller.
David M. Brown	Los Angeles, Calif.	Stanley Fleishman.
James Howe Brown, Jr.	Fairfax, Va.	E. A. Prichard.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard Austin Brown	Glen Burnie, Md.	Edward C. Mackie.
Robert Worth Brown	Sumter, S.C.	M. M. Weinberg, Jr.
James A. Browning, Jr.	Oxnard, Calif.	Edwin L. Laing.
William Russell Browning	Houston, Tex.	William E. Gray.
Frank Jay Bryan	Sumter, S.C.	M. M. Weinberg, Jr.
John A. Burns, Jr.	New York, N.Y.	Whitney North Seymour.
Don Edgar Burriss	Los Angeles, Calif.	Elaine B. Fischel.
William Stephen Busch	New York, N.Y.	John Ahern Sullivan.
Bernard T. Callan	Bay Shore, N.Y.	Emmett F. Mc- Namara.
John J. Carlin, Jr.	Morristown, N.J.	Lawrence P. Brady.
Jack Carlow	Los Angeles, Calif.	T. Paul Moody.
William F. Carpenter	Nashville, Tenn.	Richard D. Speight.
Robert Morvant Caswell	New Orleans, La.	Pascal Frank Calogero, Jr.
Donald D. Cawelti	Denver, Colo.	Hubert Fletcher Thomas, Jr.
Jerry B. Chariton	Wilkes-Barre, Pa.	Joseph D. Tyd- ings.
Frank Norman Chavez	Santa Fe, N. Mex.	David L. Norvell.
Walter P. Christensen	San Diego, Calif.	Donald E. Studer.
G. Kenneth Chrstrup	Ridgefield, Conn.	H. Stewart Dunn, Jr.
Walter Wimberly Christy	New Orleans, La.	Andrew P. Carter.
Bruce Michael Chudacoff	Appleton, Wis.	Urban P. Van Susteren.
John Wesley Clark	Corpus Christi, Tex.	Jack R. Blackmon.
Paul William Colarich, Jr.	Tucson, Ariz.	Benjamin W. Lazarow.
John T. Collins	Buffalo, N.Y.	Richard S. Manz.
John William Collis	Lexington, Ky.	E. R. Denney.
William H. Cone	Savannah, Ga.	Arthur John Keeffe.
Joseph William Conway	Pittsburgh, Pa.	Edward J. Bal- zarini.
Leo K. Cook	St. Joseph, Mich.	Henry W. Gleiss.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William J. Cooney	Chicago, Ill.	Frank A. Wollae- ger.
G. Thomas Cooper, Jr.	Camden, S.C.	Robert C. Miller.
David Coral	Suffern, N.Y.	Milton B. Shapiro.
Richard H. Cory	Austin, Tex.	Crawford Martin.
John Virgil Costley, Jr.	Oxford, Ga.	Robert S. Thomp- son.
John William Crews	Richmond, Va.	Andrew P. Miller.
Paul B. Crikelair	Ventura, Calif.	Edward L. Lascher.
Nelson Blount Crisp	Greenville, N.C.	Honorable J. W. H. Roberts.
Joseph Harold Crosby	Oklahoma City, Okla.	Harvey L. Harmon.
Archie Brown Culbreth	Atlanta, Ga.	Paul P. Watkins.
Sterling G. Culpepper, Jr.	Montgomery, Ala.	William L. Dickinson.
Walker Crittenden Cunningham, Jr.	Louisville, Ky.	L. Stanley Chauvin, Jr.
Douglas S. Dales, Jr.	Albany, N.Y.	Ruth Kessler Toch.
Dan Dane	Deming, N. Mex.	John Harris Jones.
Joe H. Daniel	Jackson, Miss.	Sherwood W. Wise.
Harris I. Darling	Worthington, Minn.	Warren Spannaus.
Walter B. Dauber	Yakima, Wash.	Bruce Earl Schultheis.
Jimmy L. Dauzat	Opelousas, La.	Jacque B. Pucheu.
Rollin D. Davis, Jr.	Pensacola, Fla.	Joe J. Harrell.
David LeRoy Day	Columbus, Ohio	Sol Morton Isaac.
Joseph Edward Day, Jr.	Houston, Tex.	Vincent V. Dent.
William R. Dickinson, Jr.	Chicago, Ill.	Charles W. Boand.
John Barry Donohue, Jr.	Washington, D.C.	Alex Akerman, Jr.
John Michael Doukas	Boston, Mass.	Blair L. Perry.
George J. Dreyer	Scarsdale, N.Y.	Matthew A. Toner.
James G. Dubuisson	Opelousas, La.	Jacque B. Pucheu.
William J. Dunaj	Miami, Fla.	Aubrey V. Ken- dall.
Robert Coleman Dunn	Eureka, Calif.	Carl L. Christen- sen, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Stuart Hamilton Dunn	Richmond, Va.	Andrew P. Miller.
Phillip J. Eckert	West Bend, Wis.	Leroy J. Gonring.
Robert M. Ehrhorn, Jr.	Honolulu, Hawaii	Paul Devens.
Richard E. Eldred	Glendale, Calif.	Donovan W. Bal- lenger.
Landon Reason Estep	Seattle, Wash.	Donald D. Haley.
Frank Carl Fariss	Houston, Tex.	Donald Lasof.
Thomas E. Feeney	San Francisco, Calif.	Edgar B. Wash- burn.
Dennis M. Flannery	Washington, D.C.	John W. Varda- man.
Patrick J. Foley	Minneapolis, Minn.	Eugene A. Rerat.
Edward Allan Forshaw	Englewood, Ohio	Maxwell Finkle- man.
John Fredrick Forster, Jr.	Little Rock, Ark.	Robert Joseph Brown.
Miles Hurst Franklin	Louisville, Ky.	L. Stanley Chauvin, Jr.
James Eli Freeman, Jr.	Anderson, Ind.	William F. Lawler, Jr.
Mel S. Friedman	Houston, Tex.	Karl A. Maley.
Frank W. Gaines, Jr.	Pittsburgh, Pa.	Raymond K. Carson.
Pierre P. Garven	Ridgewood, N.J.	William T. Cahill.
Robert White Gauss	Austin, Tex.	Pat Bailey.
Paul Sullivan Gerding	Chicago, Ill.	Charles W. Boand:
Michael R. Gibson	El Paso, Tex.	Stewart L. Victorson.
Robert M. Gilbert	Greeley, Colo.,	Eugene J. Metzger.
Richard H. Gill	Montgomery, Ala.	Truman Hobbs.
William Joe Gillespie	Lubbock, Tex.	Joyce Hill.
Gerald Goldman	Los Angeles, Calif.	Lionel Richman.
David Goldstein	New York, N.Y.	Lee S. Kreindler.
Raul A. Gonzalez	Brownsville, Tex.	Thomas G. Sharpe, Jr.
Wallace Gonzalez-Oliver	San Juan, Puerto Rico.	Henry Roemer McPhee.
Stanley Norman Gore	Chicago, Ill.	Williard L. King.
William Addison Gossage, Jr.	Hutchinson, Kans.	James H. Rexroad.
David Kirk Grayson	Laurel, Md.	Gordon Paul Kirtan.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Anne M. Grether	Baldwin City, Kans.	James B. Pearson.
Robert Michael Gross	Hackensack, N.J.	Ronald J. Picinich.
Marion Emil Gubler	Los Angeles, Calif.	Richard R. Rogan.
James T. Guglielmo	Opelousas, La.	Jacque B. Pucheu.
Thomas M. Haas	Mobile, Ala.	John W. Coleman.
James J. Hajek	Berwyn, Ill.	Walter C. Wellman.
Robert John Hajek	Berwyn, Ill.	Walter C. Wellman.
Peter Halat	Biloxi, Miss.	John M. Sekul.
Frank O. Hamilton	Oklahoma City, Okla.	Graydon D. Luthey.
Herman Hardy Hamilton, Jr.	Montgomery, Ala.	Walter J. Knabe.
Orman L. Hamilton	Sylva, N.C.	Edmonson S. Couric, Jr.
Ralph C. Hamner, Jr.	Little Rock, Ark.	James Guy Tucker, Jr.
Lyle Marion Hanson	Overland Park, Kans.	Emil Claus Anderson, Jr.
Robert W. Harrington	Ann Arbor, Mich.	Richard H. Jones.
Thomas Daniel Hart	Morgantown, W. Va.	Edward M. Kennedy.
Robert Mason Harvey	Dunbar, W. Va.	Carl M. Duttine.
Henry Maurice Hatcher, Jr.	Atlanta, Ga.	E. Smythe Gambrell.
C. Michael Hausman	Milwaukee, Wis.	John B. Frisch.
Robert F. Henson	Minneapolis, Minn.	Peter Dorsey.
Rudy Hernandez	Jacksonville, Fla.	Harvey E. Schlesinger.
Donnelley Joseph Hill	Memphis, Tenn.	Charles M. Crump
John G. Hill, Jr.	Mansfield, Conn.	Robert K. Killian.
Luther Lister Hill	Montgomery, Ala.	Walter J. Knabe.
George R. Hinckley	New York, N.Y.	Eric M. Javits.
James Allan Hinkle	Stone Mountain, Ga.	Claude R. Ross.
Cyril Eugene Hollings- worth, Jr.	Little Rock, Ark.	Steele Hays.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Oliver Homes, Jr.	Long Beach, Miss.	Bruce C. Waltzer.
Daniel R. Hopkins	Oklahoma City, Okla.	Graydon D. Luthey.
L. William Houger	Washington, D.C.	John J. McGrath, Jr.
James J. Hughes, Jr.	Columbus, Ohio	Thomas A. Bustin.
Robert C. Hunter	Des Moines, Iowa	Dan L. Johnston.
James L. Hurley	Miami, Fla.	Cody Fowler.
Roy William Ide III	Atlanta, Ga.	Tom Watson Brown.
Mervyn Ralph Israel	Los Angeles, Calif.	W. Neal Writer.
Elias Herbert Jacobs	Stamford, N.Y.	Palmer J. Ken- nedy.
Jimmy James	Houston, Tex.	Carol Stoner Vance.
J. L. Jay	Pasadena, Tex.	William H. Pippen.
Garfield Richard Jeffers	Wenatchee, Wash.	Richard Garfield Jeffers.
B. Edwin Johnson	St. Petersburg, Fla.	Michael S. Davis.
Edward P. Jones	El Dorado, Ark.	Edwin B. Alder- son, Jr.
Edward S. Jones	Jamaica, N.Y.	Stanton T. Lawrence, Jr.
Robert H. Jones	Hurst, Tex.	George W. Overshiner.
William L. Jones	Milwaukee, Wis.	Paul Connole.
James R. Jorgenson	Miami, Fla.	Thomas C. Britton.
William Melville Kahn	New York, N.Y.	George S. Leisure, Jr.
Nelson P. Kempsey	Sacramento, Calif.	Edward A. Hinz, Jr.
Paul Robert Kennerson	San Diego, Calif.	Jonathan C. Gibson.
William E. Kenworthy	Denver, Colo.	Bryce Rea, Jr.
Walter A. Kieler	New Castle, Pa.	Joseph Solomon.
Harry Soo Young Kim	Honolulu, Hawaii	Roy M. Miyamoto.
Jefferson D. Kirby, III	Atlanta, Ga.	Harry V. Lamon, Jr.
David Kline	Oklahoma City, Okla.	William R. Burkett.
Stanley J. Kline	Memphis, Tenn.	Edwin C. Lenow.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John D. Knapp	Kimball, Nebr.	S. E. Torgeson.
Phillip Kenneth Koch	New Berlin, Wis.	Robert E. Sutton.
Richard George Kolostian	Los Angeles, Calif.	Michael T. Sauer.
George Nick Kotsonis	Menomonee Falls, Wis.	George E. Smith, Jr.
James E. Kulp	Richmond, Va.	Andrew P. Miller.
Jerome Burton Laber	Tucson, Ariz.	Benjamin W. Lazarow.
D. Patrick Lacy, Jr.	Richmond, Va.	Andrew P. Miller.
Jerry Burton Landis	Pittsburgh, Pa.	Robert A. Cohen.
Harry Eugene Lane	Enterprise, Ala.	William L. Dickinson.
Robert Lewis Lane	Phoenix, Ariz.	Irving Bilton.
Wardlow Lane II	Austin, Tex.	Alfred W. Walker.
Michael John Laughlin	Des Moines, Iowa	David Allen Elderkin.
W. Marshall Lee	Chicago, Ill.	Marcus B. Finnegan.
David N. Levine	North Tarrytown, N.Y.	David M. Perlmutter.
Richard A. Levine	New York, N.Y.	Sidney I. Roberts.
Barry Neal Lichtenstein	Roanoke, Va.	William G. Anderson.
Steven Paul Lockman	Washington, D.C.	Paul S. Berger.
Joseph Arthur Lovallo	Tucson, Ariz.	William L. Berlat.
Jerome Melvyn Luks	New York, N.Y.	Morris Shapiro.
Ronald George Lynch	Miami, Fla.	Gordon H. Miller.
Charles W. Lyndon	Braintree, Mass.	Paul A. Carbone.
Claude McCabe Maer, Jr.	Denver, Colo.	Stephen H. Hart.
John Buffington Maguire, Jr.	Pampa, Tex.	Homer D. John- son.
Anton W. Makar	Chicago, Ill.	John T. Ward- rope.
Herbert Mallamo	Phoenix, Ariz.	Robert G. Moore- man.
Peter J. Mangan	York, Pa.	Morton H. Kagen.
Theodore J. Markow	Richmond, Va.	Andrew P. Miller.
John L. Martin	Washington, D.C.	Attorney General Richard G. Kleindienst.
Milton P. Masinter	New Orleans, La.	William A. Porteous III.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James Albon Mattox	Dallas, Tex.	A. Don Crowder.
Frank D. McCarthy	Oceanside, Calif.	John A. Gorfinkel.
Robert J. McCoid	Livingston, N.J.	Peter J. McDonald.
William G. McCollom	Malta, Mont.	Robert H. Brome.
Raymond M. McDougall	Chalmette, La.	Preston H. Hufft.
Robert Scott McDowell	Dallas, Tex.	N. Alex Bickley.
J. Douglas McGuire	San Antonio, Tex.	Howard H. Hasting.
Sandy S. McMath	San Francisco, Calif.	Thomas A. Glaze.
Garry P. McMurry	Portland, Oreg.	Richardson Wads- worth Nahstoll.
Rodger William Mc- Naughton	Lancaster, Ohio	H. James Steven- son.
Arthur P. Menard	Boston, Mass.	Lawrence M. Kearns.
Jeffrey Lewis Michelman	Philadelphia, Pa.	John Mathew Rintamaki.
Richard W. Miller	Kansas City, Mo.	Kenneth I. Fligg, Jr.
Thomas Nelson Mitchell	Indianapolis, Ind.	Robert C. Macomber.
Thomas Ray Moeller	Evergreen, Colo.	Ronald C. Jaynes.
Ray Edward Moses	Houston, Tex.	Carol Stoner Vance.
Jean Deman Muirhead	Jackson, Miss.	Merrida P. Cox- well.
Edward W. Mullen	Florence, Ala.	George W. Mc- Burney.
Irvin B. Nathan	Washington, D.C.	Paul A. Porter.
William Franklin Nelson	Seattle, Wash.	Kenneth A. MacDonald.
Saint Clair Newbern III	Fort Worth, Tex.	John C. Ford.
Arthur Martin Ney, Jr.	Cincinnati, Ohio	Raymond C. Wetherell.
Donald Witherell Noah	Beloit, Kan.	James B. Pearson.
William Marshall Nolen	Lake Charles, La.	William R. Tete.
Aldo G. Notarianni	Denver, Colo.	Herbert M. Boyle.
Paul J. O'Hollaren	Portland, Oreg.	Jack L. Kennedy.
George T. O'Laughlin	Kansas City, Mo.	Kenneth I. Fligg, Jr.
Stephen M. O'Meara	West Bend, Wis.	Leroy J. Gonring.
Thomas O'Meara, Jr.	West Bend, Wis.	Leroy J. Gonring.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Donald O'Shea	Moline, Ill.	Edward L. Eagle.
Emile Cutrer Ott, Sr.	Jackson, Miss.	Louis A. Fuselier.
David B. Owen	Fort Worth, Tex.	Cecil A. Morgan.
George Hodges Owen	New York, N.Y.	Charles Gordon.
Thomas Earl Palmer	Columbus, Ohio	William E. Knepper.
Joseph Peter Palmier	Anchorage, Alaska	Bjorn G. Johnson.
Peter R. Pancione	San Diego, Calif.	Alan Stamm.
Eric W. Pappas	Melbourne, Fla.	Clarence Traylor Johnson, Jr.
Robert A. Parrish	Fairbanks, Alaska	Charles John Clasby.
Daniel Pascale	Chicago, Ill.	Richard L. Curry.
Billy Dwight Perry	Washington, D.C.	Daniel W. Toohey.
Robert L. Petroni	Las Vegas, Nev.	Paul C. Parraguirre.
George E. Pletcher	Houston, Tex.	Richard P. Hogan.
Sidney B. Podell	Milwaukee, Wis.	Myron B. Katz.
David Daniel Porras	Houston, Tex.	Vincent Val Dent.
Bobby Eugene Potts	Oklahoma City, Okla.	Graydon D. Luthey.
James G. Poulos	West Bend, Wis.	Leroy J. Gonring.
Roy D. Powell	Jackson, Miss.	Howard C. Ross, Jr.
John Marshall Prewitt	Mt. Sterling, Ky.	Darrell B. Han- cock.
Frank C. Price	Houston, Tex	Carol Stoner Vance.
Joel Seymour Primes	Sacramento, Calif.	Anthony S. DaVigo.
Thomas J. Prior	Manchester, Conn.	James W. Sherman.
Charles Clifford Pritchard	Atlanta, Ga.	G. Ernest Tidwell.
Pedro E. Purcell-Ruiz	San Juan, Puerto Rico	George L. Weasler.
Walter K. Pyle	Chicago, Ill.	William J. Scott.
Lester Lansing Rawls	Portland, Oreg.	Marvin S. Nepom.
Woodrow W. Reagan	Jackson, Miss.	Delos H. Burks.
John Farley Reed	Beverly Hills, Calif.	Francis Breidenbach.
Charles F. Richards, Jr.	Wilmington, Del.	Edmund N. I Carpenter II.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gates Thornton Richards	Cincinnati, Ohio	C. Robert Beirne.
Norman B. Richards	San Francisco, Calif.	Morris M. Coyle.
Clyde Milton Richardson, Jr.	Frankfort, Ky.	William S. Cheatham.
John Taylor Riggs	Colorado Springs, Colo.	Carroll E. Multz.
Robert Forcier Ritter	St. Louis, Mo.	Don B. Sommers.
Davis Rowland Robinson	Washington, D.C.	Marx Leva.
William F. Roeder, Jr.	Fairfax, Va.	Richard B. Chess, Jr.
Harold D. Rogers	Somerset, Ky.	Don E. Cooper.
Marilyn V. Romanelli	New York, N.Y.	Alfred Becker.
Anthony Joseph Romano	Kansas City, Mo.	Robert G. Duncan.
Raymond Charles Rose	Peoria, Ill.	William J. Voelker, Jr.
Michael H. Rosenbloom	Washington, D.C.	Richard A. Solo- mon.
Braxton Bragg Rowe	Enterprise, Ala.	William L. Dickin- son.
Phillip Gerrald Samovar	Los Angeles, Calif.	N. Gregory Taylor.
George Peter Sampas	Miami Beach, Fla.	Rhea Pincus Gross- man.
Thomas W. Sanford	Jackson, Miss.	Howard C. Ross, Jr.
Ray Victor Saukkola	Los Angeles, Calif.	Robert M. Short.
Stuart A. Schlesinger	New York, N.Y.	O. John Rogge.
Jack P. Scholfield	Seattle, Wash.	William A. Helsell.
James M. Scott	Montgomery, Ala.	Rufus M. King.
Jan M. Sebbly	Minot, N. Dak.	Frederick Bernays Wiener.
Claiborne Porter Seier	Homewood, Ala.	Richard L. Jones.
William P. Shannahan	San Diego, Calif.	DeWitt A. Higgs.
Robert Shea	St. Paul, Minn.	John S. Connolly.
Robert E. Shelton	San Francisco, Calif.	Howard Trapp.
Thomas Nobuyuki Shigekuni	Torrance, Calif.	William M. Marutani.
David Carlos Short	Harlan, Ky.	Robert A. Sedler.
Michael Silvers	New Orleans, La.	John R. Martzell.
Thomas E. Simmons	Rapid City, S. Dak.	Hubbard Fremont Fellows.
William E. Simmons	Kansas City, Mo.	Kenneth I. Fligg, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
D. Jack Smith, Jr.	Memphis, Tenn.	Alexander W. Dann, Jr.
Hugh V. Smith, Jr.	Montgomery, Ala.	Francis J. Mizell, Jr.
Willard Crane Smith, Jr.	Fort Smith, Ark.	Honorable John E. Miller.
Warren Keith Smoot	Riverside, Ill.	Joel Martin Flaum.
Michael Alan Snyder	Chicago, Ill.	Stuart B. Bradley.
W. James Snyder	Oakland, Calif.	Ford G. Scalley.
Lee Ashbrook Solomon	Santa Ana, Calif.	Richard B. Goethals.
Sanford Arthur Solomon	Chicago, Ill.	Lewis N. Truman.
George H. Solveson	Milwaukee, Wis.	Elwin A. Andrus.
James Victor Spencer, Jr.	El Dorado, Ark.	William J. Wynne.
James Andrew Stanton	Washington, D.C.	Robert M. Price.
Michel P. Stern	Seattle, Wash.	Thomas H. S. Brucker.
Donald Winfred Stever, Jr.	Concord, N.H.	David H. Souter.
Robert D. Stitser	Reno, Nev.	Jerry Carr Whitehead.
Robert J. Stock	Butler, Pa.	Lee C. McCandless.
George D. Stoughton	West Hartford, Conn.	John D. LaBelle.
James D. Straiton	Montgomery, Ala.	J. Paul Lowery.
Frank Brantley Strickland	Atlanta, Ga.	John L. Westmoreland, Jr.
J. Howard Sturman	Los Angeles, Calif.	Harry Graham Balter.
Thomas Francis Sullivan	Washington, D.C.	Feltham Watson.
Lowell V. Summerhays	Salt Lake City, Utah	Frank E. Moss.
Dennis Roger Suprenant	Washington, D.C.	Edward W. Brooke.
John Frederick Swartz	Phoenix, Ariz.	Lawrence C. Cantor.
Peter Tannenwald	Washington, D.C.	Theodore D. Frank.
John Sumners Tanner	Union City, Tenn.	William McG. Morrison, Jr.
Daniel Edwin Taylor	West Palm Beach, Fla.	Walter J. Scott.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Michael Holtslander Terry	Atlanta, Ga.	Luther Rosser Shelton.
James Michael Thompson	Denison, Tex.	Robert Lawrence Doss.
Samuel James Thompson, Jr.	Lynchburg, Va.	Henry M. Sackett, Jr.
Larry Burton Thrall	Los Angeles, Calif.	Frank DeMarco, Jr.
Eugene Clayton Tidball	Tucson, Ariz.	William P. Mufich.
John Beirne Tolle	Dallas, Tex.	Henry Wade.
Harold Toro Toro	San Juan, P.R.	George L. Weasler.
Bernard H. Udell	New York, N.Y.	Albert J. Brackley.
Alvin R. Ugent	Milwaukee, Wis.	Myron B. Katz.
Charles Warren Van Cleve	Arlington, Tex.	Alfred L. Ruebel II.
Michael C. Vinyard	Ottumwa, Iowa	W. T. Barnes.
Ralph Adolphus Walker	Greensboro, N.C.	Jesse L. Warren.
Thomas Lyon Wallace	Biloxi, Miss.	John M. Sekul.
Paul Dean Waltman	Orrville, Ohio	John L. Kurtzman.
Earl James Wampler	Dayton, Ohio	W. Erwin Kil- patrick.
Jan Lynn Warner	Sumter, S.C.	M. M. Weinberg, Jr.
Warren Nelson Weir	San Antonio, Tex.	Arthur Gochman.
Richard David Weisbart	Las Vegas, Nev.	Robert List.
Joseph Granberry Werner	Dallas, Tex.	James M. Rhodes.
Robert Clifton Wert	Philadelphia, Pa.	Robert N. Mittelstaedt.
Jack W. Wertz	Oklahoma City, Okla.	Graydon D. Luthey.
David Alan West	Gainesville, Fla.	A. Z. Adkins, Jr.
Arthur R. Whale	Midland, Mich.	William M. Yates.
John Marshall Wilkins	Fairfax, Va.	William E. Astle.
Charles W. Willey	Santa Barbara, Calif.	H. Clarke Gaines.
Joseph A. Williams	Spencerville, Ind.	J. Edward Roush.
Wm. Roberts Wilson, Jr.	Pascagoula, Miss.	John C. Stennis.
Gary Gayle Wisener	Midland, Tex.	W. B. Browder, Jr.
Joseph Parker Witherspoon III	Austin, Tex.	James Henry Doyle.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Curtis L. Wood	Denver, Colo.	Z. L. Pearson, Jr.
Shirley Woolf	Miami Beach, Fla.	Rhea Pincus Grossman.
Edward J. Zamborsky	Allentown, Pa.	Howard A. Wiener.
Mitchell Stuart Zeiger	Miami Beach, Fla.	Joe Norman Unger.
David H. Zook	Colorado Springs, Colo.	James B. Pearson.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Adrian Ralph Motroni	Sacramento, Calif.	Solicitor General Erwin N. Griswold.
John F. Cunningham	New York, N. Y.	Solicitor General Erwin N. Griswold.
Thomas Vandiver Magers	Raymond, Miss.	Solicitor General Erwin N. Griswold.
Jonathan Paul Axelrod	Washington, D.C.	Judge Charles R. Richey.
Guy Henry Cunningham III	Hyattsville, Md.	Judge Charles R. Richey.
H. Paul Haynes	Frankfort, Ky.	Arnold M. Malech.
Alan L. Atterbury	Washington, D.C.	George P. Lewnes.
William Willard Gibson, Jr.	Austin, Tex.	George P. Lewnes.

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Adjourned until Tuesday, October 10, 1972, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## ORDER IN PENDING CASE

No. **A-362**. Peter Bridge, applicant, *v.* New Jersey. The application for a stay presented to Mr. Justice Douglas, and by him referred to the Court, is denied. Mr. Justice Douglas would grant the stay.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

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## ORDERS IN PENDING CASES

No. A-325. American Party of Texas et al., applicants, *v.* Bob Bullock, Secretary of State of Texas. The application for a temporary restraining order presented to Mr. Justice Douglas, and by him referred to the Court, is denied. Dissenting opinion by Mr. Justice Douglas.

No. A-370. Edgar D. Whitcomb et al., applicants, *v.* Communist Party of Indiana et al. The motion of petitioners, Edgar D. Whitcomb et al., for an emergency stay presented to Mr. Justice Rehnquist, and by him referred to the Court, is denied as moot. The cross motion of respondents, Communist Party of Indiana et al., to petition for a mandate to enforce the prior order of the United States District Court for the Northern District of Indiana is also denied. Mr. Justice Douglas would treat the Communist Party's motion as a jurisdictional statement and postpone the question of jurisdiction to the hearing of the case on the merits.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

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## ORDER IN PENDING CASE

No. A-374. Bruce W. Pattani et al., applicants, *v.* David R. Meyers et al. The application for a temporary restraining order presented to Mr. Justice Brennan, and by him referred to the Court, is denied.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

The Chief Justice:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## APPEALS—SUMMARY DISPOSITION

No. **70-5083**. Sheila Newman, appellant, *v.* Tanas Newman. <sup>Jr</sup> Appeal from the Supreme Court of Louisiana. Motion for leave to proceed *in forma pauperis* granted. Judgment vacated and case remanded to the Supreme Court of Louisiana for further consideration in light of *Boddie v. Connecticut*, 401 U.S. 371 (1971).

No. **71-1027**. Richard John Baker et al., appellants, *v.* Gerald R. Nelson. Appeal from the Supreme Court of Minnesota. The appeal is dismissed for want of a substantial federal question.

No. **71-1132**. Mayor and City Council of Baltimore et al., appellants, *v.* John E. Silver et ux. Appeal from the Court of Appeals of Maryland. The appeal is dismissed for want of a substantial federal question.

No. **71-1445**. Arlen Specter, etc., appellant, *v.* C. Delores Tucker, Secretary of the Commonwealth, et al. Appeal from the Supreme Court of Pennsylvania, Eastern District. The appeal is dismissed for want of a substantial federal question.

No. **71-1530**. Donald Retza, appellant, *v.* Raymond B. Fortune. Appeal from the Court of Appeals of Ohio, Cuyahoga County. The appeal is dismissed for want of a substantial federal question.

No. **71-1681**. Surety Savings & Loan Association, appellant, *v.* Wisconsin Department of Transportation, Division of Highways. Appeal from the Supreme Court of Wisconsin. The appeal is dismissed for want of a substantial federal question.

No. **72-61**. Snohomish County Board of Equalization et al., appellants, *v.* Washington State Department of Revenue et al. Appeal from the Supreme Court of Washington. The appeal is dismissed for want of a substantial federal question.

No. **72-88**. Mesa Verde Company, appellant, *v.* The Board of County Commissioners of the County of Montezuma et al. Appeal



from the Supreme Court of Colorado. The appeal is dismissed for want of a substantial federal question.

**No. 72-91.** Sheldon Davis, appellant, *v.* New York. Appeal from the Appellate Term of the Supreme Court of New York, First Judicial Department. The appeal is dismissed for want of a substantial federal question.

**No. 72-7765.** Donald Crawford, appellant, *v.* Missouri. Appeal from the Supreme Court of Missouri. The appeal is dismissed for want of a substantial federal question.

**No. 71-1109.** Alan E. Norris et al., appellants, *v.* Samuel J. Jordan et al.; and

**No. 71-1439.** Alan E. Norris et al., appellants, *v.* Samuel J. Jordan et al. Appeals from the United States District Court for the Northern District of Ohio. Motion to defer consideration denied. The appeals are dismissed for want of jurisdiction.

**No. 71-1186.** Fry's Food Stores, Inc. and Charles L. Fry, appellants, *v.* California. Appeal from the Supreme Court of California. The appeal is dismissed.

**No. 71-1233.** William Bridgeforth, appellant, *v.* Illinois; and

**No. 71-6422.** Willie Davis, appellant, *v.* Illinois. Appeals from the Supreme Court of Illinois. Motions to dispense with printing jurisdictional statement and to dispense with printing motion to dismiss in No. 71-1233 granted. Motion to supplement jurisdictional statement in No. 71-6422 granted. The appeals are dismissed for want of a substantial federal question. Mr. Justice Douglas would note probable jurisdiction and set cases for oral argument.

**No. 71-1235.** Clifton M. Craig et al., appellants, *v.* Beaty Mae Gilliard et al. Appeal from the United States District Court for the Western District of North Carolina. Motion to dispense with printing motion to affirm granted. Judgment affirmed.

**No. 71-1363.** Edward M. Davis, Chief of Police for the City of Los Angeles, et al.; appellants, *v.* Cinema Classics Ltd., Inc., et al.; and

**No. 71-1364.** Joseph P. Busch, Jr., District Attorney for the County of Los Angeles, California, et al., appellants, *v.* Cinema Classics, Ltd., Inc., et al. Appeals from the United States District Court for the Central District of California. Judgment affirmed. Mr. Justice Stewart would note probable jurisdiction and set cases for oral argument.

**No. 71-1399.** Interstate Commerce Commission, appellant, *v.* Gold Kist, Inc., et al.;

**No. 71-1404.** Refrigerated Transport Co., Inc., appellant, *v.* Gold Kist, Inc. and the Pillsbury Company; and

No. 71-1407. American Trucking Associations, Inc., appellant, *v.* Gold Kist, Inc., et al. Appeals from the United States District Court for the Northern District of Georgia. Judgment affirmed. Mr. Justice Stewart and Mr. Justice Blackmun would note probable jurisdiction and set cases for oral argument.

No. 71-1402. Mattie Coleman, appellant, *v.* Louisiana. Appeal from the Supreme Court of Louisiana. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 71-1616. Edward Ronwin, appellant, *v.* Fair Employment Practices Commission. Appeal from the Court of Appeal of California, Fifth Appellate District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 71-6423. Carroll M. House, appellant, *v.* Marion Ferguson House. Appeal from the United States Court of Appeals for the Fourth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 71-6568. Sidney J. Clark, appellant, *v.* Delaware. Appeal from the Supreme Court of Delaware. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 71-6624. Homer A. Tillman, appellant, *v.* Maryland. Appeal from the Court of Special Appeals of Maryland. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 71-6643. Ida M. Picking, appellant, *v.* Melvin A. Yates et al. Appeal from the Court of Appeals of Maryland. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 71-6668. M. Genevieve Fullerton Nieder, appellant, *v.* Mercury Federal Savings and Loan Association. Appeal from the Supreme Court of New Jersey. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-133. Leo Bernstein and Roy Austin Stephens, appellants, *v.* Nationwide Mutual Insurance Company. Appeal from the United States Court of Appeals for the Fourth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-5107. Robert Dawley, appellant, *v.* County of Sacramento, California. Appeal from the Court of Appeal of California, Third Appellate District. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 71-1416. James E. Holshouser, Jr., appellant, *v.* Robert W. Scott, Governor of North Carolina, et al. Appeal from the United States District Court for the Middle District of North Carolina. Judgment affirmed.

No. 71-1560. Texas Board of Barber Examiners et al., appellants, *v.* Charles L. Bolton, III, et al. Appeal from the United States District Court for the Northern District of Texas. Judgment affirmed.

No. 71-1676. Van Henry Archer, Jr., et al., appellants, *v.* Preston Smith, Governor of Texas et al. Appeal from the United States District Court for the Western District of Texas. Judgment affirmed.

No. 71-1683. Washington State Labor Council AFL-CIO et al., appellants, *v.* George N. Prince et al. Appeal from the United States District Court for the Western District of Washington. Judgment affirmed.

No. 72-45. National Association of Letter Carriers, AFL-CIO, et al., appellants, *v.* National Alliance of Postal and Federal Employees et al. Appeal from the United States District Court for the District of Columbia. Judgment affirmed.

No. 71-1482. Denise Fleming and John W. Fleming, appellants, *v.* Boston Safe Deposit and Trust Company et al. Appeal from the Supreme Judicial Court of Massachusetts. The appeal is dismissed for want of a substantial federal question. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

No. 71-1651. Pat Newbern, etc., et al., appellants, *v.* Alabama. Appeal from the Court of Civil Appeals of Alabama. The appeal is dismissed for want of a substantial federal question. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

No. 71-6520. Ronald Stephen Jack and Lance Jobson, appellants, *v.* California. Appeal from the Appellate Department of the Superior Court of California, County of Santa Clara. The appeal is dismissed for want of a substantial federal question. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

No. 72-5070. Carrie Kelley, appellant, *v.* Iowa Department of Social Services. Appeal from the Supreme Court of Iowa. The appeal is dismissed for want of a substantial federal question. Mr. Justice

Douglas would note probable jurisdiction and set case for oral argument.

**No. 71-1592.** Robert Shipley Auerbach et al., appellants, *v.* Marvin Mandel, Governor of the State of Maryland, et al. Appeal from the United States District Court for the District of Maryland. Renewed motion to expedite denied. Judgments affirmed.

**No. 71-1664.** Martin W. Essex et al., appellants, *v.* Benson A. Wolman et al. Appeal from the United States District Court for the Southern District of Ohio. Judgment affirmed. Mr. Justice White would note probable jurisdiction and set case for oral argument.

**No. 71-6264.** Fred E. Anderson, appellant, *v.* Municipal Court, San Diego Judicial District, et al. Appeal from the United States District Court for the Southern District of California. The appeal is dismissed for want of jurisdiction.

**No. 71-6791.** James H. Briscoe, appellant, *v.* Richard G. Kleindienst et al. Appeal from the United States District Court for the District of Columbia. Judgment affirmed. Mr. Justice Douglas and Mr. Justice Brennan would note probable jurisdiction and set case for oral argument.

**No. 71-6902.** James Moore and Anthony Flowers, by their next friend, Leonard Klaif, appellants, *v.* Charles C. Haugh, Warden, et al. Appeal from the United States District Court for the Northern District of Iowa. Judgment affirmed. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

**No. 72-46.** The Ute Mountain Tribe of Indians, appellant, *v.* The Navajo Tribe of Indians. Appeal from the United States District Court for the District of New Mexico. Judgment affirmed. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

**No. 72-20.** Winnie Ruth Motteler, etc., appellant, *v.* J. A. Jones Construction Company. Appeal from the United States Court of Appeals for the Seventh Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

**No. 72-36.** Hosea L. Williams, appellant, *v.* Democratic Party of Georgia et al. Appeal from the United States District Court for the Northern District of Georgia. Motions to dispense with printing jurisdictional statement and to dispense with printing motion to dismiss or affirm granted. Judgment affirmed. Mr. Justice Douglas would dismiss appeal as moot. Mr. Justice Brennan and Mr. Justice Marshall would note probable jurisdiction and set case for oral argument.

No. 72-83. William R. Sterrett et al., appellants, *v.* Mothers and Childrens Rights Organization et al. Appeal from the United States District Court for the Northern District of Indiana. Motion of appellees for leave to proceed *in forma pauperis* granted. Judgment affirmed.

No. 72-92. Robert E. Butcher et al., appellants, *v.* The Township of Grosse Ile et al. Appeal from the Supreme Court of Michigan. The appeal is dismissed for want of a substantial federal question. Mr. Justice Stewart would dismiss the appeal for want of a properly presented federal question.

No. 72-114. John Booth Gaunt, Jr., et al., appellants, *v.* Ted Brown et al. Appeal from the United States District Court for the Southern District of Ohio. Motion to dispense with printing jurisdictional statement granted. Judgment affirmed.

No. 72-5080. Lloyd K. Bunch, appellant, *v.* City of Cincinnati. Appeal from the Supreme Court of Ohio. The appeal is dismissed for want of a substantial federal question. Mr. Justice Douglas and Mr. Justice Marshall would note probable jurisdiction and set case for oral argument.

No. 72-5133. Robert Buchanan, III, appellant, *v.* Texas. Appeal from the Court of Criminal Appeals of Texas. The appeal is dismissed for want of a substantial federal question. Mr. Justice Brennan and Mr. Justice Blackmun would note probable jurisdiction and set case for oral argument.

#### CERTIORARI—SUMMARY DISPOSITION

No. 71-1302. Superintendent of Field Unit No. 9, petitioner, *v.* Lewis E. Terry. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Colten v. Kentucky*, 407 U.S. 104 (1972).

No. 71-1548. In the Matter of the Imprisonment of Edward Leary, Jr., petitioner. On petition for writ of certiorari to the General Court of Justice of North Carolina, Superior Court Division. Petition for writ of certiorari granted, judgment vacated and case remanded to the General Court of Justice of North Carolina, Superior Court Division, for further consideration in light of *Jackson v. Indiana*, 406 U.S. 715 (1972). Mr. Justice Douglas dissents from vacating and remanding this case.

No. 71-6460. William Gause, petitioner, *v.* Arizona. On petition for writ of certiorari to the Supreme Court of Arizona. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari

granted. Judgment vacated and case remanded to the Supreme Court of Arizona for further consideration in light of *Stewart v. Massachusetts*, 408 U.S. 845 (1972).

No. 71-6570. Einer Ketola, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Upon the representations of the Solicitor General set forth in his memorandum for the United States filed June 16, 1972, judgment vacated and case remanded to the Court of Appeals for further consideration in light of the position presently asserted by the Government. Application for bail denied without prejudice to renewal of application to the Court of Appeals.

No. 71-6773. Karen Duncan, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Gelbard v. United States*, 408 U.S. 41 (1972).

No. 72-5009. Nancy Barlow Webb, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Gelbard v. United States*, 408 U.S. 41 (1972).

No. 72-28. Northern States Power Company, petitioner, *v.* Robert J. Ihrke and Mary E. Ihrke. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals with instructions to dismiss case as moot. Mr. Justice Powell took no part in the consideration or decision of this case.

No. 72-34. Lawrence F. O'Brien et al., petitioners, *v.* Willie Brown et al. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Motions to dispense with printing petition and to print respondents' brief granted. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals with directions to dismiss case as moot.

No. 72-35. Thomas E. Keane et al., petitioners, *v.* National Democratic Party et al. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Motions to dispense with printing petition and to print respondents' brief granted. Petition for writ of certiorari granted, judgment vacated

and case remanded to the Court of Appeals to determine whether this case has become moot.

**No. 72-5110.** Maria Refugio Martinez-Frausto, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Upon the representations of the Solicitor General set forth in his memorandum for the United States filed September 6, 1972, judgment vacated and case remanded to the Court of Appeals for further consideration in light of the position presently asserted by the Government.

#### ORDERS IN PENDING CASES

**No. A-1165.** October Term, 1971. In Matter of Disbarment of William M. Morton, Jr. It having been reported to this Court that William M. Morton, Jr., of St. Joseph, Missouri, has been disbarred from the practice of law in all of the courts of the State of Missouri, and this Court by order of May 15, 1972, having suspended the said William M. Morton, Jr., from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred.

And it appearing that the said rule was duly issued and served upon the respondent and that the time within which to file a return has expired;

It is ordered that the said William M. Morton, Jr., be, and he is hereby, disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

**No. A-271.** Non-Resident Taxpayers Association of Pennsylvania and New Jersey, et al., applicants *v.* Charles Murray et al. The application for an injunction presented to Mr. Justice Douglas, and by him referred to the Court, is denied. Mr. Justice Douglas would grant the application.

**No. 36, Original.** State of Texas, plaintiff *v.* State of Louisiana. The Exceptions to the Report of the Special Master are set for oral argument in due course.

**No. 56, Original.** Commonwealth of Virginia, individually and on behalf of all other states similarly situated, plaintiff, *v.* International Air Transport Association et al. The motion of the Metropolitan Washington Board of Trade for leave to file a brief, as *amicus curiae*, is granted. The motion for leave to file a bill of complaint is denied. *Washington v. General Motors Corporation*, 406 U.S. 109 (1972). Mr. Justice Powell took no part in the consideration or decision of these motions.

No. 70-18. Jane Roe et al., appellants, *v.* Henry Wade; and

No. 70-40. Mary Doe et al., appellants, *v.* Arthur K. Bolton, as Attorney General of the State of Georgia, et al. The motion of The California Committee to Legalize Abortion et al., for leave to file a brief, as *amici curiae*, is granted.

No. 70-106. Bart Heffernan, guardian at litem, appellant, *v.* Jane Doe and Sally Roe, etc., et al. The motion of appellant to consolidate with Nos. 70-18 and 70-40 for oral argument is denied.

No. 71-36. California et al., appellants, *v.* Robert LaRue et al. The motion to permit two counsel to argue on behalf of the appellees is granted.

No. 71-123. National Labor Relations Board, petitioner, *v.* Burns International Security Services, Inc., et al.; and

No. 71-198. Burns International Security Services, Inc., petitioner, *v.* National Labor Relations Board et al. The motion to recall the judgment is denied.

No. 71-366. Tidewater Oil Company, petitioner, *v.* United States and Phillips Petroleum Company. The motion of the Solicitor General to permit A. Raymond Randolph, Jr., to argue orally, *pro hac vice*, on behalf of the United States is granted.

No. 71-485. Robert Gottschalk, acting Commissioner of Patents, petitioner *v.* Gary R. Benson and Arthur C. Tabbot. The motion of the Association of Data Processing Service Organizations, Software Products and Service Section, for leave to participate in oral argument, as *amicus curiae*, is denied. Mr. Justice Stewart, Mr. Justice Blackmun and Mr. Justice Powell took no part in the consideration or decision of this motion.

No. 71-507. Wilfred Keyes et al., petitioners, *v.* School District No. 1, Denver, Colorado, et al. The joint motion for additional time for oral argument is granted and fifteen minutes are allotted for that purpose to each side. Mr. Justice White took no part in the consideration or decision of this motion.

No. 71-575. Linda Gomez, individually and as next friend of Zoraida Gomez, appellant, *v.* Francisco Ocasio Perez. The motion of appellant to dispense with printing the appendix and to proceed on the original record is granted. The motion of the American Civil Liberties Union for leave to file a brief, as *amicus curiae*, is granted.

No. 71-651. California, petitioner, *v.* Judith Krivda and Roger T. Minor. The motion to permit showing of a motion picture during oral argument, to permit two counsel to argue orally and for additional time for oral argument is denied. The motion of the National Legal Aid and Defender Association for leave to dispense with printing *amicus curiae* brief is granted.



No. 71-666. United States, appellant, *v.* Glaxo Group Limited et al. The motion of the appellant for additional time for oral argument is granted and 15 minutes are allotted for that purpose. The appellees are also allotted 15 additional minutes for oral argument.

No. 71-685. Robert J. Lehnhausen, petitioner, *v.* Lake Shore Auto Parts Co., et al.; and

No. 71-691. Edward J. Barrett, County Clerk of Cook County, Illinois, et al., petitioners, *v.* Clemens K. Shapiro et al. The motion of American National Bank and Trust Company et al., as members of the Corporate Fiduciaries Association of Illinois, for leave to file a brief, as *amici curiae*, is granted. The motion of Proviso Township High School District #209 et al., for leave to file a brief, as *amici curiae*, is granted, but the motion to participate in oral argument, as *amici curiae*, is denied. The motion of Charles Marshall, State's Attorney, County of DeKalb, Illinois, for leave to intervene in No. 71-685, is denied.

No. 71-829. Leila Mourning, petitioner, *v.* Family Publications Service, Inc. The motion of The National Consumer Law Center, Inc., for leave to dispense with printing *amicus curiae* brief is granted. The motion of the Solicitor General for leave to participate in oral argument, as *amicus curiae*, in support of petitioner is granted and 15 minutes are allotted for that purpose. The respondent is also allotted 15 additional minutes for oral argument.

No. 71-834. Rosalind McClanahan, etc., appellant, *v.* State Tax Commission of Arizona. The motion of the Solicitor General for leave to participate in oral argument, as *amicus curiae*, in support of the appellant is granted and 15 minutes are allotted for that purpose. The appellee is allotted 15 additional minutes for oral argument.

No. 71-863. Columbia Broadcasting System, Inc., petitioner, *v.* Democratic National Committee;

No. 71-864. Federal Communications Commission et al., petitioners, *v.* Business Executives' Move for Vietnam Peace et al.;

No. 71-865. Post-Newsweek Stations, Capital Area, Inc., petitioner, *v.* Business Executives' Move for Vietnam Peace; and

No. 71-866. American Broadcasting Companies, Inc., petitioner, *v.* Democratic National Committee. The motion of Columbia Broadcasting System, Inc., and Post-Newsweek Stations, Capital Area, Inc., for additional time for oral argument is granted and 7½ minutes are allotted to the petitioners for that purpose. The respondents are also allotted 7½ additional minutes for oral argument.

No. 71-991. Otter Tail Power Company, appellant, *v.* United States. The motion of appellant for additional time for oral argument is denied. The motion of the Federal Power Commission for leave to participate in oral argument, as *amicus curiae*, is denied. Mr. Justice Blackmun and Mr. Justice Powell took no part in the consideration or decision of these motions.

No. 71-1021. Employees of the Department of Public Health & Welfare, State of Missouri, et al., petitioners, *v.* Department of Public Health & Welfare, State of Missouri, et al.;

No. 71-1182. Raymond Mattz, petitioner, *v.* G. Raymond Arnett, etc.; and

No. 71-1672. T. W. Guthrie et al., petitioners, *v.* Alabama By-Products Company et al. The Solicitor General is invited to file briefs in these cases expressing the views of the United States.

No. 71-1031. Leonard Tonasket, appellant. *v.* Washington et al. The motion of the appellant for additional time for oral argument is denied.

No. 71-1119. Indiana Employment Security Division et al., appellants, *v.* Essie D. Burney. The motion of College-University Corporation of Indianapolis, Indiana, et al., for leave to file a brief, as *amici curiae*, is granted. The motion of the California Department of Human Resources Development for leave to argue orally, as *amicus curiae*, is denied.

No. 71-1136. Murray Tillman et al., petitioners, *v.* Wheaton-Haven Recreation Association, Inc., et al. The motion of Montgomery County, Maryland, for leave to participate in oral argument, as *amicus curiae*, is denied.

No. 71-1192. Donald Goldstein, Ruth Koven and Donald Koven, petitioners, *v.* California. The motion of Custom Recording Company, Inc., et al., for leave to file a brief, as *amici curiae*, is granted.

No. 71-1332. San Antonio Independent School District et al., appellants, *v.* Demetrio P. Rodriguez et al. The motions of John Serrano, Jr., and John Anthony Serrano for leave to file a brief, as *amici curiae*, is granted. The motion of American Civil Liberties Union et al., for leave to file a brief, as *amici curiae*, is granted. The motion of Wilson Riles, Superintendent of Public Instruction of the State of California, et al. for leave to file a brief, as *amici curiae*, is granted. The motion of the N.A.A.C.P. Legal Defense Fund et al., for leave to file a brief, as *amici curiae*, is granted. The motion of the Mayor and City Council of Baltimore, Maryland, et al., for leave to file a brief, as *amici curiae*, is granted. The motion of National Education Association et al., for leave to file a brief, as *amici curiae*, is granted. The motion of Houston L. Flournoy, Controller of the State of California, for leave to file a brief, as *amicus curiae*, is granted. The motion of Wendell Anderson, Governor of the State of Minnesota, et al., for leave to file a brief, as *amici curiae*, is granted. The motion of John Serrano, Jr., et al., for leave to participate in oral argument, as *amici curiae*, is denied. The motion of Wendell Anderson, Governor of the State of Minnesota, et al., for leave to participate in oral argument, as *amici curiae*, is denied.

No. 71-1586. Harry Wood, petitioner, *v.* John W. Goodson, Judge. The motion to defer consideration of the petition for writ of certiorari is granted.

No. 71-6278. Condrado Almeida-Sanchez, petitioner, *v.* United States. The motion of Luke McKissack for leave to file a brief as *amicus curiae*, is granted.

No. 71-6516. Charles D. Braden, petitioner, *v.* 30th Judicial Circuit Court of Kentucky. The motion of M. Curran Clem, Esquire, to permit John M. Famularo, Esquire, to argue *pro hac vice* on behalf of the respondent is granted. The motion of the American Civil Liberties Union for leave to file a brief, as *amicus curiae*, is granted.

No. 72-190. Aaron Lee Smith et al., petitioners, *v.* Board of Education, Independent School District No. 1, Tulsa County, Oklahoma, et al. The motion to advance is denied.

No. 72-434. Robert M. Byrn, Guardian ad litem for infant Roe, etc., appellant, *v.* New York City Health & Hospitals Corporation et al. The motion of the appellant to expedite consideration denied.

No. 72-482. Victor L. Marchetti, petitioner, *v.* United States. The motion of the petitioner to expedite consideration is denied.

No. 72-521. Irish Northern Aid Committee, petitioner, *v.* Attorney General of the United States. The application for a stay presented to Mr. Justice Marshall, and by him referred to the Court, is granted. Should the petition for writ of certiorari be denied, this stay is to terminate automatically. Should the petition for writ of certiorari be granted, this stay is to remain in effect pending the sending down of the judgment of this Court.

#### APPEALS—JURISDICTION NOTED OR POSTPONED

No. 71-1476. J. Brian Gaffney, appellant, *v.* Theodore R. Cummings et al. Appeal from the United States District Court for the District of Connecticut. In this case probable jurisdiction noted.

No. 71-1637. City of Burbank et al., appellants, *v.* Lockheed Air Terminal Inc., et al. Appeal from the United States Court of Appeals for the Ninth Circuit. In this case probable jurisdiction noted.

No. 71-1694. Sharron A. Frontiero and Joseph Frontiero, appellants, *v.* Melvin R. Laird, Secretary of Defense, et al. Appeal from the United States District Court for the Middle District of Alabama. In this case probable jurisdiction noted.

No. 72-77. Delores Norwood et al., appellants, *v.* D. L. Harrison, Sr., et al. Appeal from the United States District Court for the Northern District of Mississippi. In this case probable jurisdiction noted.

No. 72-147. Bob Bullock et al., appellants, *v.* Diana Register et al. Appeal from the United States District Court for the Western District of Texas. In this case probable jurisdiction noted.

No. 72-11. Roosevelt F. Palmore, appellant, *v.* United States. Appeal from the District of Columbia Court of Appeals. Motion to dispense with printing jurisdictional statement granted. In this case [REDACTED] jurisdiction postponed to the hearing of the case on the merits.

#### CERTIORARI GRANTED

No. 71-1428. Kirby J. Hensley, petitioner, *v.* Municipal Court, San Jose-Milpitas Judicial District, Santa Clara County, State of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 71-1459. United States, petitioner, *v.* Little Lake Misere Land Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 71-1598. James D. Hodgson, Secretary of Labor, petitioner, *v.* Arnheim and Neely, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 71-1665. United States, petitioner, *v.* Douglas B. Cartwright, as Executor of the Estate of Ethel B. Bennett. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 71-1698. United States, petitioner, *v.* Cecil J. Bishop. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 72-10. David Moor et al., petitioners *v.* County of Alameda et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 71-1442. Roland V. Colgrove, petitioner, *v.* James F. Battin, United States District Judge for the District of Montana. Motion of International Association of Insurance Counsel for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 71-6481. Clifford H. Davis, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 71-6698. Marion P. Morris, on behalf of Linda Morris, petitioner *v.* Elliot L. Richardson, Secretary of Health, Education and Welfare. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted.

FURTHER CONSIDERATION OF THE QUESTION OF

No. 71-6742. Felipe Juarez Hurtado et al., petitioners, *v.* United States. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

## CERTIORARI DENIED

No. 71-1168. Streckfus Steamers, Inc., et al., petitioners, *v.* City of St. Louis et al. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 71-1175. Willodean Forks et al., petitioners, *v.* City of Warsaw, Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 71-1231. Dean Francis Pace, petitioner, *v.* Marion Elena Pace. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 71-1236. Alabama, petitioner, *v.* Michael Gary Rennow, etc.; and

No. 71-6263. Michael Gary Rennow, petitioner, *v.* Alabama. Petitions for writs of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 71-1357. Water R. Reynolds, petitioner, *v.* United States; and

No. 71-1358. R. Marbury Stamp, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 71-1360. Joe Kabinto et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-1373. Seymour Lacob, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-1376. Geoghegan & Mathis, Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-1378. Intercontinental Industries, Inc., petitioner, *v.* American Stock Exchange and Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1382. Barbara Schroud, in the Interest of Thomas Andrew Schroud, petitioner, *v.* Milwaukee County Department of Public Welfare. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 71-1387. Leo M. Hiken, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 71-1390. Philip Benter, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-1391. Doyal Smith, Warden, petitioner, *v.* William Paul Hiatt. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1393. Cecil E. Daniel, et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-1397. Miami Police Benevolent Association, Inc., petitioner, *v.* George H. Adams et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1403. Forbes Leasing and Finance<sup>e</sup> Corporation, petitioner, *v.* Marvin Lebowitz. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-1405. Democratic National Committee, petitioner, *v.* Federal Communications Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 71-1413. Clifford J. Brown and Juan Guzman Lopez, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 71-1418. Starlie Lomayaktewa et al., petitioners, *v.* Howard F. Corcoran, United States District Court Judge et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 71-1432. Direct Mail Advertising Association, Inc., et al., petitioners, *v.* United States Postal Service et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 71-1436. Marvin D. Bland, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1438. Daniel Cecere, petitioner, *v.* United States; and

No. 71-1568. Angelo DeCarlo, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-1440. David Wenger, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-1455. Leonard L. Bursten, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

**No. 71-1463.** William G. Milliken et al. Petitioners, *v.* Ronald Bradley et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

**No. 71-1467.** Patrick J. Flynn, petitioner, *v.* The Board of Examiners of the Board of Education of the City of New York. Petition for writ of certiorari to the Appellate Division of the Surpeme Court of New York, Second Judicial Department denied.

**No. 71-1468.** Kenneth T. Bosley, et ux., petitioners, *v.* Grand Lodge of Ancient Free and Accepted Masons of Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

**No. 71-1480.** Ferris Jacob Alexander, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

**No. 71-1481.** Herman Collins et al., petitioners, *v.* George W. Avery and John L. Gentry. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

**No. 71-1484.** Edward R. Fink, et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

**No. 71-1485.** Edgar Eugene Harness, Jr., petitioner, *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

**No. 71-1486.** George M. Hart, dba San Diego Cabinets et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

**No. 71-1488.** Wachovia Bank and Trust Company, petitioner, *v.* R. Kennedy Harris, Trustee of the Estate of Cabana Club Apartments, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

**No. 71-1489.** Plastiline, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

**No. 71-1490.** Bethlehem Mines Corporation et al., petitioners, *v.* United Mine Workers of America et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

**No. 71-1492.** Loyd Erastus Dyal, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

**No. 71-1493.** Michael Fhagen, and Miriam Winters, petitioners, *v.* Alan D. Miller, M.D., etc., et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 71-1494. Tuscany Fabrics, Inc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 71-1496. Casanova Guns, Inc., petitioner, *v.* George P. Shultz, Secretary of the Treasury et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-1497. Loretta Fay Beck, petitioner, *v.* Connecticut General Life Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1498. International Association of Machinists and Aerospace Workers et al., petitioners, *v.* Northeast Airlines, Inc. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 71-1499. Devcon Corporation, petitioner, *v.* Woodhill Chemical Sales Corporation. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 71-1500. William Cromer Knox et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1504. Panotex Pipe Line Company et al., petitioners, *v.* Phillips Petroleum Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1506. Philip J. Fichman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 71-1507. M. Lee Monroe, etc., petitioner, *v.* James E. Cussen. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-1508. Chong Yuk Wah, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 71-1515. Harold S. Rodovich, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1516. Rufus Eafie Harrell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1518. C. Jon Handy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.



No. 71-1519. Ceicel D. Brown and William D. Brown, petitioners, *v.* Thomas P. Scott. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 71-1520. Frank Kirkpatrick, petitioner, *v.* Wisconsin (Department of Natural Resources). Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 71-1521. Vibert Clarence Heath and Franklin David Shepard, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-1524. Elery Lay et al., petitioners, *v.* City of Kingsport, Tennessee et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-1526. Thomas S. Eisenstadt, etc., petitioner, *v.* I. Charles Baker; and

No. 71-1679. I. Charles Baker, petitioner, *v.* Thomas S. Eisenstadt, Sheriff of Suffolk County. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 71-1527. Florida Machine & Foundry Company and Fleco Corporation, petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 71-1533. Manuel J. Bello and George Perron, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 71-1535. The Travelers Indemnity Company, petitioner, *v.* Erickson's, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1540. Citizens Organized for the Preservation of our Environment et al., petitioners, *v.* Richfield Board of Zoning Appeals et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 71-1551. Pearl Rosner, etc., petitioner, *v.* Duchess Music Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-1552. Cary L. Hoover et al., petitioners, *v.* Wyandotte Chemicals Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1555. Vesta G. Johnston and J. B. Johnston, petitioners, *v.* Calvin S. Byrd. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 71-1557. National Surety Corporation, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 71-1559. R. E. Baxter et al., petitioners, *v.* Railway Express Agency, Incorporated, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-1561. Annette Heyman et al., petitioners, *v.* Robert S. Kline. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-1564. Lorene Thompson, petitioner, *v.* George C. Amis et al. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 71-1565. Dennis Raimondi, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 71-1569. Jiwan Singh, petitioner, *v.* Immigration and Naturalization Service et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-1570. DeWitt T. Hobbs, Jr., petitioner, *v.* Custom Finance Company, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 71-1571. J. J. Nossner et al., petitioners, *v.* James Bradley et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1575. Ernest Levine, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-1576. Andy Andreas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 71-1578. Jerome J. Berger, petitioner, *v.* Columbia Broadcasting System, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1580. Anthony B. Cataldo, et ux., petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-1589. The Singer Company, petitioner, *v.* George B. Greene. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-1590. Morrison Hamlett, petitioner, *v.* Conco, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 71-1591. Washington Urban League, Inc., petitioner, *v.* Public Service Commission of the District of Columbia et al. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 71-1593. Betty Altman Aronow, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Santa Clara denied.

No. 71-1594. Anthony Salvaggio, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-1595. Clarence Eugene Middlebrooks, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1597. Federal Power Commission, petitioner, *v.* Greene County Planning Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-1599. Cook County College Teachers Union, Local 1600, etc., et al., petitioners, *v.* Milton B. Byrd et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-1600. Union Camp Corporation, petitioner, *v.* James E. Dyal Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1606. Irving P. Karlin, petitioner, *v.* Warren E. Avis and Avis Industrial Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-1609. The Regents of the University of California, petitioner, *v.* Kenneth L. Karst et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District denied.

No. 71-1610. William O. Mehrtens, Judge, United States District Court for the Southern District of Florida, petitioner, *v.* Protective Committee for Independent Stockholders of TMT Trailer Ferry, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1611. W. R. Bean & Son, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1615. Charles F. Knapp, et ux., petitioners, *v.* Miami Memorial Park, Inc., and Miami Memorial Association. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 71-1619. Stanford T. Baker, Jr., petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 71-1621. Estate of Lafayette Montgomery, etc., et al, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1622. James F. Holland, petitioner, *v.* Elizabeth Jane Holland. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 71-1629. Nathaniel Wardell Edwards, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-1630. Kellogg Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-1632. Cast Optics Corporation, petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-1640. Bank of America National Trust and Savings Association, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-1643. Frank Schulte et al., petitioners, *v.* Oklahoma City. Petition for writ of certiorari to the Supreme Court of Oklahoma denied.

No. 71-1644. Solomon Steiner, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 71-1650. C & G Boat Company, Inc., et al., petitioners, *v.* Crescent River Port Pilots Association et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1653. Walter P. McFarland, petitioner, *v.* Elizabeth K. Knapp et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-1657. Elvin Scott, Jr., petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 71-1659. Edward E. Milder, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 71-1660. Margaret E. Thompson, et vir., petitioners, *v.* Board of Commissioner of the Oak Brook Park District of DuPage County, Illinois et al. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 71-1661. Moveable Offshore, Inc., petitioner, *v.* Earl Hall. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1662. Atlantic-Richfield Company, petitioner, *v.* Drew Cherry et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

**No. 71-1663.** John E. Manfredonia, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

**No. 71-1667.** Baxter Love, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

**No. 71-1670.** Bertram Yacht Sales, Inc., petitioner, *v.* Julio Cesar Moron et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

**No. 71-1671.** Kansas City, petitioner, *v.* Claude G. Webb et al. Petition for writ of certiorari to the Supreme Court of Missouri denied.

**No. 71-1673.** Freeman W. Sailor and Louis R. Klotter, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

**No. 71-1677.** Stanley V. Tucker, petitioner, *v.* Elizabeth Ann Bionti. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

**No. 71-1678.** Nick Prignano, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

**No. 71-1682.** John Elwood Dennett, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

**No. 71-1685.** United Brotherhood of Carpenters and Joiners of America, Local 169, et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

**No. 71-1686.** James Brown Hardy, Acting Warden, petitioner, *v.* Milan M. Vuitch. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

**No. 71-1687.** East Texas Steel Castings Company, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

**No. 71-1688.** Jean D. Muirhead, petitioner, *v.* Hinds County Democratic Executive Committee et al. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

**No. 71-1689.** Jean D. Muirhead, petitioner, *v.* James Donald Spann. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

**No. 71-1692.** Steve Annoreno, et al, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-1693. Millard V. Irwin, owner of the Yacht "Jomie", petitioner, *v.* Eagle Star Insurance Company, Ltd. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1696. Mark Steven Barton, petitioner, *v.* Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 71-1697. Pacific Maritime Association, petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-1703. Max Kosher, petitioner, *v.* Washington State Bar Association. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 71-1704. Thomas M. Borrowdale et al., petitioners, *v.* Board of Junior College District No. 515 et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 71-1706. David Eugene Shelton, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Eastern Division, denied.

No. 71-1707. County Collector of Cook County et al., petitioners, *v.* Northwestern University. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 71-1708. Michael Budzanoski, etc., et al., petitioners, *v.* Frank Sabolsky, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-5610. Frank Rollins and Russell Rollins, petitioners, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 71-5769. Rudolph R. Rodriguez, petitioner, *v.* Robert E. Olson et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-6127. David Osborne and Robert Milton, petitioners, *v.* Gerald Nobles. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 71-6155. Alfanso Joshua, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 71-6226. Ronald James Dessus, petitioner *v.* Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-6243. Leroy Amos, petitioner, *v.* Daniel J. McCarthy. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6260. Paul MacLeod, petitioner, *v.* A. E. Slayton, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of cer-

tiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **71-6301**. Johnny R. Enriquez, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **71-6309**. Royce Dale Ralls, petitioner *v.* Missouri. Petition for writ of certiorari to the Court of Appeals of Missouri, Kansas City District, denied.

No. **71-6321**. T. C. Thomas, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **71-6329**. Newton Collier Estes, petitioner, *v.* Deborah Northcross et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **71-6349**. Don H. Weaver, petitioner *v.* Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **71-6368**. Marvin Phillips, petitioner, *v.* Peter J. Pitchess, Sheriff. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **71-6370**. Clarence Vernon Ferguson, petitioner, *v.* Harold J. Cardwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **71-6380**. Peter L. Allers, petitioner. *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **71-6390**. James Milton Harding, petitioner, *v.* Warden, Maryland Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **71-6396**. Jesse Howard, petitioner, *v.* Maurice H. Sigler, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **71-6407**. William T. Thomas, petitioner, *v.* Harold J. Cardwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **71-6412**. Benjamin Calvin Ward, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fifth Appellate District, denied.

No. **71-6413**. Charles J. Wilson, petitioner, *v.* R. J. Gaffney, Warden et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 71-6414. Arthur O. Humphrey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6417. Paul Jackson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 71-6420. Kenneth Cranford, petitioner, *v.* New Mexico. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 71-6430. Charles Townsend, by his next friend, William R. Ming, Jr., petitioner, *v.* John J. Twomey, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-6437. John Davis, Petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 71-6441. Kenneth Roland Adams, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6457. Joseph Gaito, petitioner, *v.* William C. Schnupp, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-6461. Anthony Lloyd Chrisman, petitioner, *v.* Harold V. Field, Superintendent, California Men's Colony. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6464. Francis James Murray, petitioner, *v.* City of Cincinnati. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 71-6466. Richard William Lawless, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 71-6486. Terry T. Mays, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-6487. Robert M. Medina, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-6495. John C. Caldron, petitioner, *v.* R. J. Gaffney, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.



No. 71-6496. John E. Baker, petitioner, *v.* R. J. Gaffney, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 71-6503. Charles F. Eckert, petitioner, *v.* Clerk's Office of the U.S. District Court, Eastern District of Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-6506. Joseph Edwin Doyle, petitioner, *v.* Emma Mae Doyle. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Ninth Supreme Judicial District denied.

No. 71-6509. Henry Higgins, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 71-6511. General Mason Rhodes, petitioner, *v.* Lloyd E. Haynes, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 71-6521. Kenneth Sailer, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 71-6523. Anthony Jacobs, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 71-6524. Lewis Ray Kirk, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 71-6529. Danny Craig Archer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 71-6532. Donald Lee Forrester, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6537. Tollie Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6540. Robert Grene, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6543. James G. Hampton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-6546. Paul H. Nunley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 71-6547. James Vernon Lewis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6549. Charles Thomas Taylor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6551. Luther E. Skeels, petitioner, *v.* Elliot L. Richardson, Secretary, Department of Health, Education, and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6552. Molden Atkin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 71-6555. Bob Robins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 71-6556. Rafael Telio, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 71-6557. Roosevelt Flournoy, Jr., petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 71-6558. Donovan Workman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6565. George Moran, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 71-6567. Larry Manns, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fifth District, denied.

No. 71-6569. Harry Allen Lowther, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 71-6572. Kenneth Larry Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6575. Hilliard McQueen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-6576. Lawrence B. Havelock, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 71-6580. Richard Ellet Gibboney, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the [REDACTED] Circuit denied. <sup>1</sup>FOURTH

No. 71-6582. George James Grooms, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-6583. Daniel Leon Luallen, petitioner, *v.* William S. Neil, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-6584. Walter William Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6585. Gabriel Edgardo Buchowiecki-Kortkiewicz, petitioner, *v.* United States Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6586. William Thomas Chitwood, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-6587. Phillip Duane Bredy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6588. Joseph Randazzo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6594. Melvin Leroy Tyler, petitioner, *v.* Thomas Parks. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 71-6610. James Alexander Valentine, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 71-6611. Sloan E. Carter, petitioner, *v.* U.S. District Court for the District of South Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 71-6612. Charles F. Eckert, petitioner, *v.* Senate of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-6614. Raul Estrada, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-6615. James M. Behning, petitioner, *v.* Illinois. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-6619. Bobby Joe Thomas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6629. Richard E. Henkel, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-6631. Clifford Helton, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. 71-6634. John J. Beane, petitioner, *v.* Elliot L. Richardson, Secretary of Health, Education and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6637. Robert Lee Johnson, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 71-6639. Frank Sciortino, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-6640. Ernest Madison, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-6641. Chester Wysocki, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6646. Joseph Henry Guerin, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 71-6648. Luis Gonzales, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 71-6650. Jimmy L. Goodwin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 71-6651. Render Copeland, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-6653. James Nunn, Jr., petitioner, *v.* Weldon Cox, Acting Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-6654. Marion Stevenson, petitioner, *v.* Ernest L. Montanye, Superintendent, Attica Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-<sup>6656</sup> Raymond E. Machado, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6657. Michael John Sanders, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-6659. John Korczak, petitioner, *v.* Division of Employment, Colorado Department of Labor and Employment, et al. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 71-6660. James Milton Pack, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 71-6662. Billy Bertram Carroll, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6663. Robert Harris, petitioner, *v.* Illinois. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-6664. Constantino Villauerda, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-6665. Robert Allen Ray, petitioner, *v.* Joseph R. Brierley, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-6666. Herbert Phillip Schlanger, petitioner, *v.* Robert C. Seamans, Jr., Secretary of the Air Force, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 71-6667. Robert Owen McDonnell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 71-6669. William Q. Siddle, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 71-6671. George Arthur Bradley, petitioner, *v.* Harold J. Cardwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-6672. George C. Matthews, petitioner, *v.* Florida-Vanderbilt Development Corporation, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6673. Jerry Lee Golden, petitioner, *v.* C. Murray Henderson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6674. Robert Edward Lipscomb, petitioner, *v.* United States Board of Parole. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6675. Gordon M. Copp, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6676. Eugene Robert Mathers, petitioner, *v.* B. J. Rhay, Superintendent, Washington State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6677. George E. Allard, Sr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-6678. Robert K. Yeaton, petitioner, *v.* L. E. Weisneburg, Jr. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6680. Raymond Earl Ferguson, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 71-6681. Salvatore Costanza, petitioner, *v.* New Jersey. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-6683. Kenneth Sailer, petitioner, *v.* California Adult Authority. Petition for writ of certiorari to the Court of Appeals of California, Third Appellate District denied.

No. 71-6684. Frank J. Brown, Jr., petitioner, *v.* Wisconsin State Department of Public Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-6685. Eugene M. Hart, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 71-6686. Ralph B. Ellison, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 71-6688. Richard R. Lara, petitioner, *v.* C. E. Harris, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 71-6691. William Frederick Zimmer, petitioner, *v.* R. J. Gaffney, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 71-6692. Albert H. Carter, *v.* Jack Roberts, U.S. District Judge, Western District of Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6695. Floyd Herman Randall, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6696. Stanley J. Perwin, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 71-6697. Arcadio Batista, petitioner, *v.* United States; and

No. 71-6715. Heriberto Laberrera Lopez, petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6699. Ramon Menchaca Albidrez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6701. John Harrison, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-6702. John Brent Tarlton, Jr., petitioner, *v.* B. V. Wolfe, Caseworker. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6703. William W. Johnson, petitioner, *v.* John J. Twomey, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-6704. Curtis Ingraham, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 71-6705. Paul Lamonge, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-6706. Arthur Leroy Middleton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6707. Eddie David Cox, petitioner, *v.* R. J. Gaffney, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 71-6708. Anthony Ciotti, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-6709. Sol Kaye, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6710. Robert Blackwood, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-6712. Herbert C. Engle, petitioner, *v.* United States. Petition for writ of certiorari to the United States court of Appeals for the Sixth Circuit denied.

No. 71-6713. Richard Henry Mitman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6714. Vincent Rivera, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6716. Antonio Pereira Torres, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6717. Francis Henderson Robinson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6718. Lawrence Cleaves, petitioner, *v.* Chief Parker, Chief of the Shelby County Jail. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-6719. Linda Sue Brown, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6722. Larry Lee Martin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6723. Marian Chais-Shulman, petitioner, *v.* Bank of America Trust No. 54212, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6725. Adolfo Sanchez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-6726. Basilio Lopez Lobon, petitioner, *v.* Government of the Canal Zone; and

No. 71-6727. Basilio Lopez Lobon, petitioner, *v.* Government of the Canal Zone. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6728. Phillip B. Bailey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 71-6729. David L. Weaver, petitioner, *v.* California Department of Corrections et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.



No. 71-6730. Wayman Otis Wilkes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6731. Jay B. Dixon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6733. Isidro Ramos Gali, Jr., petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 71-6735. William Davis Kennedy et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 71-6736. Johnny B. Davis, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6737. Donald Edward Donohoe, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 71-6738. Arthur Leroy Dennis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-6744. Fidel Rodriguez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6745. Edward McCray, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6746. Kennzell R. Evans and Melvin Eugene Jenkins, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 71-6748. John Mario Castillo, petitioner, *v.* United States. Petition for writ of certiorari to the United States of Appeals for the Fourth Circuit denied.

No. 71-6749. Felix D. Parks, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 71-6750. Albert L. Hammonds, petitioner, *v.* Missouri. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 71-6751. E. Christman Dawn etc., petitioner, *v.* Sterling Drug, Inc., et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 71-6753. Carol L. Scogin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 71-6754. Forrest Van Pelt, petitioner, *v.* Marie J. DiCosimo. Petition for writ of certiorari to the United States of Appeals for the Ninth Circuit denied.

No. 71-6755. Clyde Leon Morland, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 71-6756. Matthew S. Cunningham, petitioner, *v.* A. S. Abell Company. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 71-6761. Vincent Jones Scott, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 71-6762. E. Craig Carnathan, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 71-6766. Brady Hord, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6771. Eugene Owen Mitchell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-6772. Edward Lopez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-6775. Nathaniel Burdette, petitioner, *v.* Joseph N. Shore, Parole Executive, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-6776. Charles Lee Jordan, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 71-6779. Timothy R. Lewis, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 71-6780. Thomas N. Mansour, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 71-6782. Robert W. Ellis, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-6783. Robert John Ryan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 71-6784. James Pendergraft, petitioner, *v.* R. L. Turner and North Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 71-6785. Dale E. Knudsen, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Middle District, denied.

No. 71-6786. Eugene L. Crow, petitioner, *v.* Frank A. Eyman, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6787. Wendell Asbury Bruce, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 71-6788. Alice Pauline Brown, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6792. William Clinton Gardner, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6793. Georgs Krikmanis, petitioner, *v.* Keesler H. Montgomery et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 71-6794. Preston Boyd, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-6795. Clarence Tate, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-6796. John A. Shaffer, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 71-6797. Nicholas J. Curtis, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-6798. John Thomas Ard et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 71-6801. Ollie Lee Quinn, petitioner, *v.* John R. Gagnon, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **71-6802**. Albert D. Jones, petitioner, *v.* H. V. Field, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **71-6804**. Julio Mejias Santana, petitioner, *v.* United States District Court, Northern District of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **71-6805**. James Bernard Lewis, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **71-6806**. Andrew Rosenberg, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **71-6807**. William Samuel Cole, petitioner, *v.* United States; and

No. **71-6808**. William Samuel Cole, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **71-6809**. David Louis Morton, petitioner, *v.* Edward E. Haynes, Superintendent, Missouri Training Center. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **71-6810**. Delmar Batts, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. **71-6811**. Frank Ross, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **71-6813**. Frederick C. Fermin, petitioner, *v.* Elliot L. Richardson, Secretary of Health, Education and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **71-6814**. Phillip Allen Lebrun, petitioner, *v.* H. C. Cupp. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit.

No. **71-6815**. Sam Bowers et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **71-6816**. LeRoy Wayne Earp, petitioner, *v.* Hoyt C. Cupp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **71-6817**. Jerry Mack Dorrough, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6818. Robert Barber, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 71-6819. Walter Nelson, petitioner, *v.* Harold N. Butler, Superintendent, Wallkill Prison. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-6820. George Arwood Stidham and Tommy Leroy Bacon, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 71-6821. Henry Knight, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 71-6822. Jerry Earl Allen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6823. Wilson Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 71-6828. Richard A. Lauchli, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-6829. Arthur A. Gauthier, petitioner, *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 71-6831. William X. Cagle, Jr., petitioner, *v.* C. E. Harris, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 71-6832. Lawson B. Hall, petitioner, *v.* Gerald Snyder, Jr., Illinois Bar Association, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-6833. Daniel C. Singal, petitioner, *v.* Two Unknown Named Patrolmen et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-6834. Lee Andrew Greer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-6835. J. Bryant Kasey and Maryann Kasey, petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6837. John Russell Dorsey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **71-6838**. Nathaniel Holmes and Bernard Tucker, petitioners, *v. Melvin Laird, etc., et al.* Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **71-6842**. Delores Mallory, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **71-6843**. Dedorise Daniel Doyal, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **71-6845**. Harry R. Thomas, Jr., petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **71-6846**. Donald Eugene Varnell, petitioner, *v. George J. Beto, Director, Texas Department of Corrections*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **71-6847**. Terry Donald Martin, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **71-6848**. Victor Reginald Parker, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **71-6849**. James Jackson, petitioner, *v. Connecticut*. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. **71-6850**. Robert Douglas Brown and Marion Hamilton, petitioners, *v. North Carolina*. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. **71-6851**. Laura Hebah, Administratrix, etc., petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Claims.

No. **71-6854**. John Paul Masters, Jr., petitioner, *v. Charles Harris, Warden*. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **71-6855**. Pascal Grandi, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **71-6857**. Charles E. Martin, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **71-6859**. William Howard Munns, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **71-6860**. Irving William Christian, petitioner, *v.* New York State Board of Parole. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. **71-6861**. D. C. Dockery, petitioner, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **71-6862**. Charles DiCanio, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **71-6864**. Dale Edward Sudduth, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **71-6865**. Richard Alston, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **71-6866**. Johnny Lee Coleman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **71-6867**. Samuel Cuellar Lara, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. **71-6868**. Gene Douglas Parton, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Eastern Division, denied.

No. **71-6870**. Robert T. Mathis, petitioner, *v.* Melvin R. Laird, Secretary of Defense. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **71-6871**. Harold Berdell Lucas, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **71-6873**. Robert Summers Neely, Jr., petitioner, *v.* John A. Field, Jr., etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **71-6874**. Joel Mitchell, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **71-6875**. John Henry Moran, petitioner, *v.* The Tuition Plan of New Hampshire, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **71-6876**. Homer Bailes, et ux., petitioners, *v.* Southern Farm Bureau Casualty Insurance Company et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. **71-6878**. Theodore W. Robinson, petitioner, *v.* Mammoth Life and Accident Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **71-6881**. William H. Williams, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **71-6882**. Jerry Ray James, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **71-6883**. Jim Fair, petitioner, *v.* W. T. Hodges et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **71-6884**. Herbert Harris Hudson, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **71-6887**. Robert E. Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **71-6889**. Kenney James Moore, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **71-6890**. John P. Kartsonis, petitioner, *v.* District Unemployment Compensation Board. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. **71-6891**. Richard W. Hauff, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **71-6892**. Kenneth Sailer, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **71-6896**. Robert Mulson Lathrop, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **71-6900**. Jerry Patterson, petitioner, *v.* S. Lamont Smith, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **71-6901**. Sidney Owen Morrow, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **71-6903**. Garland Edmund Nease, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.



No. 71-6904. Frank Harry Tubbs, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-6905. Dedorise Daniel Doyal, petitioner, *v.* Department of the Treasury, Bureau of Customs, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6906. Winston Springer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-6907. James Watson, petitioner, *v.* Leroy Stynchcombe. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6910. Grant Robert Thornley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6911. Anthony Michael Medina, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-6912. Pasquale Pasqua, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 71-6913. Sam A. Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6915. William Curtis Kile, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-6916. Lawrence Arthur Dahl, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-6917. Henry Lewis Scopes, petitioner, *v.* New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-6919. George Birch, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-6921. Raymond Miranda, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-6922. Jerome A. Lowry, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-6924. Daniel Obstein, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 72-2. Ray Palmer and Maurice Robert Hettich, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-3. Long Manufacturing Company, petitioner, *v.* Lilliston Implement Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-4. Chemical Carriers, Inc. and Chemical Transporter, Inc., petitioners, *v.* Miriam Gertrude Andrews, etc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5. Harold E. Kohn, Trustee, et al., petitioners, *v.* American Metal Climax, Inc., et al.; and

No. 72-132. Roan Selection Trust Limited and American Metal Climax, Inc., petitioners, *v.* Harold E. Kohn, Trustee, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-7. Mary Alice Firestone, petitioner, *v.* Time, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-9. Leroy N. Bonkowski, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-13. Antonio Segura, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-14. Robert Jay Carlton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-15. Andrew Joseph Schaack, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-18. John R. Engle, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-26. Jerome Daly, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 72-27. Gary Dean Bittner, petitioner, *v.* Nebraska. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 72-30. William A. Egan, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-31. Honolulu Rapid Transit Company, Limited, petitioner, *v.* Public Utilities Commission of the State of Hawaii, and The City and County of Honolulu. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-33. Calvin Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-38. Southwestern Bell Telephone Company, petitioner, *v.* Alfred Franke and Theodore R. P. Martin. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 72-39. Rederi A/B Nordstjernen et al., petitioners, *v.* Jose Virella Rivera et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-43. Frederick Cohn, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-47. Hayden Publishing Company, Inc. et al., petitioners, *v.* Van Balkenburgh, Nooger & Neville, Inc. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 72-50. Railex Corporation, petitioner, *v.* The Speed Check Co., Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-51. Abner Michaud et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-52. Skil Corporation, petitioner, *v.* Lucerne Products, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-57. Shelco, Inc. and The Shelco Company, petitioners, *v.* The Dow Chemical Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-58. National Association of Securities Dealers, Inc., petitioner, *v.* Norman L. Harwell et al. Petitioner for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-63. Walter Robert Dickson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-65. John B. White, Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-66. Clark Equipment Company, petitioner, *v.* Wilkes Wirth. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-68. Harlan Lane, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-70. Louis J. Lefkowitz, Attorney General of the State of New York, petitioner, *v.* Peter Weiss and Lillian Robinson. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-71. Pressley L. Hilliard et al., petitioners, *v.* Pennsylvania, etc. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 72-73. Karl Kleve, petitioner, *v.* Retail Credit Company. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 72-78. Lee A. Gifford and Charles R. Samuels, petitioners, *v.* Jesse L. Allen et ux. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-80. Dallas T. Heltsley and Charles Schmidt, petitioners, *v.* District No. 23, United Mine Workers of America et al. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 72-85. Robert Quintana, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-87. Cecil Eugene Harris et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-89. Kathleen Carter et al., petitioners, *v.* City of Fort Worth et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-94. Charles G. Jacques, Jr., petitioner, *v.* Louisiana State Bar Association. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 72-98. Rudolph O. Schneider, Jr. and Steven Vitale, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-99. Phillip Luther, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 72-100. William L. Martin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-101. Jacob Jack Aveni, Jr., petitioner, *v.* Morton Richman, Trustee in Bankruptcy. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-102. Aunt Mid, Inc., petitioner, *v.* Fjell-Oranje Lines et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-103. Thomas Llerena, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-106. C. E. Bradshaw, Sr., petitioner, *v.* Vic Thompson et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-107. Kearney D. Spears, petitioner, *v.* Glenn L. Hough. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-110. Eagle Star Insurance Group, petitioner, *v.* Carl N. Walker et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-112. Zegers, Inc., petitioner, *v.* Edward A. Zegers. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-113. Sterling Drug, Inc., petitioner, *v.* Anna T. Singer and Leslie Singer. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-122. Vasser Bishop, Executrix of the Estate of David H. Bishop, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-123. James Lee Guthrie, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 72-125. Otha G. Ree, Jr., et al., petitioners, *v.* Municipal Court of the Los Angeles Judicial District, County of Los Angeles. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-126. Boyer Brothers, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-127. Maida Ludvik Sheris et al., petitioners, *v.* The Sheris Co. and Travelers Insurance Company. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 72-138. Walter R. Anderson et al., petitioners, *v.* Lecon Properties, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-139. Robert Lee Pearson, petitioner, *v.* Florida; and

No. 72-140. Charles M. Pearson, petitioner, *v.* Florida. Petitions for writs of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 72-143. Theodor E. Bratrud, petitioner, *v.* Frank J. Dunning, Trustee, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-144. West Tennessee ACLU, et al., petitioners, *v.* City of Memphis, Tennessee and Henry Loeb, Mayor. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-155. John Ballantyne, *v.* Central Railroad of New Jersey. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-161. Jack Rose, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-162. Henry D. Dodson and G. Everett Millican, petitioners, *v.* William Graham, Jr., etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-165. Paul E. Enyart, petitioner, *v.* Ashland Discount Company and John Simpson, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-170. George L. Moore, petitioner, *v.* The Board of Trustees of Carson-Tahoe Hospital et al. Petition for writ of certiorari to the Supreme Court of Nevada denied.

No. 72-203. Litton Business Systems, Inc., petitioner, *v.* Monroe Lodge No. 770, International Association of Machinists and Aerospace Workers, AFL-CIO. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-230. Dorothy M. Freese, Executrix of Estate of M. Lloyd Freese, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-235. Keith B. McKy, petitioner, *v.* Olga Hochfelder et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5003. William A. Corcoran, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 72-5005. Ernest Lee Abshire, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5006. Bob Robins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5008. Achilles Abbamonte, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5011. Ervin Hohensee, petitioner, *v.* Scientific Living, Inc., et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 72-5012. James E. Eaton and William Lessaris, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5013. Dwight Loren Smith, petitioner, *v.* Hoyt C. Cupp, Superintendent, Oregon State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5015. King David Preston, etc., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5016. Thomas Byron Clark, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5017. James T. Anderson, petitioner, *v.* Parker, Coulter, Daley and White, et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-5018. Anthony Brewer, petitioner, *v.* United States; and

No. 72-5061. William Garr, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5021. Mitchell Jay West, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5023. David Ray Rawls, petitioner, *v.* Secretary of the Interior et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5025. James Phelps Miller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5027. Alfredo Zamora-Yescas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5028. Dwight W. Schoefield, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-5029. Lowell T. Weaver, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5032. Dee D. Atkinson, petitioner, *v.* North Carolina; and

No. 72-5087. Dee D. Atkinson, petitioner, *v.* North Carolina. Petitions for writs of certiorari to the Supreme Court of North Carolina denied.

No. 72-5036. Felix A. Chapa, petitioner, *v.* 1020 N. Quincey Street Ltd. et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5037. Randy K. Wilson, petitioner, *v.* Russell E. Lash, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5040. Terry Lee Schafer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5041. Sampson C. Hilliard, petitioner, *v.* California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5042. Anthony George DeFarlo, Jr., and Joseph S. Kingsley, petitioners, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-5043. Frances O. Warriner, petitioner, *v.* Marshall C. Wisheart et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5046. Booker T. Ford, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5048. James Robert Dameron petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5049. Richard H. Ramsdell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5051. Jacob Bethea, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5052. Robert Cox, petitioner, *v.* Donald I. McNamara et al. Petition for writ of certiorari to the Court of Appeals of Oregon denied.



No. 72-5055. Clinton Eugene Collins, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 72-5056. James X. C. Long, petitioner, *v.* Noah L. Alldredge, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5057. Junior Glaten Thacker, petitioner, *v.* A. E. Slayton, Jr., Superintendent, Virginia State Penitentiary, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5060. Sidney Joseph Diggs, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5064. Matthew O. Reilly, petitioner, *v.* Caldwell-Wingate Company, Inc. <sup>ET AL</sup> Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5067. Nolan Delbert Wimberley and Mervin Carlos McKinney, petitioners, *v.* Thomas C. Lynch, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5074. Steve Puco, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5076. Merrill Dean Eskridge, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5078. Marcell Troy, petitioner, *v.* Kansas et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5081. Richard Franklin Griffith G. (Griffith), petitioner, *v.* Government of the Canal Zone. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5083. Edward Bradley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5084. Vivian Shepard Peel et al., petitioners, *v.* Leslie Nichlos et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5086. Eugene Crutch, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **72-5088**. Lester Ray Walker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **72-5093**. Charles Gaines, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **72-5097**. Rowan Gordon Richerson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **72-5098**. Roberto Verduzco-Macias, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-5101**. Edward Serzysko, petitioner, *v.* The Chase Manhattan Bank. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **72-5102**. James Spaulding, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-5105**. Walter David Harkins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **72-5106**. Darroyl Alonzo Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **72-5111**. James Wesley Harrison, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-5115**. James W. Richardson, petitioner, *v.* Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. **72-5124**. Bentley John Fouchey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **72-5129**. Charles Curtis Harris, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **72-5140**. Adrian Vernon Trahan, petitioner, *v.* Hoyt C. Cupp, Superintendent, Oregon State Penitentiary. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. **72-5142**. Oscar A. Bueno, petitioner, *v.* George J. Beto, Director of Texas Department of Corrections. Petition for writ of certi-

orari to the United States Court of Appeals for the Fifth Circuit denied.

**No. 72-5153.** Barry K. Leavitt, petitioner, *v.* Francis Howard, Warden. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

**No. 72-5156.** David Lee Sanders and Carey Allen Hill, petitioners, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

**No. 71-1012.** William S. Neil, Warden, petitioner, *v.* Clarence Phillips. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

**No. 71-1065.** Louie L. Wainwright, Director, Florida Division of Corrections, petitioner, *v.* Eugene V. Ross. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

**No. 71-1148.** S. Lamont Smith, Warden, petitioner, *v.* Jack Henry Smith. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

**No. 71-1324.** Illinois, petitioner, *v.* Robert J. Raymond. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

**No. 71-1579.** Otis L. Brown, etc., et al., petitioners, *v.* Vivian Woolfolk, etc., et al. Motion of respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

**No. 71-1588.** Florida, petitioner, *v.* Eugene Roberson. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of Florida denied.

**No. 71-1626.** Daniel McMann, Warden, petitioner, *v.* Lawrence William Wright. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

**No. 71-1636.** M. J. Elliott, Warden, petitioner, *v.* Lawrence Erskine Taylor. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

**No. 71-1695.** Manufacturers National Bank of Detroit, petitioner, *v.* Ritchie A. Harris. Motion of respondent for leave to proceed

*in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-8. New Jersey, et al., petitioners, *v.* Fleming Woodard. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-17. E. J. LaVallee, Superintendent, Clinton Correctional Facility, petitioner, *v.* Eugene Fitzgerald. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-1279. James Sinclair, petitioner, *v.* Gloria Ella Spatocco, alias Gloria E. Reed et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 71-1306. Catherine T. Pendergraft, petitioner, *v.* Tom D. Cook, Superintendent, Mississippi State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 71-1359. Alex J. Judice and W. R. Merritt, Sr., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 71-1361. George A. Simms, petitioner, *v.* Wyoming. Petition for writ of certiorari to the Supreme Court of Wyoming denied. Mr. Justice Douglas would grant certiorari.

No. 71-1452. Helen Panas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 71-1453. John Wesley Brown, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 71-1469. Camellia Ghassemi et al., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 71-1473. Wilbur Dean et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 71-1491. Two Tracts of Land, John D. Egerton et al., petitioners, *v.* Tennessee Valley Authority. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **71-1501**. Louis A. Ruggirello, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **71-1538**. John Blank, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **71-1573**. Archie Peltzman, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **71-1574**. Mazhar Jalil, petitioner, *v.* Robert E. Hampton, Chairman, United States Civil Service Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **71-1603**. Ella Milnarik et al., petitioners, *v.* M-S Commodities, Inc., and David S. Nelson. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **71-1608**. Pearce Johnson et al., petitioners, *v.* Rogers C. B. Morton et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **71-1614**. Wendel Everett Lowry and Lowry Investments, Inc., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **71-1624**. Moses Lewis, Jr., petitioner, *v.* Strachan Shipping Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth circuit denied. Mr. Justice Douglas would grant certiorari.

No. **71-1646**. National Labor Relations Board, petitioner, *v.* The May Department Stores Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **71-6431**. Ira Nash, Jr., petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Mr. Justice Douglas would grant certiorari.

No. **71-6448**. O'Neal Bastion. petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Mr. Justice Douglas would grant certiorari.

No. **71-6476**. Bruce Kilbourne, petitioner, *v.* Louisiana. Petition

for writ of certiorari to the Supreme Court of Louisiana denied. Mr. Justice Douglas would grant certiorari.

**No. 71-6490.** Earnest McIntyre, Jr., petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied. Mr. Justice Douglas would grant certiorari.

**No. 71-6500.** Edwin James Doherty, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

**No. 71-6508.** Richard Lee Scott, et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

**No. 71-6554.** Larry Gene Miller, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied. Mr. Justice Douglas would grant certiorari.

**No. 71-6566.** L. C. Ware, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

**No. 71-6598.** Caril Ann Fugate, petitioner, *v.* Madolyn Gaffney. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas would grant certiorari.

**No. 71-6617.** Keith Farries et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas would grant certiorari.

**No. 71-6711.** Morris Paul Leal and Morton Ritchie Leal, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

**No. 71-6741.** Charles Kelley and Raymond Imp, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

**No. 71-6760.** Lillian Lasch, petitioner, *v.* Elliot L. Richardson, Secretary of Health, Education and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

**No. 71-6764.** Stephen Luther Evans, petitioner, *v.* R. I. Moseley, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 71-6781. Gil Munoz Leano, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 71-6825. Dan Dykes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-37. Richard Hoff, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-49. Frank Frankel et al., petitioners, *v.* Securities and Exchange Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-60. Martin Erdmann, petitioner, *v.* Harold A. Stevens et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-108. James Ostrowski, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Mr. Justice Douglas would grant certiorari.

No. 72-116. Robert B. Ragland, petitioner, *v.* John A. Volpe, Secretary of Transportation et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5152. Junior Byrd, individually and for the use and benefit of the minor, Ivy Junior Byrd, petitioner, *v.* Lykes Brothers Steamship Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 71-1345. James B. Crismon, petitioner, *v.* United States. Motion to supplement petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 71-1394. The California Highway Commission et al., petitioners, *v.* LaRaza Unida, etc., et al. Motion to dispense with printing the respondent's brief granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-1401. Richard Joyce Smith, Trustee, etc., petitioner, *v.* George P. Baker et al.;

No. 71-1451. Lawrence W. Iannotti, Successor Trustee, etc., petitioner, *v.* George P. Baker et al.; and

No. 71-1539. The New York, New Haven & Hartford Railroad Company First Mortgage 4% Bondholders Committee, petitioner, *v.* George P. Baker et al. Petitions for writs of certiorari to the United

States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari. Mr. Justice Blackmun took no part in the consideration or decision of these petitions.

**No. 71-1429.** Particular Cleaners, Inc., and Frances Entwistle, petitioners, *v.* Commonwealth Edison Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari. Mr. Justice Powell took no part in the consideration or decision of this petition.

**No. 72-6.** Interstate Commerce Commission et al., petitioners, *v.* Burlington Northern, Inc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Douglas would grant certiorari. Mr. Justice Powell took no part in the consideration or decision of this petition.

**No. 71-1471.** John Pensec, petitioner, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

**No. 71-1483.** Harry Maselli, petitioner, *v.* California. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

**No. 71-1525.** Raymond Houle et al., petitioners, *v.* Robert M. Duvall, etc. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Supreme Court of New Hampshire denied.

**No. 71-1620.** Estate of Anna Witkowski, petitioner, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

**No. 71-1666.** J. Robert Huie et al., petitioners, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

**No. 72-22.** Gene Godwin, petitioner, *v.* Federal Land Bank of Houston. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

**No. 72-23.** Gene Godwin, petitioner, *v.* Halbert O. Woodward, Judge, et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

**No. 72-97.** In the Matter of Hampden Valley Construction Co., Inc., petitioner. Motion to dispense with printing petition granted.



Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

**No. 72-130.** Theodore Kennedy Chamberlain, petitioner, *v.* Mary Annette Chamberlain. Motion to dispense with printing petition granted. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

**No. 71-1505.** Reubin O'Donovan Askew et al., petitioners, *v.* Aerojet-General Corporation. Motion to strike petitioners' reply brief and petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

**No. 71-1514.** Sol Berger, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Stewart would grant certiorari.

**No. 71-1522.** David E. Allgood et al., petitioners, *v.* Carlotta Mozelle Brewer et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

**No. 71-1605.** Pan American Match, Inc., petitioner, *v.* Sears, Roebuck and Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

**No. 71-1627.** Brotherhood of Railway, Airline and Steamship Clerks, Freight Handlers, Express and Station Employees, et al., petitioners, *v.* REA Express, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

**No. 71-1628.** Power Authority of the State of New York, petitioner, *v.* Ernest L. Fadel et al. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

**No. 71-1649.** A-T-O, Inc. et al., petitioners, *v.* Sperry Rand Corporation; and

**No. 71-1700.** Sperry Rand Corporation, petitioner, *v.* A-T-O, Inc., et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Powell took no part in the consideration or decision of these petitions.

**No. 71-1658.** Seaboard Coast Line Railroad Company, petitioner, *v.* Raymond L. McDaniel. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 71-1680. Louisville and Nashville Railroad Company et al., petitioners, *v.* A. Battle Rodes, etc., et al.;

No. 72-21. The Metropolitan Government of Nashville and Davidson County, Tennessee, petitioner, *v.* A. Battle Rodes, etc., et al.;

No. 72-24. Koppers Company, Inc., petitioneer, *v.* A. Battle Rodes, etc., et al.; and

No. 72-62. Wilson County Tennessee, petitioner, *v.* A. Battle Rodes, etc., et al. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Powell took no part in the consideration or decision of these petitions.

No. 71-6803. Pedro Lopez Echeverria, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 72-93. The American Oil Company et al., petitioners, *v.* City of Philadelphia et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 71-1546. Joseph Stapleton, Treasurer of the County of Hudson, et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 71-6895. Norman Gradsky, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 72-174. City Council of the City of Chicago et al., petitioners, *v.* William Cousins, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 71-1596. Pennsylvania et al., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 71-1604. Port of Houston Authority of Harris County, Texas, petitioner, *v.* International Organization of Masters, Mates and Pilots, AFL-CIO, et al. Motion of the Republic of Liberia for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1617. Robert A. Schmitz, petitioner, *v.* Societe Internationale Pour Participations Industrielles et Commerciales, S.A., etc. Petition for writ of certiorari to the United States Court of Appeals

for the District of Columbia Circuit denied. Mr. Justice White took no part in the consideration or decision of this petition.

No. **71-1633**. Walter L. Larsen, Jr., petitioner, *v.* Air California. Motion for leave to proceed as a veteran granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **71-1635**. Richard E. Keister, Jr., petitioner, *v.* Robert F. Froehlke, Secretary of the Army, et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **71-1638**. John Nelson et al., petitioners, *v.* James Richard Duncan; and

No. **72-5128**. James Richard Duncan, petitioner, *v.* John Nelson et al. Motion of respondent in No. 71-1638 for leave to proceed *in forma pauperis* granted. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **71-1654**. Chester McKinney, petitioner, *v.* City of Birmingham. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied, it appearing that the judgment below rests upon an adequate state ground.

No. **71-1701**. Alan J. White, petitioner, *v.* Central Charge Service, Inc. Motion for leave to proceed on typewritten papers granted. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. **71-6305**. Steven C. Rettig, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Douglas and Mr. Justice Marshall would grant certiorari and reverse judgment of Supreme Court of Illinois. *Turner v. Louisiana*, 379 U.S. 466 (1965) and *Gonzales v. Beto*, 405 U.S. 1052 (1972). Mr. Justice Blackmun would grant certiorari, vacate judgment and remand case to the Supreme Court of Illinois. *Turner v. Louisiana*, 379 U.S. 466 (1965) and *Gonzales v. Beto*, 405 U.S. 1052 (1972).

No. **71-6415**. Toler Jackson Cherry, petitioner, *v.* C. Murray Henderson. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice White would grant certiorari.

No. **71-6451**. Melvin H. Harris, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied. Mr. Justice Marshall would grant certiorari.

No. 71-6467. James E. Thomas, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied. Mr. Justice Marshall would grant certiorari.

No. 71-6528. James Patrick Morningstar, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Brennan, Mr. Justice Stewart and Mr. Justice Blackmun would grant certiorari, vacate judgment, and remand case to the Court of Appeals for further proceedings in light of the memorandum of the Solicitor General filed June 7, 1972, stating that the pre-jeopardy dismissal of the indictment was appealable not to the Court of Appeals, but directly to this Court. See *United States v. International Minerals & Chemical Corp.*, 402 U.S. 558 (1971) and *United States v. Fabrizio*, 385 U.S. 263 (1966).

No. 71-6536. Earl Guy, petitioner, *v.* United States. Motion to recuse, presented to Mr. Justice Blackmun and Mr. Justice Rehnquist, is by them severally denied. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 71-6767. Floyd E. Washington, petitioner, *v.* Louis Jacobs, Superintendent, St. Elizabeth's Hospital. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. The Chief Justice took no part in the consideration or decision of this petition.

No. 72-19. Peter Weiss et al., petitioners, *v.* City of Chicago. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Douglas would grant certiorari and reverse judgment of the Supreme Court of Illinois. *Coates v. City of Cincinnati*, 402 U.S. 611 (1971).

No. 72-29. Vernon W. Mathews, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas would grant certiorari and reverse judgment of Court of Appeals. *Lemke v. United States*, 346 U.S. 325 (1953).

No. 72-134. Mrs. Billie B. McClure, petitioner, *v.* The Salvation Army. Motion of the National Organization for Women for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied for the reason that the petition was not timely filed.

#### LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 71-6603. Albert R. House, petitioner, *v.* P. G. Smith, Warden; and

No. 72-5054. Rudolph Gibson, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections. Motions for leave to file petitions for writs of habeas corpus denied.

#### LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 71-6564. Fred A. Newell, petitioner, *v.* Luther Bohanon, Judge, U.S. District Court, Western District of Oklahoma;

No. 72-5034. Richard F. Doyle, petitioner, *v.* U.S. District Court, District of Minnesota, et al.; and

No. 72-5035. Stone Stevenison Bey, petitioner, *v.* United States Court of Appeals for the Third Circuit. Motions for leave to file petitions for writs of mandamus denied.

#### LEAVE TO FILE PETITIONS FOR WRITS OF PROHIBITION DENIED

No. 71-1531. Joseph M. Nolan, petitioner, *v.* The Judicial Council of the Third Circuit of the United States et al. Motion for leave to file petition for writ of prohibition and/or mandamus denied. Mr. Justice Brennan took no part in the consideration or decision of this motion.

No. 71-1655. Arthur E. Falkner, petitioner, *v.* The Supreme Court of Florida et al. Motion to dispense with printing petition for writ of prohibition and/or mandamus granted. Motion for leave to file petition for writ of prohibition and/or mandamus denied.

No. 71-6510. Ethel Levy, etc., petitioner, *v.* United States Court of Appeals for the Fifth Circuit et al. Motion for leave to file petition for writ of prohibition and/or mandamus denied.

#### REHEARINGS DENIED

No. 1469, **October Term, 1970.** Homart Development Co., petitioner, *v.* Roger Jon Diamond et al. Motion for leave to file a third petition for rehearing denied. Mr. Justice Blackmun would call for a response pursuant to Rule 58(3).

No. 40, **Original.** Commonwealth of Pennsylvania, plaintiff, *v.* State of New York et al.;

No. 68-5006. Reginald Edison Wright, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections;

No. 68-5013. Anthony Scoleri, petitioner, *v.* Pennsylvania; and

No. 71-5744. Frank Phelan, petitioner, *v.* Joseph R. Brierley, Warden;

No. 68-5022. Lawrence George Kruchten, petitioner, *v.* Frank A. Eyman, Superintendent, Arizona State Prison;

No. 68-5023. Charles C. Smith, petitioner, *v.* Texas;

No. 69-5001. Lyman A. Moore, petitioner, *v.* Illinois;

- No. **69-5026**. Anthony Jose Robles, petitioner, *v.* California;
- No. **69-5043**. Arlice James Huffman, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections;
- No. **70-295**. First National City Bank, petitioner, *v.* Banco Nacional de Cuba;
- No. **70-303**. United States, petitioner, *v.* Jack Korman and Robert W. Likas;
- No. **70-322**. In the Matter of the Imprisonment of William B. Warren, petitioner;
- No. **70-5008**. Roy Earl David, petitioner, *v.* Texas;
- No. **70-5011**. Theo Ray Thames, petitioner, *v.* Texas;
- No. **70-5022**. Cornelius Tea, petitioner, *v.* Texas;
- No. **70-5024**. Karl David J. Farrell, petitioner, *v.* William J. Stovall et al.;
- No. **70-5031**. Calvin Sellars, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections;
- No. **70-5044**. Robert Eddie Louis Jackson, petitioner, *v.* George J. Beto, Director, Texas Department of Corrections;
- No. **70-5064**. Ruth J. Jefferson et al., appellants, *v.* Burton G. Hackney et al.;
- No. **70-5067**. Leopoldo Morales, petitioner, *v.* Texas;
- No. **70-5069**. F. L. McKenzie, petitioner, *v.* Texas;
- No. **71-249**. Thomas Justin Orr, petitioner, *v.* Raymond E. Trinter et al.;
- No. **71-308**. United States, petitioner, *v.* Marian A. Byrum, Executrix under the last will and testament of Milliken C. Byrum;
- No. **71-473**. Martin S. Weg, petitioner, *v.* United States;
- No. **71-506**. United States et al., petitioners, *v.* Midwest Video Corporation;
- No. **71-1111**. Robert Muse, petitioner, *v.* North Carolina;
- No. **71-1147**. Ford Motor Company, petitioner, *v.* Ellipse Corporation;
- No. **71-1164**. Earl L. Watts, petitioner, *v.* Ethel Grady Mylius;
- No. **71-1206**. Robert Bolivar DePugh, petitioner, *v.* United States;
- No. **71-1214**. Sidney Stein, petitioner, *v.* United States;
- No. **71-1227**. Carlo Mastrotataro, petitioner, *v.* United States;
- No. **71-1257**. Clarke Raymond Moore and John Bernard Spelz, petitioners, *v.* United States;
- No. **71-1270**. Mary McKee, petitioner, *v.* United States;

- No. 71-1280. B. Forman Company, Inc., et al., petitioners, *v.* Commissioner of Internal Revenue;
- No. 71-1295. David H. Wenger, petitioner, *v.* United States;
- No. 71-1307. Edward Samuels, petitioner, *v.* United States;
- No. 71-1330. Harry M. Katz, petitioner, *v.* United States;
- No. 71-1379. Earl L. Watts, petitioner, *v.* Winton Teagle et al.;
- No. 71-1383. James A. Pooley, petitioner, *v.* Mississippi;
- No. 71-1457. Monsanto Company, petitioner, *v.* Rohm & Haas Company;
- No. 71-1466. Richard William Gorsalitz, petitioner, *v.* Olin Mathieson Chemical Corporation;
- No. 71-1549. Frederika Blankner, petitioner, *v.* City of Chicago;
- No. 71-5228. Robert Curry, petitioner, *v.* Texas;
- No. 71-5972. Earle Ray Esgate, petitioner, *v.* James L. English, Sheriff;
- No. 71-6025. Hazel Hood, petitioner, *v.* Emma Burnett et al.;
- No. 71-6068. Billy Stanley, petitioner, *v.* Texas;
- No. 71-6158. Henry Foggy, petitioner, *v.* Arizona et al.;
- No. 71-6164. Ethel Levy, petitioner, *v.* United States District Court for the Southern District of Florida et al.;
- No. 71-6183. Samuel Matthews, petitioner, *v.* Texas;
- No. 71-6210. Benjamin Hugh Ansley, petitioner, *v.* Georgia;
- No. 71-6256. Francisco Cepero Alers, appellant, *v.* Superior Court of Puerto Rico, etc.;
- No. 71-6342. Robert William Walton, petitioner, *v.* Virginia;
- No. 71-6344. Guy Michael Quattrucci, petitioner, *v.* United States;
- No. 71-6391. Harlan E. Freeman, petitioner, *v.* United States;
- No. 71-6400. Ruby D. Nash, petitioner, *v.* Amerada Hess Corporation et al.;
- No. 71-6418. Georgs Krikmanis, petitioner, *v.* Kevin H. White, Mayor, et al.;
- No. 71-6443. William E. Clark, petitioner, *v.* Lyndon B. Johnson et al.;
- No. 71-6452. Charles F. Eckert, petitioner, *v.* City of Philadelphia, Pennsylvania, et al.;
- No. 71-6474. Haywood Erwing, Jr., petitioner, *v.* United States;
- No. 71-6519. Max Blauner, petitioner, *v.* United States;
- No. 71-6538. Rodney Huckabay, petitioner, *v.* Charles Woodmansee, Judge, et al.;

No. 71-6573. Joseph P. Gerardi, petitioner, *v.* United States District Court for the Central District of California et al.;

No. 71-6578. Mary Elizabeth Pillis, a minor, and Edward J. Pillis, petitioners, *v.* Governor of Virginia et al.; and

No. 71-6630. Mary Elizabeth Pillis, a minor and Edward J. Pillis, petitioners, *v.* State Board of Elections et al.; and

No. 71-6600. In re Petition of Russell Wayland, petitioner. Petitions for rehearing denied.

No. 68-5008. Gary Lee Miller, petitioner, *v.* Maryland;

No. 69-5013. Frederick Mefford, petitioner, *v.* Warden, Maryland Penitentiary;

No. 70-5046. Frederick Douglas Johnson, petitioner, *v.* Maryland;

No. 70-5062. John W. Cunningham, petitioner, *v.* Warden, Maryland Penitentiary;

No. 70-5326. Theodore R. Arrington, petitioner, *v.* Maryland;

No. 71-5008. Joseph James Bartholomey, petitioner, *v.* Maryland.

No. 71-5192. James Omar Tull, petitioner, *v.* Warden, Maryland Penitentiary;

No. 71-5197. Cornelius Thomas Strong, petitioner, *v.* Maryland; and

No. 71-6137. Ike Gilmore, petitioner, *v.* Maryland;

No. 69-5025. Walter Bernard Kelbach and Myron Daryl Lance, petitioners, *v.* Utah;

No. 71-5689. Edwin Nachbaur, petitioner, *v.* Irving M. Herman, Director, Office of Appeal General Counsel, NLRB;

No. 71-6109. Valentine A. Negron, petitioner, *v.* Paul C. Agnew, Director of Dannemora State Hospital;

No. 71-6120. Susan Jayne Shields, petitioner, *v.* United States;

No. 71-6242. Donald Barnes Bradley, petitioner, *v.* John W. Wingo, Warden;

No. 71-6257. Robert M. Owings, petitioner, *v.* Secretary of the United States Air Force;

No. 71-6341. James E. Diggs, Jr., appellant, *v.* United States; and

No. 71-6480. Daniel Tilli, petitioner, *v.* John M. Davis et al. Motions for leave to file petitions for rehearing denied.

No. 71-183. The Agua Caliente Band of Mission Indians, by and through its Tribal Council, et al., petitioners, *v.* The County of Riverside, California;



No. 71-5428. Robert Edward Lipscomb, petitioner, *v.* United States; and

No. 71-5531. Robert Edward Lipscomb, petitioner, *v.* Warden et al., etc. Motions for leave to file second petitions for rehearing denied.

No. 69-3. A. C. Park, petitioner, *v.* Georgia;

No. 69-5003. William Henry Furman, petitioner, *v.* Georgia;

No. 69-5006. Julious Sullivan, petitioner, *v.* Georgia;

No. 69-5015. Robert Manor, petitioner, *v.* Georgia;

No. 69-5027. George Cummings, petitioner, *v.* Georgia;

No. 69-5030. Lucious Jackson, Jr., petitioner, *v.* Georgia;

No. 69-5032. Willie Arkwright, petitioner, *v.* Georgia;

No. 69-5039. James C. Lee, alias Moses King, Jr., petitioner, *v.* Georgia;

No. 69-5045. James C. Thacker, petitioner, *v.* Georgia;

No. 69-5049. Johnnie B. Williams, petitioner, *v.* Georgia;

No. 70-3. James Henry Walker, petitioner, *v.* Georgia;

No. 70-5065. William Jack Miller, petitioner, *v.* Georgia;

No. 70-5066. Venson Eugene Williams, petitioner, *v.* Lamont Smith, Warden; and

No. 70-5079. Tommie Lee Henderson, petitioner, *v.* Georgia; and

No. 69-5031. Elmer Branch, petitioner, *v.* Texas. Motion of the Committee of State Chief Justices (Retired) for leave to file a brief, as *amicus curiae*, in Nos. 69-5003, 69-5030 and 69-5031 in support of rehearing granted. Petitions for rehearing denied.

No. 70-5039. Margarita Fuentes et al., appellants, *v.* Robert L. Shevin, Attorney General of Florida et al. Motion of the National Consumer Law Center, Inc., for leave to file a brief, as *amicus curiae*, in opposition to the petitions for rehearing denied. Petitions for rehearing denied. Mr. Justice Powell and Mr. Justice Rehnquist took no part in the consideration or decision of these petitions and motion.

No. 70-5138. Paul Parham et al., appellants, *v.* Americo V. Cortese et al. Petition for rehearing denied. Mr. Justice Powell and Mr. Justice Rehnquist took no part in the consideration or decision of this petition.

No. 71-288. Melvin R. Laird, Secretary of Defense, et al., petitioners, *v.* Arlo Tatum et al. Motion to withdraw the opinion of this Court denied. Motion to recuse, *nunc pro tunc*, presented to Mr. Justice Rehnquist, is by him denied. Petition for rehearing denied.

No. 71-315. Deepsouth Packing Co., Inc., petitioner, *v.* The Laitram Corporation. Motion for leave to supplement petition for rehearing granted. Petition for rehearing denied.

No. 71-573. Melvin Laird, Secretary of Defense, et al., petitioners, *v.* Jim Nick Nelms et al. Petition for rehearing denied. Mr. Justice Douglas took no part in the consideration or decision of this petition.

No. 71-1017. Mike Gravel, United States Senator, petitioner, *v.* United States; and

No. 71-1026. United States, petitioner, *v.* Mike Gravel, United States Senator. Motion to recuse, presented to Mr. Justice Rehnquist, is by him denied. Petition for rehearing denied.

No. 71-1169. Mobil Oil Corporation, petitioner, *v.* Carl F. Matzen et al.;

No. 71-1179. Amoco Production Company, petitioner, *v.* Leland C. Waechter et al.;

No. 71-1188. Cities Service Oil Company, petitioner, *v.* Carl F. Matzen et al.; and

No. 71-1326. Federal Power Commission, petitioner, *v.* Mobil Oil Corporation et al. Petitions for rehearing denied. Mr. Justice Stewart and Mr. Justice Powell took no part in the consideration or decision of these petitions.

No. 71-1232. Herman Landerman et al., petitioners, *v.* Commissioner of Internal Revenue. Motion to dispense with printing petition for rehearing granted. Motion for leave to file petition for rehearing denied.

No. 71-1291. Stephen S. Chandler, petitioner, *v.* Frank J. Battisti, Chief Judge, United States District Court for the Northern District of Ohio. Petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 71-1411. Lawrence Lii, petitioner, *v.* Sida of Hawaii, Inc., et al. Motion to dispense with printing petition for rehearing granted. Petition for rehearing denied.

No. 71-1435. The State Department of Health and Rehabilitative Services, et al., appellants, *v.* Antonio Zarate, etc., et al. Petition for rehearing or in the alternative for clarification of lower court opinion denied.

#### ASSIGNMENT ORDER

An order of the Chief Justice designating and assigning Mr. Justice Clark (retired) to perform judicial duties in the United States Court of Appeals for the District of Columbia Circuit beginning December 4, 1972, and ending December 8, 1972, and for such further time as may be required to complete unfinished business, pursuant to 28 U.S.C. § 294(a), is ordered entered on the minutes of this Court, pursuant to 28 U.S.C. § 295.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Andrew Edward Abraham	New York, N.Y.	Michael Robin Juviler.
Geoffrey M. Alprin	Washington, D.C.	Theodore Wieseman.
Robert M. Alton, Jr.	Montgomery, Ala.	James W. Webb.
Byron Yates Appleton	Los Angeles, Calif.	Sol D. Seldin.
Richard E. Aretz	St. Paul, Minn.	Joseph A. Maun.
Douglass B. Auer	Denver, Colo.	E. Michael Canges.
George B. Azar	Montgomery, Ala.	Jack Crenshaw.
Glen S. Bagby	Lexington, Ky.	Arthur B. Rouse, Jr.
Norman Gene Bailey	Great Bend, Kans.	James B. Pearson.
Wayne B. Barfield	Amarillo, Tex.	S. Thomas Morris.
N. Buckner Barkley, Jr.	New Orleans, La.	Charles Kohlmeyer, Jr.
Patrick Louis Baude	Bloomington, Ind.	Ralph F. Fuchs.
Elliot M. Baumgart	Montclair, N.J.	David H. Ben-Asher.
James H. Baumgartner, Jr.	Dallas, Tex.	Henry D. Akin, Jr.
Robert A. Bell	Columbus, Ohio	Clarence Swearingen, Jr.
Kenneth V. Benson	Sheboygan, Wis.	Lucius P. Chase.
John Gilbert Bergmann	Seattle, Wash.	Martin L. Wolf.
Sam Bernsen	Silver Spring, Md.	George H. Owen.
Edwin Ruthvin Bethune, Jr.	Searcy, Ark.	John Albert Fogleman.
Leonard J. Birbrower	New City, N.Y.	Irving Kaufman.
Charles Allen Blackmar	Jefferson City, Mo.	John C. Danforth.
Irving Michael Blank	Richmond, Va.	M. Harris Parker.
William M. Borchard	New York, N.Y.	Sidney A. Diamond.
James Schofield Brannon	Peoria, Ill.	John H. Royster.
Samuel Louis Braunstein	San Antonio, Tex.	Richard A. Francis, Jr.
Louis W. Brenner	St. Paul, Minn.	Joseph A. Maun.
Jason G. Brent	New York, N.Y.	Robert M. Raives.
Ralph Brock	Lubbock, Tex.	A. W. Salyars.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Sidney A. Brockley	Oregon City, Oreg.	Glenn R. Jack.
Roger Dale Brown	Big Spring, Tex.	G. Ben Bancroft.
Sheldon V. Burman	New York, N.Y.	Seymour Landau.
Robert M. Cady	Dallas, Tex.	Charles Tessmer.
Robert Craig Campbell, III	Mobile, Ala.	Charles R. Butler, Jr.
Woodley C. Campbell	Montgomery, Ala.	Edward J. Azar.
Donald H. Canning	Waterloo, Iowa	William Louis Beecher.
Norman D. Causey	Long Beach, Calif.	John E. Carroll.
Robert E. Cesner, Jr.	Columbus, Ohio	William J. Abraham.
Douglas H. Chilton	Texas City, Tex.	Gilbert J. Pena.
Bertrand Edward Christian	El Cerrito, Calif.	Edwin P. Wasinger.
Donald J. Cicet	Reserve, La.	Thomas. J Malik.
Robert Liddell Clark	Sarasota, Fla.	Tobey C. Hockett.
Harold Martin Cole	Tucson, Ariz.	Benjamin Lazarow.
Louis P. Contiguglia	Auburn, N.Y.	John F. Haggerty.
Allen Edward Cook	Andalusia, Ala.	William L. Dickinson.
John Edmund Coons	Berkeley, Calif.	David E. Feller.
Grafton J. Corbett, Jr.	Norwood, Mass.	Robert W. Meserve.
Russell John Anthony Cosgrove.	Santa Barbara, Calif.	Robert George Eckhoff.
Stephen Vern Crain	Kansas City, Mo.	Robert G. Duncan.
Dale Anthony Crawford	Columbus, Ohio	Clarence Swear- ingen, Jr.
Douglas Munro Crockett	Willimantic, Conn.	John Maxey.
Joseph H. Cummins	Los Angeles, Calif.	Francis Breidenbach.
Charles Wesley Daniels	Albuquerque, N. Mex.	Addison Bowman.
Charles Darsie	Durham, N.C.	Norman E. Williams.
Walter Warner Davidson	Little Rock, Ark.	Allan W. Horne.
Mathias J. Diederich	Beverly Hills, Calif.	Louis A. Cappadone.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jerry H. Dolchin	Philadelphia, Pa.	Darryl B. Deaktor.
Thomas E. Donahue, Jr.	Rockville, Md.	Robert S. Poydasheff.
F. Irvin Dymond	New Orleans, La.	Robert S. Link, Jr.
Ben Frank Ellis	Lancaster, Tex.	Henry Wade.
Joseph Farber	Port Jefferson Station, N.Y.	Joseph J. Previte.
Patrick M. Fiandaca III	Clayton, Mo.	Andrew J. Minardi.
Nathan S. Fisher	Baton Rouge, La.	Emmett E. Batson.
Albert Flaxman	Los Angeles, Calif.	Albert A. Horn.
Robert Fletcher	Cleveland, Ohio	Joseph W. Gatz.
Ernest John Flowers	Fort Worth, Tex.	Berkeley Wright, Jr.
George M. Foote	Alexandria, La.	Grove Stafford.
Robert O. Frederick	Winterset, Iowa	Ronald A. Frederick.
William McD. Frederick	Peoria, Ill.	Joseph Z. Sudow.
Phillip Gainsley	Minneapolis, Minn.	Charles A. Mays.
James Brewster Gardner	Shreveport, La.	Val Irion.
Joseph Donald Gelb	Washington, D.C.	James M. O'Neill.
Jack H. Glines	Santa Maria, Calif.	H. Clarke Gaines.
Alan J. Goldberg	Fort Lauderdale, Fla.	Henry J. Fox.
Glenn D. Goldberg	Livingston, N.J.	Walter E. Monaghan.
Steven Gene Goldfarb	Chicago, Ill.	Daniel J. Boyer.
Donald Scott Goodner	Waldron, Ark.	Bradley D. Jesson.
W. Gary Goodson	Belmont, Mass.	Homer O. Blair.
James O. Goodwin	Oregon City, Oreg.	Glenn R. Jack.
Levi H. Goossen	Newton, Kans.	James B. Pearson.
Wesley B. Grant	Concord, N.C.	Thomas K. Spence.
Samuel Louis Green	Buffalo, N.Y.	F. Lambert Haley.
John Phillip Griffin	Tampa, Fla.	Morison Buck.
Julian D. Halliburton	Atlanta, Ga.	Asa W. Candler.
E. L. Hamby	Big Spring, Tex.	G. Ben Bancroft.
Roscoe J. Hamby	Nashville, Tenn.	Robert E. Lillard.
N. Shelton Hand, Jr.	Clinton, Miss.	H. Talbot Odom.
Bernard Joseph Harig	Washington, D.C.	Patrick J. Attridge.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Douglas Bruce Harper	Cincinnati, Ohio	Robert W. Blackmore.
George Mortimer Harrison	Dothan, Ala.	William L. Dickinson.
Harlan Heilman	Yuma, Ariz.	Ralph F. Brandt.
James Patrick Hickey	Dayton, Ohio	Alan A. Biegel.
Paul Hirsch	Indianapolis, Ind.	Robert J. Fink.
John Francis Holden	Newton, Mass.	Louis Weiner.
Robert James Holland	Upper Arlington, Ohio	William B. Saxbe.
Paul H. Holmes	Hattiesburg, Miss.	Dorrance Aultman
James Gorman Houston, Jr.	Eufaula, Ala.	William L. Dickinson.
Daniel W. Howard	Milwaukee, Wis.	Russell A. Eisenberg.
Samuel Augustus Howard	Raleigh, N.C.	William T. Joyner.
Robert M. Hughes III	Norfolk, Va.	James M. Estabrook.
Byron Stacy Huie, Jr.	Sarasota, Fla.	John W. Ahern.
William Frederick Hulse	Charlotte, N.C.	P. Bowers Beachum, Jr.
Charles Michael Hunt	Dallas, Tex.	Gordon R. Carpenter.
Alan R. Jack	Oregon City, Oreg.	Glenn R. Jack.
Jerome Jaspers	Shakopee, Minn.	Richard G. Hunegs.
Daniel Webster Johnson	Columbus, Ohio	Clarence Swearingen, Jr.
Foster, V. Jones, Jr.	Louisville, Ky.	Thomas C. Carroll.
Robert L. Jones III	Fort Smith, Ark.	E. C. Gilbreath.
Martin Z. N. Katz	Los Angeles, Calif.	Joel Strote.
Francis Anthony Keating II	Tulsa, Okla.	Vincent Craig Blackstock.
Charles James Kelley	Denver, Colo.	Hubert Fletcher Thomas, Jr.
Donald G. Kempf, Jr.	Chicago, Ill.	Hammond E. Chaffetz.
Robert G. Kempton	Phoenix, Ariz.	Dale R. Shumway
Edward G. Ketchen, Jr.	Knoxville, Tenn.	McAfee Lee.
Patrick John Kightlinger	Los Angeles, Calif.	Patrick E. Hughes.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard M. Klein	Milwaukee, Wis.	Steven H. Steinglass.
Lawrence W. Klute	Washington, D.C.	J. Edward Hutchinson.
F. Kristen Koepcke	Milwaukee, Wis.	William A. Denny
John Henry Kraus	San Francisco, Calif.	Raoul Szabo.
Robert Edwin Kronemyer	La Jolla, Calif.	John M. Cranston.
Norman G. Kuch	Los Angeles, Calif.	James D. McKinney, Jr.
Jerome Edward LaBarre	Portland, Oreg.	Wayne Morse.
Edward N. Lange	Seattle, Wash.	Payton Smith.
Lois L. Lanker (Miss)	Columbus, Ohio	Miss Mary Jo Cusack.
Andrew J. Lannie	Houston, Tex.	Marvin Peterson.
F. Dean Lawson	Madison, Wis.	Glen H. Bell.
Barry Clayton Leavell	Montgomery, Ala.	James W. Webb.
Alto Velo Lee III	Dothan, Ala.	William L. Dickinson.
Martin Gregory Lentz	Cleveland, Ohio	Robert R. Disbro.
Mortimer G. Levine	Great Neck, N.Y.	Chris Pappas.
Irving D. Lipkowitz	New York, N.Y.	James B. Lewis.
David B. Lloyd	San Diego, Calif.	Seymour J. Rose.
Thomas F. Londrigan	Springfield, Ill.	Robert Weiner.
Robert B. Lopez	Los Angeles, Calif.	Harold C. Morton.
James Irving Lotstein	Hartford, Conn.	Peter B. Sullivan.
David Eugene Lovejoy	San Francisco, Calif.	Thomas O. Herbert.
Charles E. Lugenbuhl	New Orleans, La.	George B. Matthews.
George Sanfrid Lundin	Seattle, Wash.	Mrs. Joan E. Hansen.
Michael Reves Lusignan	Arlington, Va.	Frederick Earl McKelvey.
Patrick Lynch	Los Angeles, Calif.	Homer I. Mitchell.
Lauch M. Magruder, Jr.	Jackson, Miss.	J. Kearney Dossett.
Wayne Douglas Mancuso	New Orleans, La.	Judge Louis G. DeSonier, Jr.
Claude V. Marcus	Boise, Idaho	Paul S. Boyd.
Lewis H. Mathis	Little Rock, Ark.	Herschel H. Friday, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert K. McCalla	New Orleans, La.	Frank C. Allen,
John A. McClintock	Des Moines, Iowa	Paul Fred Ahlers.
Ward Glen McConnell	Los Angeles, Calif.	David Martin Schacter.
Herbert B. Mars	Bowie, Md.	Robert C. Macomber.
Robert G. McCreary, Jr.	Cleveland, Ohio	Thomas V. Koykka.
Kelly Dwight McGehee	Dallas, Tex.	J. Harvey Lewis.
Robert C. McGuire	Dallas, Tex.	Edward S. Koppman.
H. Arthur McLane	Valdosta, Ga.	A. Felton Jenkins, Jr.
Patricia D. McMahan	Milwaukee, Wis.	Steven H. Stein- glass.
Leland M. McNabb	Memphis, Tenn.	James H. Allen.
Thomas Meehan	Tucson, Ariz.	Benjamin Lazarow.
Kenneth Charles Meeker	Danville, Ill.	Thomas F. Railsback.
Al Jules Mendoza	Marrero, La.	Wilson M. Mon- tero, Jr.
Mobley M. Milam	San Diego, Calif.	Richard S. Hen- derson.
J. Bruce Miller	Louisville, Ky.	Wilson W. Wyatt.
Burley Bayard Mitchell, Jr.	Raleigh, N.C.	Robert Burren Morgan.
B. John Mix, Jr.	Chicago, Ill.	Hyman Abrams.
Michael J. Molony, Jr.	New Orleans, La.	Frank C. Allen, Jr.
S. Clark Moore	Los Angeles, Calif.	Norman H. Sokolow.
Thomas Franklin Moore, Jr.	Charlotte, N.C.	P. B. Beachum, Jr.
Frank W. Morgan	New York, N.Y.	Frederick L. Scofield.
Warren E. Mouledoux	New Orleans, La.	William J. Guste, Jr.
Joseph Doble Mullender, Jr.	Long Beach, Calif.	Joseph A. Ball.
Raymond Joseph Munna	New Orleans, La.	Eugene Albert Theroux.
John S. Murtha	Hartford, Conn.	Buist M. Anderson.
John Phillip Mustachio	Houston, Tex.	Charles M. Coussons, Jr.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Timothy Lee Nelson	Newark, N.J.	Lee H. Henkel, Jr.
Raymond Douglas Noah	Richardson, Tex.	Roland Boyd.
Lewis H. Nomura	Seattle, Wash.	Herbert J. Green.
Thomas Robert O'Boyle	Fairfax, Va.	Merlin H. Staring.
James D. O'Connell	Highland Park, Mich.	Frank Capizzo.
Bryant O'Donnell	Denver, Colo.	Hubert Fletcher Thomas, Jr.
Wayne H. Olson	St. Paul, Minn.	George C. Mastor.
Harold H. Pahlas	Elkader, Iowa	John C. Culver.
Stephen T. Parisi	Cleveland, Ohio	Daniel J. O'Loughlin.
Edwin Wiley Parker II	Chattanooga, Tenn.	K. Norman Diamond.
Earle Arthur Partington	San Francisco, Calif.	James F. Hewitt.
John S. Pennell	Chicago, Ill.	Richard S. Oldberg.
Richard Ardon Peterson	Lincoln, Nebr.	Duane W. Acklie.
Robert W. Peterson	Santa Clara, Calif.	George J. Alexander.
Thomas Wade Phillips	Oneida, Tenn.	Kenneth J. Hodson
Jose H. Pico	San Juan, Puerto Rico	Fernando Ruiz- Suria.
Edward Charles Pinkus	Cambridge, Mass.	Henry P. Monaghan.
Walter William Pitsenberger	Washington, D.C.	James M. O'Neill.
William H. Pohlmann	New York, N.Y.	Stanley D. Schuval.
Lucien C. Proby, Jr.	Miami, Fla.	Lawton Chiles.
Robert L. Redfearn	New Orleans, La.	Eberhard P. Deutsch.
Daniel Martin Redmond	Washington, D.C.	Charles J. McKerns.
Ronald Joseph Resmini	Providence, R.I.	Gus J. Wells.
Cecil E. Ricks, Jr.	Fullerton, Calif.	James K. Batchelor.
Ronald A. Riley	Des Moines, Iowa	Lawrence F. Scalise.
Theodore C. Robinson	Chicago, Ill.	Lucian Y. Ray.
Mortimer A. Rosecan	St. Louis, Mo.	Lon Hocker.
David E. Rosenfeld	Terre Haute, Ind.	D. Joe Gabbert.
Irene Gordon Rosenthal	Los Angeles, Calif.	Leon S. Paule.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Frederick A. Ross, Jr.	Jackson, Miss.	Stephen L. Beach III.
John J. Runzer	Philadelphia, Pa.	Peter Hearn.
Melvin Salberg	New York, N.Y.	Richard Lieb.
Gus August Schill, Jr.	Houston, Tex.	Edward D. Vickery.
Raymond W. Schmelzer	Cleveland, Ohio	Constantine D. Lambros.
Thomas H. Schwarze	Detroit, Mich.	Orva Lee Boothby.
Edmund J. Sease	Cincinnati, Ohio	Frederick H. Braun.
Mortimer A. Shapiro	New York, N.Y.	Norman S. Nemser.
Stephen L. Siciliano	Cleveland, Ohio	John C. Martin.
Owen Alexander Silverman	Torrance, Calif.	Jerry Silverman.
Richard I. Sindell	Seattle, Wash.	Joan E. Hansen.
Clyde Allen Smith	Montgomery, Ala.	William L. Dick- inson.
Richard Franklin Smith	Alexandria, Va.	Roy S. Mitchell.
Terrance L. Smith	Hammond, Ind.	Timothy P. Gal- vin, Sr.
Henry B. Smythe	Charleston, S.C.	Thomas H. Pope.
Howard Townsend Snyder	St. Louis, Mo.	Frank Douglas Hereford.
Joseph H. Soble	Tucson, Ariz.	Benjamin Lazarow.
Robert W. Spangler	Columbia, Md.	Leonard A. Salters.
Robert Arnold Spears	Midland, Tex.	Kenneth W. Nordeman.
Clifford Mohr Spingler	St. Louis, Mo.	Frank Douglas Hereford.
Donald R. Stemmer	Philadelphia, Pa.	Albert Momjian.
Edward A. Stern	Miami, Fla.	Lawton, Chiles.
Eugene B. Strassburger, III	Pittsburgh, Pa.	Charles F. McKenna.
Charles W. Sullivan	New York, N.Y.	William E. Willis.
J. Howard Sundermann, Jr.	Cincinnati, Ohio	Kenneth J. Schneider.
Gloria Tanner Svanas	Odessa, Tex.	W. O. Shafer.
Reginald Keith Templeton, Jr.	Richmond, Va.	Lawrence G. Bohlen.
David K. Tharp	Miami, Fla.	Laurence A. Schroeder.
Elmer H. Theis	Houston, Tex.	L. Glen Kratochvil.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Owen Todd	Boston, Mass.	Blair L. Perry.
Richard A. Tonry	Chalmette, La.	Richard H. Gauthier.
Alvin S. Transeau	Ellendale, Del.	Hugh D. Campbell.
Marvin Traxler	Youngstown, Ohio	Harry S. Wender.
Eddie Howard Tucker	Jackson, Miss.	Jack Harvey Young, Sr.
James Henry Turner	St. Petersburg, Fla.	Earl R. Stanley.
Douglas L. Tynes	Clarksdale, Miss.	Joe A. Cannon.
Stanley C. Urbigkeit	Oregon City, Oreg.	Glenn R. Jack.
George Peter Vlassis	Phoenix, Ariz.	Richard Schifter.
William J. Walsh, Jr.	Seattle, Wash.	Lowell P. Mickelwait.
David Joel Walvoord	Peoria, Ill.	Joseph Z. Sudow.
Joseph Warner III	Albuquerque, N. Mex.	Claud S. Mann.
A. Dean Weatherford	Dothan, Ala.	William L. Dickinson.
Charles Elmer Webb	Fort Worth, Tex.	Charles Joseph Murray.
Edward Lee Weidenfeld	New York, N. Y.	John A. Carver, Jr.
Durell Whiddon	Headland, Ala.	William L. Dickinson.
Burton Victor Wides	Washington, D.C.	Philip A. Hart.
Robert N. Wilentz	Perth Amboy, N.J.	Matthias D. Dileo.
John B. Will	Omaha, Nebr.	F. Vinson Roach.
Lynn E. Williams	Baton Rouge, La.	Emmett E. Batson.
R. R. Williamson, Jr.	Oklahoma City, Okla.	Larry Derryberry.
Thomas Denver Windsor	Charlotte, N.C.	P. Bowers Beachum, Jr.
R. Dean Wolfe	Kansas City, Mo.	R. Eugene McGannon.
Carl Thompson Wolfrom	Columbus, Ohio	Thomas A. Bustin.
Johnson H. Wong	Honolulu, Hawaii	Nobuki Kamida.
Shelby Yastrow	Waukegan, Ill.	Henry D. Fisher.
Donald F. Yokaitis	Pasadena, Calif.	Willard J. Stone.
Paul Young	Fort Lauderdale, Fla.	Henry J. Fox.
Vincent Edward Young	Columbus, Ohio	Paul T. Santilli.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas Eugene Kauper	Ann Arbor, Mich.	Solicitor General Erwin N. Griswold.
R. Jeff Donaldson	Jasper, Ala.	Tom Bevill.
Joseph John Bonar Ryan	Washington, D.C.	Charles Allen Hobbs.
Morris Topf	Hyattsville, Md.	Robert A. Harris.
Angelo Armand DeCarlo	Frederick, Md	Frank Gay Gantz Conley.

## ORAL ARGUMENT

No. 71-36. California et al., appellants, *v.* Robert LaRue et al. Argued by Mr. L. Stephen Porter for the appellants and by Mr. Harrison W. Hertzberg and Mr. Kenneth Philip Scholtz for the appellees.

No. 71-651. California, petitioner, *v.* Judith Krivda and Roger T. Minor. Argued by Mr. Russell Iungerich for the petitioner and by Mr. Roger S. Hanson for the respondents.

No. 71-732. Merle R. Schneekloth, Superintendent, California Conservation Center, petitioner, *v.* Robert Clyde Bustamonte. Argued by Mr. Robert R. Granucci for the petitioner and by Mr. Stuart P. Tobisman for the respondent, *pro hac vice*, by special leave of Court.

No. 71-827. Hughes Tool Company et al., petitioners, *v.* Trans World Airlines, Inc.; and

No. 71-830. Trans World Airlines, Inc., petitioner, *v.* Hughes Tool Company et al. Argued by Mr. Charles Alan Wright for Hughes Tool Company et al. and by Mr. Dudley B. Tenney for Trans World Airlines, Inc.

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Adjourned until tomorrow at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Stell Huie	Atlanta, Ga.	David H. Gambrell.
G. Conley Ingram	Marietta, Ga.	David H. Gambrell.
Rafael Pieras Lombardero	San Juan, Puerto Rico.	William S. Tennant.

## ORAL ARGUMENT

No. **70-18**. Jane Roe et al, appellants, *v.* Henry Wade, Reargued by Mrs. Sarah R. Weddington for the appellants and by Mr. Robert C. Flowers for the appellee.

No. **70-40**. Mary Doe et al., appellants, *v.* Arthur K. Bolton, as Attorney General of the State of Georgia, et al. Reargued by Mrs. Margie Pitts Hames for the appellants and by Mrs. Dorothy T. Beasley for the appellees.

No. **71-224**. Harold R. Swenson, Warden, petitioner, *v.* James William Stidham. Argued by Mr. Kenneth M. Romines for the petitioner and by Mr. Mark M. Hennelly for the respondent.

No. **71-366**. Tidewater Oil Company, petitioner, *v.* United States and Phillips Petroleum Company. Argued by Mr. Moses Lasky for the petitioner and by Mr. A. Raymond Randolph Jr., for the respondents, *pro hac vice*, by special leave of Court.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles L. Huddleston, Jr.	Portsmouth, Ohio	William H. Harsha, Jr.
John Mackin Finn	Washington, D.C.	Silvio O. Conte.
William Alfred Hillhouse, II	Denver, Colo.	Newman T. Halvorson, Jr.

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The Chief Justice said :

“Mr. Justice Marshall will not be present today but will participate in the cases to be argued on the basis of the entire record, briefs, and the tape recording of the oral arguments.”

### ORAL ARGUMENT

**No. 71-507.** Wilfred Keyes et al., petitioners, *v.* School District No. 1, Denver, Colorado, et al. One and one half hours allowed for oral argument. Argued by Mr. James M. Nabrit, III, and Mr. Gordon C. Greiner for the petitioners and by Mr. William K. Ris for the respondents.

**No. 71-1332.** San Antonio Independent School District et al., appellants, *v.* Demetrio P. Rodriguez et al. Argued by Mr. Charles Alan Wright for the appellants and by Mr. Arthur Gochman for the appellees.

**No. 71-895.** National Labor Relations Board, petitioner, *v.* International Van Lines. Argued by Mr. Peter G. Nash for the petitioner and by Mr. Norman H. Kirshman for the respondent.

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Adjourned until Monday, October 16, 1972, at 10 o'clock

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

### APPEALS—SUMMARY DISPOSITION

**No. 71-1408.** Aero Mayflower Transit Company, Inc., et al., appellants, *v.* United States et al. Appeal from the United States District Court for the Southern District of Indiana; and

**No. 71-1419.** John A. Hutter et ux., appellants, *v.* Bernard J. Korzen, etc. Appeal from the Supreme Court of Illinois. Motion for leave to supplement jurisdictional statement in No. 71-1408 granted. The appeals are dismissed for failure to docket cases within the time prescribed by Rule 13(1) of the Rules of this Court. Dissenting opinion by Mr. Justice Douglas.

**No. 71-1447.** Rita C. Davidson, Secretary, Maryland Department of Employment and Social Services, et al., appellants, *v.* Robert Francis, etc., et al. Appeal from the United States District Court for the District of Maryland. Motion of appellees for leave to proceed *in forma pauperis* granted. Judgment affirmed.

**No. 71-1547.** C & H Transportation Co., Inc., et al., appellants, *v.* Interstate Commerce Commission; and

**No. 72-149.** United States, Appellant, *v.* Interstate Commerce Commission (International Transport, Inc., case). Appeals from the United States District Court for the Western District of Missouri. Judgment affirmed.

**No. 71-6774.** Robert H. Simpson, appellant, *v.* Guy R. Oates et al. Appeal from the United States District Court for the Eastern District of California. Judgment affirmed.

**No. 71-1554.** United States Chamber of Commerce, appellant, *v.* Robert Francis etc., et al. Appeal from the United States District Court for the District of Maryland. Motion of appellee Wright for leave to proceed *in forma pauperis* granted. Motion for consolidation with No. 71-1447 and for other relief denied. The appeal is dismissed for want of jurisdiction.

**No. 71-6740.** Shirley J. Lloyd et al., appellants, *v.* Third Judicial District Court in and for Salt Lake County, Utah. Appeal from the

Supreme Court of Utah. The appeal is dismissed it appearing that the judgment below rests upon an adequate state ground.

No. 72-25. American Yearbook Company, Inc., appellant, *v.* Reuben O'D. Askew et al. Appeal from the United States District Court for the Middle District of Florida. Judgment affirmed. Mr. Justice Brennan and Mr. Justice White would note probable jurisdiction and set case for oral argument. Mr. Justice Blackmun took no part in the consideration or decision of this case.

No. 72-150. United States, appellant, *v.* Interstate Commerce Commission (Ace Doran Hauling Co. case). Appeal from the United States District Court for the Western District of Pennsylvania. Judgment affirmed. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

No. 72-189. Robert Kiskey, etc., appellant, *v.* The City of Falls Church, etc., et al. Appeal from the Supreme Court of Virginia. The appeal is dismissed for want of a substantial federal question.

No. 72-5252. Carolyn G. Howard, appellant, *v.* Donald L. Allen. Appeal from the Supreme Court of Ohio. The appeal is dismissed for want of a substantial federal question.

No. 72-5161. Dominick Saffioti, appellant, *v.* United States Government. Appeal from the United States Court of Appeals for the Second Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-5294. Johnson Hill and Dwight Springs, appellants, *v.* Illinois. Appeal from the Supreme Court of Illinois. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

#### CERTIORARI—SUMMARY DISPOSITION

No. 72-5026. William Noel Gaglie, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of the position presently asserted by the Government.

#### ORDERS IN PENDING CASES

No. A-349. Samuel C. Stone et al., applicants, *v.* Maine. The application for bail presented to Mr. Justice Douglas, and by him referred to the Court is denied.

No. A-360. Arnold Markle et al., applicants, *v.* Janice Abele et al. The application for stay presented to the Chief Justice, and by him



referred to the Court, is granted. Mr. Justice Douglas would deny the application.

**No. A-377.** Board of Education of Memphis City Schools et al., applicants, *v.* Deborah A. Northcross et al. The application for stay presented to Mr. Justice Stewart, and by him referred to the Court, is denied.

**No. A-393.** John B. Slobodian, applicant, *v.* New Jersey. The application for bail presented to Mr. Justice Brennan, and by him referred to the Court, is denied.

**No. 9, Original.** United States of America, plaintiff, *v.* State of Louisiana et al. The motion of the State of Louisiana for entry of a supplemental decree as to the United States (No. 4) is granted. The motion of the United States for leave to file an account of funds released from impoundment pursuant to the supplemental decree (No. 3) of December 20, 1971, is granted. Mr. Justice Marshall took no part in the consideration or decision of these motions.

**No. 58, Original.** The American Party et al., plaintiffs, *v.* State of New York et al. The motion for a temporary restraining order is denied.

**No. 70-2.** United States, appellant, *v.* 12 200-ft. Reels of Super 8mm. Film, et al. The motion of the First Amendment Lawyers' Association for leave to file an untimely brief, as *amicus curiae* in support of the appellant is granted. The motion of Joel Hirschhorn for leave to participate in oral argument, as *amicus curiae*, in support of appellant is denied.

**No. 70-40.** Mary Doe et al., appellants, *v.* Arthur K. Bolton, as Attorney General of the State of Georgia, et al. The motion of appellants for leave to present late authorities is granted.

**No. 71-653.** Thomas S. Gibson et al., appellants, *v.* L. M. Berryhill et al. The motion to dispense with printing the appendix is granted.

**No. 71-718.** Paul D. McGinnis, Commissioner of Correction, State of New York, et al., appellants, *v.* James Royster et al. The motion to permit G. Jeffrey Sorge, Esquire, to argue, *pro hac vice*, in place of James J. McDonough for appellees is granted.

**No. 71-1134.** Harry Roaden, petitioner, *v.* Kentucky. The motion of Charles H. Keating, Jr., for leave to file a brief, as *amicus curiae*, is granted. The motion of the First Amendment Lawyers' Association for leave to file an untimely brief, as *amicus curiae*, in support of petitioner is denied. The motion of Joel Hirschhorn for leave to participate in oral argument, as *amicus curiae*, in support of petitioner is denied.

**No. 71-1136.** Murray Tillman et al., petitioners, *v.* Wheaton-Haven Recreation Association, Inc., et al. The motion of respondent

McIntyre for additional counsel to participate in oral argument is granted, but the motion for additional time for oral argument is denied.

No. 71-1192. Donald Goldstein, Ruth Koven and Donald Koven, petitioners, *v.* California. The motion of American Federation of Musicians et al. for leave to file a brief, as *amici curiae*, is granted. The motion of Recording Industry Association of America, Inc., for leave to file a brief, as *amicus curiae*, is granted.

No. 71-1315. Howard Alexander et al., petitioners, *v.* Virginia. The motion of The First Amendment Lawyers' Association for leave to file an untimely brief, as *amicus curiae*, in support of petitioners is granted. The motion of Joel Hirschhorn for leave to participate in oral argument, as *amicus curiae*, in support of petitioners is denied.

No. 72-492. Zali Fried, petitioner, *v.* United States. The application for continuance of bail and stay of mandate presented to Mr. Justice Marshall, and by him referred to the Court, is denied.

No. 72-549. School Board of the City of Richmond, Virginia, et al., petitioners, *v.* State Board of Education of the Commonwealth of Virginia et al. The motion to advance and for *pendente lite* relief is denied.

No. 72-5038. Elizabeth Chavez et al., petitioners, *v.* Freshpick Foods, Inc., et al. The Solicitor General is invited to file a brief expressing the views of the United States.

#### APPEALS—JURISDICTION NOTED

No. 71-1523. Richard W. Hunt, appellant, *v.* Robert E. McNair, Governor of South Carolina, et al. Appeal from the Supreme Court of South Carolina. In this case probable jurisdiction is noted.

No. 72-75. Georgia et al., appellants, *v.* United States. Appeal from the United States District Court for the Northern District of Georgia. In this case probable jurisdiction noted.

No. 71-1583. Edmund G. Brown, Jr., Secretary of State of California, appellant, *v.* Raymond G. Chote. Motion of appellee for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted.

#### CERTIORARI GRANTED

No. 71-1005. Michigan, petitioner, *v.* Leroy Payne. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of Michigan granted.

No. 71-1585. United States, petitioner, *v.* Richard Russell. Motion of respondent for leave to proceed *in forma pauperis* granted. Peti-

Appeal from the United States District Court for the Northern District of California.

tion for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 72-95. Lewis S. Tollett, Warden, petitioner, *v.* Willie Lee Henderson. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

No. 71-6732. James Chaffin, petitioner, *v.* LeRoy Stynchcombe, Sheriff of Fulton County. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

#### CERTIORARI DENIED

No. 71-1566. John W. Blasecki, Jr., et al., petitioners, *v.* City of Durham, North Carolina, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 71-1572. Joanne Carroll Bowling et al., petitioners, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 71-1618. William "Bill" Otto, petitioner, *v.* Samuel Kosofsky and Robert A. Stith. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 71-1705. Joseph Bombacino, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 71-5601. William E. Sweeney, petitioner, *v.* The County of Monroe and New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 71-6185. George Riley Mallard, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 71-6298. Joel Gabrielson, petitioner, *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 71-6326. Eugene Blake, petitioner, *v.* Ira M. Coiner, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 71-6517. Dan E. Dotson, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 71-6644. Douglas R. Vanderburgh, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 71-6724. Alto J. Patterson, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **71-6734**. Richard Earl Boone and Robert Lee Young, petitioners, *v. California*. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. **71-6739**. Harold David Evans, petitioner, *v. Arkansas*. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **71-6765**. John Fincher, petitioner, *v. Virginia*. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. **71-6768**. Charles Edward Davis, petitioner, *v. Superior Court of Los Angeles County*. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **71-6839**. Steve Gomori, Jr., petitioner, *v. Ohio*. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **71-6856**. Carl George Smith, Jr., petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **71-6872**. Roland Lovingood, petitioner, *v. Fred Ross, Superintendent, Caledonia Prison Farm*. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **71-6898**. Harold Thomas Smith, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **71-6908**. William Holiday, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **71-6909**. Wayne E. Pickerell, petitioner, *v. California*. Petition for writ of certiorari to the Supreme Court of California denied.

No. **71-6923**. Fred C. Ronstadt, petitioner, *v. California*. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **71-6925**. Gary Handley and William Slater, petitioners, *v. Illinois*. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **72-40**. Robert Gonzales, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-54**. Plaquemine Equipment & Machine Company and the Travelers Insurance Company, petitioners, *v. Raymond E. Neuman, Deputy Commissioner, U.S. Department of Labor*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-74. George E. Barrett et al., petitioners, *v.* Robert Kunzig et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-82. Michael Anthony Tomeo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-118. Fred J. Kropke, petitioner, *v.* United States;

No. 72-119. Joseph B. Stapleton, petitioner, *v.* United States;

No. 72-120. Philipp W. Kunz, petitioner, *v.* United States;

No. 72-121. Bernard Murphy, petitioner, *v.* United States; and

No. 72-128. William A. Sternkopf, Jr., petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-131. M. Perry Grant and Service Securities, Inc., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-141. Harry Greenseid, et al., petitioners, *v.* Richard E. Stewart, etc. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 72-142. John J. Ruisi and Dorothy C. Korn, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-152. William R. Ming, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-153. George H. Gness, etc., et al., petitioners, *v.* Jeffrey A. Young, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 72-156. Juan Pompa Zarate, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-168. Fred Parker Anderson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-183. Gary Crawford, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-186. Andrew Munchak, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-188. Pete Martinez-Villanueva and George Thomas Callahan, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-194. Landis Tool Company, Division of Litton Industries, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-197. John Edward Womack, et al., petitioners, *v.* Edna B. Fair, et al. Petition for writ of certiorari to the Supreme Court of Tennessee, Eastern Division, denied.

No. 72-199. Dominick Romano, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-206. Colquitt County Board of Education et al., petitioners, *v.* Wilma Joyce Harrington, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-209. Peter J. Vlahakis, petitioner, *v.* Abraham W. Schostak, et al. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 72-211. Lewron Television, Inc., petitioner, *v.* United Network, Inc., etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5022. Clarence Frederick Wright, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5033. George Bullard, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5047. John B. Sanders, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5062. Mrs. Walter J. Hurd, petitioner, *v.* Warren E. Slaughter et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5071. Arnold Von Perry, petitioner, *v.* Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5077. Robert Smith, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 72-5085. Torrance C. Jackson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 72-5091. Edward Bennett, petitioner, *v.* Alfred T. Rundle, Warden et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5094. William Hobart Dobbs, petitioner, *v.* Park J. Anderson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5096. Fortunato Paturso, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5103. David W. Wion, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5104. David W. Wion, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5108. Stephen Michael Brudney, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5109. Claude M. Hill, petitioner, *v.* Claude J. Gauvin and James Matz. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5112. Billie Austin X. Bryant, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-5113. Benedict Daniel Enoch, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5114. Jesus Oscar Trevino, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5121. Robert L. Donovan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5122. Frank Martin Wilke, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5123. Clay Davis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5127. Joseph Michael Lacaze and Douglas Arceneaux, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5130. Herman Salazar, petitioner, *v.* New Mexico. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

**No. 72-5131.** James B. Lewis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

**No. 71-1386.** Ohio AFL-CIO, the United Autoworkers of Ohio, et al., petitioners, *v.* The Insurance Rating Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Dissenting opinion by Mr. Justice Douglas.

**No. 71-1532.** James Chongris et al., petitioners, *v.* Hugh A. Corrigan et al. Petition for writ of certiorari to the Supreme Court of Ohio denied. Dissenting opinion by Mr. Justice Douglas.

**No. 71-1537.** Nebraska State Board of Education et al., petitioners, *v.* School District of Hartington, etc. Petition for writ of certiorari to the Supreme Court of Nebraska denied. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Marshall concurs. Statement by Mr. Justice Brennan.

**No. 71-1582.** Ryland S. Felts, petitioner, *v.* Seaboard Coast Line Railroad Company; and

**No. 72-163.** Ray Leonard Adkins, petitioner. *v.* Kelly's Creek Railroad Company. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Dissenting opinion by Mr. Justice Douglas. Mr. Justice Powell took no part in the consideration or decision in No. 71-1582.

**No. 71-1602.** Walter E. Craven, Warden, petitioner, *v.* Richard L. Carmical. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

**No. 72-368.** Peter Bensinger, etc., and John J. Twomey, Warden, petitioners. *v.* Ronald Doss. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

**No. 71-1652.** Irving Sarnoff et al., petitioners, *v.* George P. Shultz, Secretary of the Treasury, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan concurs.

**No. 71-1656.** Joel Achtenberg, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Dissenting opinion by Mr. Justice Douglas.

**No. 71-1690.** Marlene K. Kresse et al., petitioners, *v.* Earl L. Butz, Secretary of Agriculture of the United States; and

**No. 71-1691.** William J. Rasmussen dba Sarival Guernsey Farms, petitioner, *v.* Earl Butz, Secretary of Agriculture of the United



States. Motion for leave to amend petition in No. 71-1691 granted. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

**No. 71-6512.** Peter Michael Marcovich, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

**No. 71-6544.** James M. Wallace, petitioner, *v.* John W. Warner, Secretary of the Navy, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

**No. 71-6606.** Gary Gene Wetteroff et al., petitioners, *v.* Sheldon D. Grand, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas would grant certiorari.

**No. 71-6869.** Robert Dorado, etc., petitioner, *v.* Henry W. Kerr, Chairman, California Adult Authority, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

**No. 72-64.** Charles J. DeMoulin et al., petitioners, *v.* City and County of Denver et al. Petition for writ of certiorari to the Supreme Court of Colorado denied. Mr. Justice Douglas would grant certiorari.

**No. 72-81.** Veterans and Reservists for Peace in Vietnam, petitioner, *v.* Regional Commissioner of Customs, Region II, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas would grant certiorari.

**No. 72-145.** David Noland et al., petitioners, *v.* William R. Desobry, Commanding General, United States Army Armor Center, Fort Knox, Kentucky. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas would grant certiorari.

**No. 72-146.** Bill R. Hunter, dba The Courier, petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas would grant certiorari.

**No. 72-198.** Morton International, Inc., petitioner, *v.* Southern Pacific Transportation Company. Petition for writ of certiorari to the Supreme Court of Utah. Mr. Justice Douglas would grant certiorari.

**No. 71-6489.** James McLamore, petitioner, *v.* South Carolina et al. Petition for writ of certiorari to the Supreme Court of South Carolina denied. Dissenting opinion by Mr. Justice Douglas.

No. 71-6888. George Hadley, petitioner, *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied. Dissenting opinion by Mr. Justice Douglas.

No. 72-53. Michael Edward Francis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Dissenting opinion by Mr. Justice Douglas.

No. 72-96. Memphis Light, Gas and Water Division, petitioner, *v.* Federal Power Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 72-105. Capital Assistance Corporation, petitioner, *v.* United States et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-151. C. Murray Henderson, Warden, petitioner, *v.* Robert Favre. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Blackmun would grant certiorari.

No. 72-204. B. G. Solomon, petitioner, *v.* Seaboard Coast Line Railroad Company. Petition for writ of certiorari to the Supreme Court of Virginia denied. Mr. Justice Douglas would grant certiorari. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 72-207. Marvin R. Cole et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

#### LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 72-5238. Robert Charles Kochel, petitioner, *v.* Maryland. Motion for leave to file petition for writ of habeas corpus denied.

#### RECESS ORDER

The Court will take a recess from Tuesday, October 24, 1972, until Monday, November 6, 1972.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard Joseph Alfieri	Fort Lauderdale, Fla.	John C. Thomas.
Robert S. Allen	St. Louis, Mo.	R. Walston Chubb.
Calvin B. Andringa	Madison, Wis.	Stephen A. West.
James Dan Batchelor	Oklahoma City, Okla.	John Howard Cantrell.
Frank Ouray Bell, Jr.	San Francisco, Calif.	James Francis Hewitt.
Larry Edward Benson	Kansas City, Kans.	David K. Fromme.
Bert A. Blitz	New York, N.Y.	Alfred S. Julien.
Leon M. Capouano	Montgomery, Ala.	William L. Dickinson.
Darryl J. Carimi	New Orleans, La.	Wilson M. Montero, Jr.
John Glen Carleton	Washington, D.C.	Michael H. McConihe.
Marc Cleburne Cavness	Phoenix, Ariz.	Richard Sudlow Young.
Jon C. Christlieb	Leawood, Kans.	J. D. Lysaught.
James Nathaniel Cohen	West Hartford, Conn.	George N. Gingold.
Richard Kelton Conner	Arlington, Tex.	James West Murdoch.
George Constable	Seattle, Wash.	Delbert J. Barnard.
Louis Robbert Davis	New Orleans, La.	Edward Gluck.
David Bernard Deioma	Cleveland, Ohio	Herbert Bruce Griswold.
Ann Belanger Durney	Washington, D.C.	Solicitor General Erwin N. Griswold.
Gerald William Dykes	Kansas City, Kans.	David K. Fromme.
Charles D. Edelman	Freeport, N.Y.	Stephen P. Duggan.
Melvin C. Ellenbogen	New York, N.Y.	David L. Forman.
Harry J. Fath, Jr.	Cincinnati, Ohio	Harry M. Hoffheimer.
Harold Michael Fishman	New York, N.Y.	Alfred S. Julien.
Lawrence J. Fleming	St. Louis, Mo.	Mark M. Hennelly.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Henry L. Freund, Jr.	St. Louis, Mo.	Samuel H. Liberman.
Eberhard John Gabriel	Lakewood, Colo.	David Lloyd Kreeger.
David Leon Gleason	Amarillo, Tex.	Larry Brandon.
Richard David Goff	St. Paul, Minn.	B. Warren Hart.
Burton M. Greenberg	St. Louis, Mo.	Mark M. Hennelly.
David L. Higgins	Kansas City, Kans.	David K. Fromine.
T. Bowen Hill, III	Montgomery, Ala.	William L. Dickinson.
John J. Hirsch	Baltimore, Md.	William A. Hegarty.
John D. Hoffman	San Francisco, Calif.	James W. Moorman.
D. Clark Highes	El Paso, Tex.	Wayne Windle.
Frank Allan Kelly	Kingsport, Tenn.	Ernest F. Smith.
Joseph W. Kennedy	Wichita, Kans.	Verne M. Laing.
Theodore I. Koskoff	Bridgeport, Conn.	Jacob D. Zeldes.
Randall L. Kressler	Fort Worth, Tex.	Gordon A. Christenson.
Arthur N. Lambert	New York, N.Y.	Jerome Murray.
Louis L. LaRose	Visalia, Calif.	Ralph B. Jordan, Jr.
Fred Leicht, Jr.	St. Louis, Mo.	Donald U. Beimdiek.
David Ramsey Lestage	Jennings, La.	Solicitor General Erwin N. Griswold.
Norman S. London	St. Louis, Mo.	Mark M. Hennelly.
James Trowbridge Marston	Seattle, Wash.	Donald D. Haley.
Douglas Warren McDonald, Sr.	Cornelia, Ga.	Jack N. Gunter.
Henry John McGurren	Washington, D.C.	Robert L. McCarty.
H. Gordon Montgomery	San Antonio, Tex.	David E. Blum.
Barbara Bailey Morgan	Wichita, Kans.	James B. Pearson.
Robert S. Morris	San Bernardino, Calif.	Richard W. Strong.
James S. Moss	Dallas, Tex.	Ernest W. Belcher.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Miles D. Mustain	Kansas City, Kans.	J. D. Lysaught.
Matthew Nimetz	New York, N.Y.	Whitney North Seymour.
George Richard Poehner	Washington, D.C.	James C. McKay.
Thomas A. Powell	Hicksville, N.Y.	John F. Rafferty.
Alvin T. Prestwood	Montgomery, Ala.	William L. Dickinson.
Robert Perry Pringle	Shreveport, La.	Solicitor General Erwin N. Griswold.
Thomas Merrill Richards	Lubbock, Tex.	Jack McClendon.
Stefan Mark Rosenzweig	Berkeley, Calif.	Fred H. Altshuler.
Al James Sansone	Montgomery, Ala.	William L. Dickinson.
David M. Shaw	Newton, Mass.	Merlin H. Staring.
William Albert Shaw	Los Angeles, Calif.	Sewell E. Allen.
Robert H. Shemwell	Shreveport, La.	Solicitor General Erwin N. Griswold.
Robert F. Simone	Philadelphia, Pa.	B. Nathaniel Richter.
Jack B. Sims	San Antonio, Tex.	Basil H. Taylor.
John O. Somers	Lake Quivira, Kans.	J. D. Lysaught.
Meredith P. Sparks	Miam, Fla.	John Cyril Malloy.
Roger D. Stanton	Overland Park, Kans.	J. D. Lysaught.
John Henry Stassen	Washington, D.C.	Merlin H. Staring.
Robert Bowen Sullivan	Overland Park,	J. Glenn Hahn.
Michael A. Sundock	Montgomery, Ala.	William L. Dickinson.
John Michael Thoma	Galveston, Tex.	Raymond E. Magee.
Robert Elias Turtz	Newark, N.J.	Sydney I. Turtz.
Robert G. Ulrich	Kansas City, Mo.	Max Von Erdmannsdorff.
Richard Imbrie Vaughan	Houston, Tex.	Herman Gordon.
Charles E. Waggoner	Darien, Conn.	G. Franklin Rothwell IV.
William C. Walker, Jr.	Titusville, Fla.	William H. Gleason.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles H. Wampold, Jr.	Montgomery, Ala.	William L. Dickinson.
Richard W. Wasserman	Miami Beach, Fla.	W. Patrick Green.
Lee E. Weeks	Kansas City, Kans.	J. D. Lysaught.
Paul Lynott Wilkins	Baltimore, Md.	William A. Hegarty.
Bernhardt K. Wruble	New York, N.Y.	Whitney North Seymour.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David P. Curnow	Los Angeles, Calif.	Solicitor General Erwin N. Griswold.
Eric A. Nobles	Los Angeles, Calif.	Solicitor General Erwin N. Griswold.
Andrew Lewis Frey	Washington, D.C.	Solicitor General Erwin N. Griswold.
Edward Robert Korman	New York, N.Y.	Solicitor General Erwin N. Griswold.

#### ORAL ARGUMENT

No. **71-485**. Robert Gottschalk, Acting Commissioner of Patents, petitioner, *v.* Gary R. Benson and Arthur C. Tabbot. Argued by Mr. Richard B. Stone for the petitioner and by Mr. Hugh B. Cox for the respondents.

No. **71-863**. Columbia Broadcasting System, Inc., petitioner, *v.* Democratic National Committee;

No. **71-864**. Federal Communications Commission et al., petitioners, *v.* Business Executives' Move for Vietnam Peace et al.;

No. **71-865**. Post-Newsweek Stations, Capital Area, Inc., petitioner, *v.* Business Executives' Move for Vietnam Peace; and

No. **71-866**. American Broadcasting Companies, Inc., petitioner, *v.* Democratic National Committee. Two hours and fifteen minutes allowed for oral argument. Argued by Mr. Solicitor General Erwin N. Griswold for the Federal Communications Commission et al., by Mr. Ernest W. Jenness for the Post-Newsweek Stations, Capital Area, Inc., by Mr. J. Roger Wollenberg for the Columbia Broadcasting

System, Inc., by Mr. Joseph A. Califano, Jr., for the Democratic National Committee, by Mr. Thomas R. Asher for the Business Executives' Move for Vietnam Peace, and by Mr. Vernon L. Wilkinson for the American Broadcasting Companies, Inc.

**No. 71-703.** United States, appellant, *v.* First National Bancorporation, Inc., et al. One and one half hours allowed for oral argument. Argument commenced by Mr. Daniel M. Friedman for the appellant.

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Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## ORAL ARGUMENT

No. 71-703. United States, appellant, *v.* First National Bancorporation, Inc., et al. Argument continued by Mr. Daniel M. Friedman for the appellant and concluded by Mr. Eugene J. Metzger for the appellees.

No. 71-873. United States, appellant, *v.* Falstaff Brewing Corporation et al. Argued by Mr. Thomas E. Kauper for the appellant and by Mr. Matthew W. Goring for the appellees.

No. 71-900. Union Oil Company of California, petitioner, *v.* The Tugboat San Jacinto et al. Argued by Mr. Kenneth E. Roberts for the petitioner and by Mr. Erskine B. Wood for the respondents.

No. 71-496. Clarence Ward, petitioner, *v.* Village of Monroeville, Ohio. Argued by Mr. Bernard A. Berkman for the petitioner and by Mr. Franklin D. Eckstein for the respondent.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### ADMISSION TO THE BAR ON ORAL MOTION

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Thomas Coffman	Tulsa, Okla.	William J. Grove.

### ORAL ARGUMENT

**No. 71-858.** Thomas Ricci, petitioner, *v.* Chicago Mercantile Exchange et al. Argued by Mr. Jerome H. Torshen for the petitioner and by Mr. Lee A. Freeman for the respondents.

**No. 71-749.** United States, appellant, *v.* Robert William Kras. Argued by Mr. Edward R. Korman for the appellant and by Mr. Kalman Finkel for the appellee.

**No. 71-559.** United States, petitioner, *v.* Chester Fuller et al. Argued by Mr. Harry R. Sachse for the petitioner and by Mr. Frank Haze Burch for the respondents.

**No. 71-951.** Almota Farmers Elevator and Warehouse Company, petitioner, *v.* United States. Argued by Mr. Lawrence Earl Hickman for the petitioner and by Mr. Kent Frizzell for the respondent.

**No. 71-586.** William S. Neil, Warden, petitioner, *v.* Archie Nathaniel Biggers. Argument commenced by Mr. Bart C. Durham III for the petitioner and continued by Mr. Michael Meltsner for the respondent.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Bruce H. Spector	Los Angeles, Calif.	Thomas C. Green.
Byron D. Coney	Seattle, Wash.	William J. Byrnes.

### ORAL ARGUMENT

**No. 71-586.** William S. Neil, Warden, petitioner, *v.* Archie Nathaniel Biggers. Argument continued by Mr. Michael Meltsner for the respondent and concluded by Mr. Bart C. Durham III for the petitioner.

**No. 71-1422.** Murray Kaplan, petitioner, *v.* California. Argued by Mr. Stanley Fleishman for the petitioner and by Mr. Ward Glen McConnell for the respondent.

**No. 71-1051.** Paris Adult Theatre I et al., petitioners, *v.* Lewis R. Slaton, District Attorney, Atlanta Judicial Circuit, et al. Argued by Mr. Robert Eugene Smith for the petitioners and by Mr. Thomas E. Moran for the respondent.

**No. 71-1315.** Howard Alexander et al., petitioners, *v.* Virginia. Argued by Mr. Stanley M. Dietz for the petitioner and by Mr. James E. Kulp for the respondent.

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Adjourned until Tuesday, October 24, 1972, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present : Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## ORDER IN PENDING CASE

No. A-406. Woodrow Scott, applicant, *v.* New Jersey. The application for a stay of the execution and enforcement of the judgment of conviction presented to Mr. Justice Brennan, and by him referred to the Court, is denied.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

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The Chief Justice said:

“Today’s orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally.”

### OPINIONS PER CURIAM

**No. 57, Original.** State of Illinois, plaintiff, *v.* State of Michigan. The motions of Jack Federoff and William F. Ewing, dba William Ewing Roofing Company; and John H. Shannon, for leave to file briefs, as *amicus curiae*, are granted. The motion of the State of Illinois for leave to file a bill of complaint is denied. Opinion *per curiam*.

**No. 71-6918.** Woodie Robinson, appellant, *v.* Edward V. Hanrahan, States Attorney of Cook County. Appeal from the Supreme Court of Illinois. Motion for leave to proceed *in forma pauperis* granted, judgment reversed and case remanded to the Supreme Court of Illinois for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*.

### APPEALS—SUMMARY DISPOSITION

**No. 70-15.** Helen Marcia Sweetenham et al., appellants, *v.* John J. Gilligan, Governor of the State of Ohio, et al. Appeal from the United States District Court for the Southern District of Ohio. Judgment affirmed. Mr. Justice Douglas, Mr. Justice Brennan and Mr. Justice Marshall would note probable jurisdiction and set case for oral argument.

**No. 70-48.** Don B. Pratt and Luther J. Wilson, appellants, *v.* Leila Begley, Secretary of State of Kentucky, et al. Appeal from the United States District Court for the Eastern District of Kentucky. Judgment affirmed. Mr. Justice Douglas, Mr. Justice Brennan and Mr. Justice Marshall would note probable jurisdiction and set case for oral argument.

**No. 71-1625.** Mark Richard Kirstel, appellant, *v.* Maryland. Appeal from the Court of Special Appeals of Maryland. The appeal

is dismissed for want of a substantial federal question. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

**No. 71-1668.** Gurthie A. Mayes and Charles G. Garner, appellants, *v.* Frederick S. Ellis et al.; and

**No. 71-1684.** Edith Hill et al., appellants, *v.* John J. McKeithen et al. Appeals from the United States District Court for the Eastern District of Louisiana. Judgment affirmed. Mr. Justice Douglas would note probable jurisdiction and set cases for oral argument.

**No. 71-6627.** Yvonne Martin, appellant, *v.* City of New Orleans. Appeal from the Supreme Court of Louisiana. Motion for leave to proceed *in forma pauperis* granted. Judgment vacated and case remanded to the Supreme Court of Louisiana for further consideration in light of *Gooding v. Wilson*, 405 U.S. 518 (1972). See *Lewis v. City of New Orleans*, 408 U.S. 913 (1972). The Chief Justice, Mr. Justice Blackmun and Mr. Justice Rehnquist dissent for the reasons expressed in the several opinions in *Rosenfeld v. New Jersey*, 408 U.S. 901 (1972); *Lewis v. City of New Orleans*, 408 U.S. 913 (1972); and *Brown v. Oklahoma*, 408 U.S. 914 (1972). Mr. Justice Powell would remand the cause for further consideration only in light of *Chaplinsky v. New Hampshire*, 315 U.S. 568 (1942). (See concurring opinion in *Lewis v. City of New Orleans*, 408 U.S. 913).

**No. 72-12.** Mabel S. Amos, Secretary of State of Alabama, et al., appellants, *v.* M. O. Sims et al. Appeal from the United States District Court for the Middle District of Alabama. Judgment affirmed.

**No. 72-44.** Douglas B. Fugate, State Highway Commissioner of Virginia, appellant, *v.* Potomac Electric Power Company and Washington Gas Light Company. Appeal from the United States District Court for the Eastern District of Virginia. Judgment affirmed. Mr. Justice Powell took no part in the consideration or decision of this case.

**No. 72-180.** National Small Shipments Traffic Conference, Inc., et al., appellants, *v.* Ringsby Truck Lines, Inc., et al. Appeal from the United States District Court for the District of Colorado. The appeal is dismissed for want of jurisdiction.

**No. 72-232.** Borough of East Rutherford et al., appellants, *v.* New Jersey Sports and Exposition Authority et al. Appeal from the Supreme Court of New Jersey. The appeal is dismissed for want of a substantial federal question. Mr. Justice Douglas took no part in the consideration or decision of this case.

**No. 72-234.** H. F. Thompson et al., appellants, *v.* Kansas City Power & Light Company. Appeal from the Supreme Court of Kansas. The appeal is dismissed for want of jurisdiction. Treating the papers

whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

#### CERTIORARI—SUMMARY DISPOSITION

No. 72-216. Jeffrey H. Smilow, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. On the representation of the Solicitor General set forth in his memorandum for the United States, filed September 28, 1972, petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of the position presently asserted by the Government.

#### ORDERS IN PENDING CASES

No. A-263. Oxnard School District Board of Trustees et al., applicants, *v.* Debbie and Doreen Soria et al. The application for stay presented to Mr. Justice Powell, and by him referred to the Court, is denied.

No. 71-485. Robert Gottschalk, Acting Commissioner of Patents, petitioner, *v.* Gary R. Benson and Arthur C. Tabbot. The motion of Computer Software Analysts, Inc., and Computerized Lists Corp., for leave to file an untimely brief, as *amici curiae*, is granted. Mr. Justice Stewart, Mr. Justice Blackmun and Mr. Justice Powell took no part in the consideration or decision of this motion.

No. 71-1051. Paris Adult Theatre I et al., petitioners, *v.* Lewis R. Slaton, District Attorney, Atlanta Judicial Circuit, et al. The motion of Charles H. Keating, Jr., for leave to file an untimely brief, as *amicus curiae*, in support of respondent is granted.

No. 71-1082. Reubin O'D. Askew et al., appellants, *v.* The American Waterways Operators, Inc., et al. The motion of The American Bar Association for leave to file a brief, as *amicus curiae*, is granted.

No. 71-1119. Indiana Employment Security Division et al., appellants, *v.* Essie D. Burney. The motion of National Employment Law Project et al., for leave to file a brief, as *amici curiae*, is granted. The motion of American Federation of Labor and Congress of Industrial Organizations for leave to file a brief, as *amicus curiae*, is granted.

No. 71-1178. Gulf States Utilities Company, petitioner, *v.* Federal Power Commission et al. The motion of the American Public Power Association for leave to file a brief, as *amicus curiae*, is granted.

No. 71-1193. United States, appellant, *v.* Travis Paul Enmons et al. The motion of American Newspaper Publishers Association for leave to file a brief, as *amicus curiae*, is granted.

No. **71-1585**. United States, petitioner, *v.* Richard Russell. The motion for the appointment of counsel is granted, and it is ordered that Thomas H. S. Brucker, Esquire, of Seattle, Washington, be, and he is hereby, appointed to serve as counsel for the respondent in this case.

No. **72-243**. Clean Air Coordinating Committee, petitioner, *v.* Roth Adam Fuel Company et al. The Solicitor General is invited to file a brief expressing the views of the United States.

#### APPEAL—JURISDICTION NOTED

No. **71-1623**. Bob Bullock, etc., appellant, *v.* Dan Weiser et al. Appeal from the United States District Court for the Northern District of Texas. Motion to dispense with printing motion to dismiss or affirm granted. In this case probable jurisdiction noted.

#### CERTIORARI GRANTED

No. **71-1545**. Earl L. Butz, Secretary of Agriculture, et al., petitioners, *v.* Glover Livestock Commission Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. **71-1553**. John J. Gilligan, Governor of Ohio, et al., petitioners, *v.* Craig Morgan et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

No. **72-178**. Susan R. Struck, petitioner, *v.* Secretary of Defense et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. **72-90**. United States, petitioner, *v.* Chicago, Burlington & Quincy Railroad Company. Petition for writ of certiorari to the United States Court of Claims granted. Mr. Justice Powell took no part in the consideration or decision of this petition.

#### CERTIORARI DENIED

No. **71-1502**. C. J. Fitzharris, Superintendent, California Conservation Center, petitioner, *v.* Paul Edward Blaylock. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **71-1536**. Central Gulf Steamship Corporation, petitioner, *v.* Gabrielle Joan Dennis, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **71-1558**. Paul Lorin Kantner et al., petitioners, *v.* Hawaii. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 71-1675. Sam Adam, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 71-6826. William Bailey, Jr., petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 71-6844. Carl Edwin Jackson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District denied.

No. 72-176. George Stevens, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-181. J. Ray McDermott & Co., Inc., petitioner, *v.* The Vessels Morning Star et al; and

No. 72-229. The Fish Meal Company et al., petitioners, *v.* J. Ray McDermott & Co., Inc. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-182. Jiffy June Farms, Inc., et al., petitioners *v.* Arthur Coleman et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-184. Thomas Paul Raimondi, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 72-192. Buffalo Cab Company, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-201. William H. Stein, petitioner, *v.* Cleveland Bar Association. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 72-208. Robert T. Carson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-215. Rederi A/B Soya, as Owner of the M/V Atlantic Song et al., petitioners, *v.* Evergreen Marine Corporation, S.A., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-219. John Clarence Cook, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-222. Louisville & Nashville Railroad Company, petitioner, *v.* Kentucky, ex rel. J. E. Lockett, Commissioner of Revenue. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.



No. 72-224. Joseph Alfred Tanner and Jack Alter Pearl, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-225. Patrocinia L. Vda de Rodulfa et al., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-226. Eugene R. Anderson et al., petitioners, *v.* California et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-228. Bank of American National Trust and Savings Association petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 72-233. Hyman Lebman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-236. Michael Budzanoski and John Seddon, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-237. William C. Rusch, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Second District denied.

No. 72-241. Brotherhood of Locomotive Firemen and Enginemen (now Known as United Transportation Union), petitioner, *v.* Indiana Harbor Belt Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-244. Occidental Petroleum Corporation et al., petitioners, *v.* Buttes Gas & Oil Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-248. Alga, Inc., dba Montgomery Book Mart et al., petitioners *v.* David Crosland et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-249. City of Akron, Ohio, petitioner, *v.* Village of Middlefield et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 72-367. Mark P. Essling and Edward J. Essling by James Essling, their father and natural guardian, petitioners, *v.* Richard L. Brubacher, etc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5069. William Emmett Kier, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5116. Benny Reynolds, Jr., petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5135. Michael Wilczynski, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 72-5136. Raymond Ernest Webster, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 72-5137. John Ray Scharbrough, petitioner, *v.* Hoyt C. Cupp, Superintendent, Oregon State Penitentiary. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 72-5141. Dennis Clyde Bennett, petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5143. Billy Wayne Sinclair, petitioner, *v.* Louisiana. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5144. Bobby Joe Thomas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5147. C. Lee Beng-Joc, aka Benito Lee, aka Lee Van Hoc, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5148. John W. Roche, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5149. John W. Roche, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5150. Armando Garcia-Turino, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5154. Edward Edwin Bishop, True Name Vern Speer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5155. Franklin A. Paris and Kenneth L. Pendleton, petitioners, *v.* James L. Foreman, Judge, U.S. District Court for the Eastern District of Illinois. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5158. James Richard Sikes and Thomas Dwight Jenkins, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5159. Robert Leonard Harris, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5160. Ardless Hawk, petitioner, *v.* Michigan. Petition for writ of certiorari to the Supreme Court of Michigan denied.

No. 72-5163. Harold L. Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-5164. St. John Tyler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5165. Arthur Peter Dzialak, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5166. Alf Hill, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5167. William J. Pierce, Jr., petitioner, *v.* Georgia. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5169. Marvin Clyde Lincoln, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5171. Leonarda F. Vda de Sibonga, petitioner, *v.* Administrator of Veterans Affairs. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-5172. Larry Edward Stead, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5173. Thomas Bennett Waddell, petitioner, *v.* North Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5174. George J. Godin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5176. Booker T. Tribble, petitioner, *v.* W. D. Salisbury, Superintendent, Chillicothe Correctional Institute. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5177. Allie Eugene Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

**No. 72-5178.** Mario J. DeLucia, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

**No. 72-5181.** Jesse Lane, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

**No. 72-5189.** Gerald A. Burkley, petitioner, *v.* A. E. Slayton, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

**No. 72-5190.** Edison R. Womack, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

**No. 72-5191.** Maurice Gregory, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

**No. 71-1487.** Confederation Life Insurance Company, petitioner, *v.* Hector de Lara et al. Petition for writ of certiorari to the Supreme Court of Florida denied. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Douglas concurs.

**No. 71-1645.** Coy L. Weaver et ux., petitioners, *v.* Richard M. Hutson, II, Trustee of Landmark Inns of Durham, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Dissenting opinion by Mr. Justice White.

**No. 71-6518.** John Martinez, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Douglas concurs.

**No. 71-6571.** Gerald Albert, petitioner, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied. Mr. Justice Douglas would grant certiorari.

**No. 71-6679.** Charles A. L. Almond, petitioner, *v.* A. E. Slayton, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas would grant certiorari.

**No. 71-6830.** Henry A. West, petitioner, *v.* George E. Miller, State Welfare Administrator, et al. Petition for writ of certiorari to the Supreme Court of Nevada denied. Mr. Justice Douglas would grant certiorari.

**No. 72-148.** Norman Rothman and Fabio Domenico Decristofaro, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-187. Square D Company, petitioner, *v.* James D. Hodgson, Secretary of Labor, United States Department of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-210. John Nichols, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-223. Bernie Hahn et ux., petitioners, *v.* Norwegian America Line. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-239. Harriott H. Childs, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-258. David Lehman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-276. Frances W. Taylor, etc., petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5179. Stephen Palmer Powers, petitioner, *v.* Richard G. Kleindienst, Attorney General of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5180. George Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 71-6789. Calvin Sellars and Fred Arispe Cruz, etc., petitioners, *v.* George J. Beto, Director, Texas Department of Corrections. Motion of The National Prison Project of the American Civil Liberties Union et al., for leave to file a brief, as *amici curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan and Mr. Justice Marshall concur.

No. 72-42. Walter Claude Durst, petitioner, *v.* National Casualty Co. et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit and for other relief denied.

No. 72-191. Humble Oil & Refining Company, petitioner, *v.* Robert S. Calvert et al. Petition for writ of certiorari to the Supreme Court of Texas denied. Mr. Justice Douglas would grant certiorari. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 72-213. Latin America/Pacific Coast Steamship Conference and its Member Lines, petitioners, *v.* Federal Maritime Commission and United States. Motion to dispense with printing petitioners' reply brief granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-221. Michael C. Sherdon, petitioner, *v.* Paula Uihlein Carmona et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

LEAVE TO FILE PETITION FOR WRIT OF CERTIORARI DENIED

No. 72-160. Walter Claude Durst, petitioner, *v.* United States Court of Appeals for the Ninth Circuit. Motions to dispense with printing petition and for leave to use record in No. 72-42 granted. Motion for leave to file petition for writ of certiorari denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 72-136. Walter Claude Durst, petitioner, *v.* United States Court of Appeals for the Ninth Circuit et al. Motion to dispense with printing petition for writ of mandamus granted. Motion for leave to file petition for writ of mandamus and for other relief denied.

No. 72-159. Walter Claude Durst, petitioner, *v.* United States Court of Appeals for the Ninth Circuit et al. Motions to dispense with printing petition for writ of mandamus and for leave to use record in No. 72-42 granted. Motion for leave to file petition for writ of mandamus and for other relief denied.

LEAVE TO FILE PETITION FOR WRIT OF PROHIBITION DENIED

No. 72-5185. Jim Fair, petitioner, *v.* B. K. Roberts, etc., et al. Motion for leave to file petition for writ of prohibition and/or mandamus denied.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jodie Lee Atkins	Newport News, Va.	Russell A. Collins.
James Alexander Baber III.	Richmond, Va.	R. D. McIlwaine III.
Philip J. Bagley III	Richmond, Va.	John P. Ackerly III.
James M. Baisley	Glencoe, Ill.	Thomas E. Chilcott.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Dudley Duane Beadles	Fort Worth, Tex.	Hal M. Lattimore.
Sam T. Beale	Richmond, Va.	Eppa Hunton, IV.
James Robert Boehler	Rochester, N.Y.	Raymond E. Cornelius.
James Lewis Stanton Bowdish.	Bradenton, Fla.	Walter Eugene Herkenhoff.
Ralph Bragg	Toledo, Ohio	Joseph H. Nathanson.
Charles M. Brewer	Phoenix, Ariz.	Mark Wilmer.
Brian E. Bro	Washington, D.C.	Murray Robinson.
Louis Paul Byrne	Richmond, Va.	R. D. McIlwaine III.
Michael A. Cerreto	Newark, N.J.	John H. Yauch, Jr.
S. Thomas Chandler	Tucson, Ariz.	Marvin S. Cohen.
Jerome Kermit Coble	Daytona Beach, Fla.	William V. Chappell.
Carmel F. Davis	Alice, Tex.	Wm. N. Woolsey.
James Nelson Davis	Daytona Beach, Fla.	William V. Chappell.
Richard H. Day	Tucson, Ariz.	Marvin S. Cohen.
Manuel A. DeCarvalho	Providence, R.I.	Gerald G. Norigan.
Robert W. Dibble, Jr.	Columbia, S.C.	Frank K. Sloan.
Lawrence J. Dolan	Chardon, Ohio	Gene Henry.
Jeffrey Stuart Dubin	Great Neck, N.Y.	Robert M. Saltzstein.
James K. Dukes	Hattiesburg, Miss.	Dudley W. Conner
John A. Dziamba	Ashford, Conn.	Joseph D. Harbaugh.
John C. Elam	Columbus, Ohio	David S. Cupps.
Donald Richard Fischer	Eugene, Oreg.	Charles O. Porter.
Robert H. Freilich	Kansas City, Mo.	Patrick D. Kelly.
Albert John Gabig	Washington, D.C.	John S. Nolan.
Richard Paul Glovka	Chicago, Ill.	Keith D. Schulz.
Stephen A. Gold	Washington, D.C.	Stuart F. Feld- stein.
William D. Gorgone	Saddle Brook, N.J.	Ronald J. Picinich.
Alexander R. Grant	Green Bay, Wis.	Herbert C. Liebmann III.
Knox L. Haynsworth, Jr.	Greenville, S.C.	W. Francis Marion.
Charles Daniel Held	Towson, Md.	Emory Alvin Plitt, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
George S. Hesni	New Orleans, La.	Oliver S. Delery.
John Allen Howard	Burbank, Calif.	Richard R. Rogan.
Murray Joseph Janus	Richmond, Va.	R. D. McIlwaine III.
James V. Johnstone	Miami, Fla.	Jack R. Nageley.
Laurence F. Koll	St. Paul, Minn.	Wayne P. Dordell.
L. Chris Lampros	Washington, D.C.	Milton Heller.
Jerome J. LaPenna	Newark, N.J.	John H. Yauch, Jr.
John F. Lubben III	Dallas, Tex.	John B. Tolle.
Michael Anthony Maness	Houston, Tex.	John R. Brown.
Lawrence Dewey McDonald, Jr.	Leawood, Kans.	David K. Fromme.
Barry G. McGrath	Tulsa, Okla.	Robert Hamernik.
Patrick Martin McGrath	Columbus, Ohio	Thomas A. Bustin.
Noah Cartledge McKinnon, Jr.	Daytona Beach, Fla.	William V. Chappell.
Wallis D. McNeill, Jr.	Alice, Tex.	Joseph Lev Hunt.
William Carl Meier	Fort Worth, Tex.	Hal M. Lattimore.
Lawrence John Miano	Fort Lauderdale, Fla.	Adolfo Del Castillo.
Clyde A. Muchmore	Oklahoma City, Okla.	V. P. Crowe.
Kenneth Oden	Alice, Tex.	Joseph Lev Hunt.
Jerome Paul	Durham, N.C.	Daniel Hubbard Pollitt.
Stephen John Petosa	Des Moines, Iowa	Charles E. Harris.
James E. Pohlman	Columbus, Ohio	Earl F. Morris.
Harriet S. Rabb	New York, N.Y.	Michael Meltsner.
Nigel Ewing Rafferty	New Orleans, La.	Malcolm Logan Monroe.
Charlotte Louise Railey	Birmingham, Ala.	William Douglas Arant.
Laura Frances Riley	Denver, Colo.	Frederick Edward Dickerson.
Bruce Oliver Robinson	Nampa, Idaho	James J. May.
Ira Lawrence Robinson	Alexandria, Va.	William E. O'Neill, Jr.
Oliver E. Rostain	Bakersfield, Calif.	Albert M. Leddy.
Barton R. Sadowsky	New York, N.Y.	Gerald Hurwitz.
Philip Irving Schuster	Niles, Ill.	Joseph P. Harris.
Stanley E. Sharp	Portland, Oreg.	Arden E. Shenker.
James Shelby Sharpe	Forth Worth, Tex.	John M. Scott.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gerald Dunlap Skoning	Chicago, Ill.	Robert Theodore Clark, Jr.
Kenneth O. Smith	Kansas City, Mo.	Ernest Hubbell.
James Jones Stanton	Seattle, Wash.	Fred Palen Barnhart III.
Michael D. Sullivan	Hattiesburg, Miss.	Dudley W. Conner.
Fred J. Swihart	Lincoln, Nebr.	Robert B. Crosby.
Hoyt DeWayne Thomas	Heber Springs, Ark.	Jack Holt, Jr.
Robert Shelley Thomas, Jr.	Scottsboro, Ala.	John Franklin Proctor.
John Russell Walker III	Memphis, Tenn.	George E. Morrow.
Lawrence H. Warburton, Jr.	Alice, Tex.	Joseph Lev Hunt.
Irving L. Weinberger	New York, N.Y.	Stanley Shaw.
Robert Squire Williams	Fort Worth, Tex.	Jerry J. Loftin.
Joseph John Zacharer	Lowell, Mass.	Robert P. Sullivan.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Alan H. Friedman	Bethesda, Md.	Solicitor General Erwin N. Griswold.
Doris Greene Randolph	Winston-Salem, N.C.	Clyde C. Randolph, Jr.
William F. Davis	Nebraska City, Nebr.	Robert G. Seaks.
Raymond Francis Ciarrocchi.	Bowie, Md.	Arthur A. Marshall, Jr.
Edward Garrison Neal	University Park, Md.	Arthur A. Marshall, Jr.
Carmen Delia Tidler	Beltsville, Md.	Arthur A. Marshall, Jr.
Vincent Joseph Weigle	Camp Springs, Md.	Arthur A. Marshall, Jr.
Bruce G. Behrins	New York, N.Y.	Clelia D'Alessandro.
Charles Henry Burger	Brooklyn, N.Y.	Clelia D'Alessandro.
Robert David Bush	New York, N.Y.	Clelia D'Alessandro.
Richard N. Corash	New York, N.Y.	Clelia D'Alessandro.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Daniel J. Coughlin	Garden City, N.Y.	Clelia D'Alessandro.
Joseph E. Dworkin	Staten Island, N.Y.	Clelia D'Alessandro.
H. David Epstein	Staten Island, N.Y.	Clelia D'Alessandro.
Joseph Finazzo	New York, N.Y.	Clelia D'Alessandro.
Philip J. Fitzpatrick	Staten Island, N.Y.	Clelia D'Alessandro.
Vincent F. Fragano	New York, N.Y.	Clelia D'Alessandro.
John A. Fusco	Staten Island, N.Y.	Clelia D'Alessandro.
Felix T. Gilroy	New York, N.Y.	Clelia D'Alessandro.
Fredric Reichenbach Grae	Staten Island, N.Y.	Clelia D'Alessandro.
Gerald H. Horowitz	Staten Island, N.Y.	Clelia D'Alessandro.
James G. Kinsella	Staten Island, N.Y.	Clelia D'Alessandro.
Daniel D. Leddy, Jr.	Staten Island, N.Y.	Clelia D'Alessandro.
Philip George Minardo	Staten Island, N.Y.	Clelia D'Alessandro.
Peter J. Napolitano	Staten Island, N.Y.	Clelia D'Alessandro.
William T. O'Halloran	New York, N.Y.	Clelia D'Alessandro.
John J. Quinn	New York, N.Y.	Clelia D'Alessandro.
Edward Patrick Reardon	New York, N.Y.	Clelia D'Alessandro.
Robert G. Rebollo	New York, N.Y.	Clelia D'Alessandro.
Samuel Wetschler	New York, N.Y.	Clelia D'Alessandro.
John Stephen Zachary	Staten Island, N.Y.	Clelia D'Alessandro.
William Jackson Norton II	Grand Isle, Vt.	Kenneth J. Hodson.
Richard Sutton Buck, IV	Tampa, Fla.	Kenneth J. Hodson.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Leonard H. Dancheck	Alexandria, Va.	Kenneth J. Hodson.
Frank J. Pyle, Jr.	Orlando, Fla.	Kenneth J. Hodson.
Henry Carl Karlson II	Evanston, Ill.	Kenneth J. Hodson.
William Nelson Schnell	Rockford, Ill.	Kenneth J. Hodson.
George William Clarke	Iowa City, Iowa	Kenneth J. Hodson.
Russell James Fontenot	Lake Charles, La.	Kenneth J. Hodson.
Charles Harold Giuntini	Pawtucket, R.I.	Kenneth J. Hodson.
Royce Cuyler Rich	Detroit, Mich.	Kenneth J. Hodson.
Arthur G. Haessig	El Paso, Tex.	Kenneth J. Hodson.
Robert M. Frazee	Minneapolis, Minn.	Kenneth J. Hodson.
John Weise Brickler	St. Louis, Mo.	Kenneth J. Hodson.
Franklin D. Holder	Kennett, Mo.	Kenneth J. Hodson.
Paul Jackson Rice	Columbia, Mo.	Kenneth J. Hodson.
Dewey Cabell Gilley, Jr.	Eden, N.C.	Kenneth J. Hodson.
Wayne Reinhard Iskra	Allentown, Pa.	Kenneth J. Hodson.
Edwin Brownrigg Borden Parker.	Goldsboro, N.C.	Kenneth J. Hodson.
Jerome Wallace Scanlon, Jr.	Westfield, N.J.	Kenneth J. Hodson.
James A. Badami	New York, N. Y.	Kenneth J. Hodson.
James P. Coleman	Watkins Glen, N. Y.	Kenneth J. Hodson.
John Clark Golden III	Hamden, Conn.	Kenneth J. Hodson.
Michael Anthony Brodie	Alexandria, Va.	Kenneth J. Hodson.
Kenneth Darnell Gray	Beckley, W. Va.	Kenneth J. Hodson.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Woodville Hatcher, Jr.	Edmond, W. Va.	Kenneth J. Hodson.
Kenneth Myles Mitchell	Milwaukee, Wis.	Kenneth J. Hodson.

## OPINION

No. 71-651. California, petitioner, *v.* Judith Krivda and Roger T. Minor. On writ of certiorari to the Supreme Court of California. Judgment vacated and case remanded to the Supreme Court of California for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Burger.

## ORDER IN PENDING CASE

No. 72-618. American Party of Florida et al., appellants, *v.* Reubin O'D. Askew, Governor of the State of Florida, et al. The application for stay presented to Mr. Justice Powell, and by him referred to the Court, is denied.

The Chief Justice said:

“The Court is in Special Session this afternoon to receive the Resolutions of the Bar of the Supreme Court in tribute to Mr. Justice Harlan”.

Mr. Solicitor General Griswold addressed the Court as follows:

“Mr. Chief Justice, and may it please the Court:

“At a meeting of the Bar held earlier this afternoon resolutions were adopted in honor and in memory of Mr. Justice John M. Harlan, which I am instructed to lay before the Court.

“The resolutions unanimously adopted are as follows:

## “RESOLUTIONS

“The members of the Bar of the Supreme Court have met to record our respect and esteem for John Marshall Harlan, Associate Justice of the Supreme Court of the United States for 16 years from 1955 to 1971. His death on December 29, 1971, following by a few months his retirement from the Court, has saddened the members of the Judiciary and the Bar and many others, in the United States and elsewhere, who recognized and admired his outstanding contributions to the administration of justice and to the development of the law.

“Justice Harlan was born in Chicago on May 20, 1899. He was descended from a long line of distinguished forebears, beginning in the United States with George Harlan, who landed in Delaware in 1687 and later became its Governor. His great-grandfather, James

Harlan, was a prominent lawyer in the days of the great Chief Justice John Marshall and named his son born in 1833 in honor of the Chief Justice. Forty-four years later, that son, John Marshall Harlan, became a Justice of the Supreme Court, served on the Court for 34 years and has gone down in history as the 'Great Dissenter' and the only Justice who dissented in the landmark case of *Plessy v. Ferguson*.<sup>1</sup>

"The first Justice Harlan's son, John Maynard Harlan, who was the father of our Justice Harlan, was a prominent Chicago lawyer, active in public and civic affairs and a man of great force and commanding personality. Those closest to the second Justice Harlan were aware that his father, as well as his better-known grandfather, was an important influence on the development of the qualities of mind and character which made possible his life's achievements.

"After preparatory education in Canada and the United States, Justice Harlan entered Princeton in 1916. At Princeton, he was Chairman of the Daily Princetonian and President of his class for three years and was recognized by both faculty and fellow students as a man of marked distinction. In 1920, he was awarded a Rhodes Scholarship and attended Balliol College at Oxford for three years, where he earned a 'First' in Jurisprudence.<sup>2</sup> He maintained his contacts with Oxford and this led to the development of a close relationship with, and a deep appreciation of, the English Bench and Bar. This appreciation was reciprocated and is symbolized by his election as an Honorary Bencher of the Inner Temple.

"In 1923, Justice Harlan began his career in the practice of law by accepting a position in the New York law firm of Root, Clark, Buckner and Howland, which was even then a leading firm and which, with various changes of name, has ever since maintained a position of high rank among the great law firms of New York. Emory R. Buckner of that firm was not only a prominent trial lawyer, but was also the partner most concerned with the management of the office, including the recruitment of young lawyers. From the very beginning of young Harlan's association with the firm, Buckner took him under his wing and over the years had a profound influence on his development as a trial lawyer.

"In 1925, only two years after young Harlan arrived, Buckner was appointed United States Attorney for the Southern District of New York and Harlan was invited to go with him. There, he was entrusted with increasing responsibilities and was Chief of the Prohibition Sec-

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<sup>1</sup> 163 U.S. 537 (1896), which established the "separate but equal" doctrine in regard to public schools and was not overruled until *Brown v. Board of Education* (347 U.S. 483) in 1954.

<sup>2</sup> After Justice Harlan returned to the United States, he continued his legal education by enrolling at and earning a degree from New York Law School.

tion of the office by the time Buckner resigned in 1927 and went back to private practice, again taking Harlan with him. Four years later, Harlan became a partner of the firm and remained a partner, with additional intervals of public service as a Special Prosecutor and in the Air Force in World War II, until 1954, when President Eisenhower appointed him a Judge of the Court of Appeals for the Second Circuit.

"In 1928, Justice Harlan married Ethel Andrews, daughter of a distinguished Professor of History and sister of John Andrews, a fellow associate at Root Clark. They had one daughter, Eve, now Mrs. Frank H. Dillingham, and five grandchildren who brought them much satisfaction and happiness.

"Justice Harlan's great mentor, Emory Buckner, died in 1941, after several years of declining health. In 1964, some 23 years after Buckner's death, when Justice Harlan was immersed in his work at the Supreme Court he participated with others in arranging for the writing of a biography of Emory Buckner. It is a measure of the debt which Justice Harlan felt that he owed to Buckner and an apt demonstration of the depth and sincerity of his quality of loyalty that he did this and that he also wrote personally an Introduction to the biography which is a masterpiece of concise and perceptive expression.<sup>3</sup>

"In his career as a trial and appellate lawyer in private practice, Justice Harlan won increasing recognition as a leader of the Bar and, by 1954, when he became a Judge of the Court of Appeals for the Second Circuit, he had attained a position within his profession which made inevitable the enthusiastic reception accorded to his appointment by the Bench and Bar. This position had been earned, not only by his exceptional skill as an advocate, but also by his unremitting drive for excellence, his penetrating analysis of issues, his clarity and simplicity of expression and his insistence on painstaking attention to detail.

"Justice Harlan's career in private practice has been admirably summarized in an article by his former partner, John E. F. Wood, which appeared in December 1971, in an issue of the Harvard Law Review dedicated to Justice Harlan on the occasion of his retirement from the Supreme Court in September of that year.<sup>4</sup> Since Mr. Wood is himself a leading member of the trial and appellate bar and was closely associated with Justice Harlan in various litigations over many

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<sup>3</sup> Emory Buckner, a biography by Martin Mayer, published in 1968 by Harper & Row, under the auspices of the William Nelson Cromwell Foundation.

<sup>4</sup> Volume 85, Number 2, pp. 377-381. Mr. Wood's article was one of five in this issue, the other four being by former Chief Justice Earl Warren, former Chief Judge J. Edward Lumbard of the Circuit Court of Appeals for the Second Circuit, the present Judge of that Court, Henry J. Friendly, and Charles Nesson, Professor of Law at Harvard and a former Law Clerk of Justice Harlan.

years, it was deemed appropriate to adopt for these Resolutions the following from Mr. Wood's article:<sup>5</sup>

"Throughout his practice, Harlan devoted himself to litigation. His absorbing interest was in the work of the courts and the function of lawyers as officers of the court. . . .

"His first major civil trial as leading counsel was in the *Ella Wendel* case, a complicated and much publicized will contest which turned on Harlan's painstaking attention to detail and on his brilliant destruction of false claimants in cross-examination. In contrast to the drama of *Wendel*, he later brought his skills to bear on what some would term drier matters in a complex question of accounting for revenues among affiliated railroads. He entered the arena of political rights in attempting to overturn a decision requiring the New York Board of Higher Education to rescind their offer of employment to Bertrand Russell as a member of the faculty of the College of the City of New York.

"But the cases Harlan argued were as often destined for the law school casebook as for newspaper headlines. In *Randall v. Bailey*, he dealt with questions of state statutory construction having to do with the determination of surplus for the payment of dividends, and marshalled both legislative history and economic analysis in support of his cause. He examined the contours of federal judicial power with the perception and sensitivity of the academic in two celebrated cases on federal procedure, *De Beers Consolidated Mines, Ltd. v. United States* and *Cohen v. Beneficial Industrial Loan Corp.* His last task before appointment to the bench—the massive undertaking of both factual and legal analysis in the famous *du Pont-General Motors* case—required the concentration and dexterity of mind that typified his work as a trial lawyer.

"One of his great strengths was his mastery of the facts in every case in which he participated. In the course of his trial practice Harlan developed an amazing capacity to absorb complicated sets of facts, to arrange them in proper relationship to each other, and to state them simply and clearly. This capacity did not flow from any superficial brilliance or from a gift of clever utterance. It was accomplished by methodical and painstaking work pursued with an intensity of concentration that was a marvel to those who had the privilege of working with him. . . ."

"In addition to his service as an Assistant United States Attorney under Emory Buckner from 1925 to 1927, Justice Harlan interrupted his private practice on three occasions for substantial periods of time

<sup>5</sup> In quoting from Mr. Wood's article, his footnotes have been omitted.

to undertake public service. The first such occasion was from 1928 to 1930, when Buckner was appointed by Governor Alfred E. Smith as a Special Assistant Attorney General to investigate a sewer scandal in the Borough of Queens and to prosecute Maurice Connolly, the then Borough President of Queens, for his part in this scandal, and Harlan was appointed to act as Buckner's principal assistant. This assignment involved for Harlan the supervision of a staff of five able young lawyers, all of whom were to achieve prominence in later years, in an unusually complicated and difficult investigation, analysis and correlation of a multitude of detailed facts, and resulted in the resignation of Connolly and his conviction and sentence to prison.<sup>6</sup>

"The next interruption of Justice Harlan's private practice was his service from 1942 to 1945 as Chief of the Operational Analysis Section of the United States Eighth Air Force headquartered in England, at first as a civilian and later as a colonel. Harlan's function was to direct and coordinate the work of a group of scientists in their important task of analyzing, and endeavoring to improve, the selection of targets and methods of operation for the strategic bombing of Germany. The future Justice gave to the performance of his military duties the same intense concentration and devotion to duty that had characterized his earlier work in private practice. One incident in 1943 strikingly illustrates his dedication to the best possible performance of the task he had undertaken. This was his volunteered participation as a waist gunner in a daylight bombing raid on Gelsenkirchen in order to understand better the problems faced in such an operation. For his wartime service, Justice Harlan was awarded the Legion of Merit of the United States and Croix de Guerre of Belgium and France.<sup>7</sup>

"The final interruption of Justice Harlan's private practice was in 1951 and 1952 when, by appointment of Governor Thomas E. Dewey, he served as Chief Counsel of the New York State Crime Commission. This Commission, of which the late Joseph M. Proskauer was Chairman, held extensive hearings and rendered reports which led to important remedial action, including the establishment of a Waterfront Commission of New York Harbor.

"Justice Harlan had been a Judge of the Circuit Court of Appeals for the Second Circuit for only eight months when he was nominated by President Eisenhower to fill the vacancy on the Supreme Court

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<sup>6</sup> Emory Buckner by Martin Mayer—pp. 252-262.

<sup>7</sup> Article by Judge J. Edward Lumbard in 85 Harvard Law Review 372, at 373-374. During his service in the Air Force, Justice Harlan was appointed to a Commission of Air Force officers that met in London and Paris with corresponding representatives of the other services and our allies to set up a Joint Control Council to coordinate plans for the post-hostility occupation of Germany. Justice Harlan's advice and participation in the drafting of documents made a substantial contribution to this important project.



created by the sudden death of Justice Robert H. Jackson. The nomination was confirmed on March 16, 1955, and Justice Harlan took his place on the Court on March 28.

"It is safe to predict that history will accord to Justice Harlan a prominent place among the greatest Justices of the Court. This prediction is strongly supported by the views which have already been expressed by a long and growing list of eminent legal scholars who have studied his Supreme Court opinions and have begun the process of analyzing and evaluating their impact.<sup>8</sup>

"During his 16 years on the Supreme Court, Justice Harlan wrote a total of 613 opinions, more than any other Justice during this period, of which 168 were opinions for the Court, 149 were concurring opinions and 296 were dissenting opinions. Many of Justice Harlan's opinions were written in cases of major importance involving complex, difficult, and often novel, questions of substantive and procedural law, requiring extensive study of the applicability and effect of provisions of the Constitution, of the language of federal and state statutes and of prior decisions of the Supreme Court and other courts. In these cases, and also in the less important cases, Justice Harlan's opinions are noteworthy for the clear presentation of the facts of each case and the careful formulation of the issues presented. The opinions of Justice Harlan are admirable examples of the effective execution of the judicial function. They are regarded by the Judiciary and the Bar as models of legal analysis and craftsmanship, even by those who do not always agree with the conclusions reached in such opinions.

"The sheer magnitude of the work represented by Justice Harlan's opinions, including, as they did, so many concurring and dissenting opinions which inevitably added materially to the time and effort required, is notable in itself. When it is remembered that during his later years on the Court he was severely handicapped by his impaired eyesight, his output of opinions is remarkable and is convincing proof of his devotion to the Court and his appreciation of its importance to country.

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<sup>8</sup> One notable example of such expressions of views is a volume of Selected Opinions and Papers of Justice John M. Harlan entitled "The Evolution of a Judicial Philosophy" and edited by David L. Shapiro, Professor of Law at Harvard Law School and a former Law Clerk of Justice Harlan. This volume, published in 1969 by the Harvard University Press, and sponsored by the William Nelson Cromwell Foundation, includes a superb foreword by Professor Paul A. Freund. Additional examples are the five articles in the special issue of the Harvard Law Review referred to in footnote 4 above. Further noteworthy examples are three addresses delivered by Justice Potter Stewart, former Attorney General Herbert Brownell and Professor Paul M. Bator at a memorial ceremony for Justice Harlan at the Association of the Bar of the City of New York on April 5, 1972, an article by Nathan Lewin, of the District of Columbia Bar, in the June 1972 issue of the American Bar Association Journal and an article by Professor Norman Dorsen of the New York University School of Law, in 44 N.Y.U. Law Review (1969).

"The task of synthesizing from the many opinions of Justice Harlan his judicial philosophy and approach and the respects in which his contributions to the law and the administration of justice have been distinctive is one which cannot appropriately be undertaken at this time and on this occasion. There are, however, some ingredients of his opinions which are so pervasive that some reference to them seems appropriate.

"One of these ingredients is the emphasis placed by Justice Harlan on the division of powers and functions between the Federal Government and the States. This concern on his part surfaced in many different types of cases,<sup>9</sup> but is aptly demonstrated by his position in the obscenity cases, such as *Roth v. United States*, 354 U. S. 476, 496 (1957) and *Ginzburg v. United States*, 383 U. S. 463, 493 (1966). In his opinion in the *Roth* case, where he dissents in that case but concurs in the result in a companion case decided on the same day, he says:

"The Constitution differentiates between those areas of human conduct subject to the regulation of the States and those subject to the powers of the Federal Government. The substantive powers of the two governments, in many instances, are distinct. And in every case where we are called upon to balance the interest in free expression against other interests, it seems to me important that we should keep in the forefront the question of whether those other interests are state or federal. Since under our constitutional scheme the two are not necessarily equivalent, the balancing process must needs often produce different results. . . .

"Not only is the federal interest in protecting the Nation against pornography attenuated, but the dangers of federal censorship in this field are far greater than anything the States may do. It has often been said that one of the great strengths of our federal system is that we have, in the forty-eight states, forty-eight experimental social laboratories.'<sup>10</sup> (354 U.S. 503-504, 505.)

"A related component of Justice Harlan's judicial approach is the emphasis placed by him on the separation of the powers and functions of the Legislative, Executive and Judicial Branches of the Government. This is forcefully brought out by his dissenting opinions in the

<sup>9</sup> See, for example, dissenting opinions of Justice Harlan in *Fay v. Noia*, 372 U.S. 391, 448 (1963), and *Henry v. Mississippi*, 379 U.S. 443, 457 (1965).

<sup>10</sup> Justice Harlan's concern for the protection of free speech and related constitutional rights is illustrated, also, by a number of cases where he wrote the opinion of the Court. Examples of these are *NAACP v. Alabama*, 357 U.S. 449 (1958), where the Court reversed an Alabama civil contempt judgment against the NAACP for its refusal to produce its list of members and agents in the State, and *Cohen v. California*, 403 U.S. 15 (1971), where the Court reversed a California conviction for wearing, in a corridor of the Los Angeles Courthouse, a jacket bearing an obscene slogan against the draft.

landmark cases of *Reynolds v. Sims*, 377 U.S. 533, 589 (1964), establishing the 'one man, one vote' doctrine, and in *Avery v. Midland County*, 390 U.S. 474, 486 (1968), extending the doctrine to the 80,000 units of local government within the States. His dissenting opinion in *Reynolds* is a major exposition of his various reasons for finding it necessary to dissent, including his above-mentioned concern to preserve the federal system, and only a reading of the entire opinion reveals fully the extent to which his conclusion was based upon his conviction that the Court's decision went beyond the proper scope of the judicial powers and functions. However, his reliance on this factor can be glimpsed from the following excerpts from this opinion:

"In these cases the Court holds that seats in the legislatures of six States are apportioned in ways that violate the Federal Constitution. . . . These decisions with *Wesberry v. Sanders*, 376 U.S. 1, involving congressional districting by the States, and *Gray v. Sanders*, 372 U.S. 368, relating to elections for statewide office, have the effect of placing basic aspects of state political systems under the pervasive overlordship of the federal judiciary. . . .

"The Court's elaboration of its new "constitutional" doctrine indicates how far—and how unwisely—it has strayed from the appropriate bounds of its authority. The consequences of today's decision is that in all but the handful of States which may already satisfy the new requirements the local District Court or, it may be, the State courts, are given blanket authority and the constitutional duty to supervise apportionment of the State Legislatures. It is difficult to imagine a more intolerable and inappropriate interference by the judiciary with the independent legislatures of the States. . . .

"'. . . As I have said before, . . . I believe that the vitality of our political system, on which in the last analysis all else depends, is weakened by reliance on the judiciary for political reform. . . .' (377 U.S. 589, 615, 624.)

"The dissenting opinion in the *Reynolds* case also includes a succinct statement of another well-defined component of Justice Harlan's judicial approach. This is his firmly held belief that it is a mistake to assume that it is within the functions of the Court to provide a remedy for every persistent major problem of society for which a remedy has not otherwise been provided. Thus, he says:

"Finally, these decisions give support to a current mistaken view of the Constitution and the constitutional function of this Court. This view, in a nutshell, is that every major social ill in this country can find its cure in some constitutional "principle," and that this Court should "take the lead" in promoting reform

when other branches of government fail to act. The Constitution is not a panacea for every blot upon the public welfare, nor should this Court, ordained as a judicial body, be thought of as a general haven for reform movements. The Constitution is an instrument of government, fundamental to which is the premise that in a diffusion of governmental authority lies the greatest promise that this Nation will realize liberty for all its citizens. This Court, limited in function in accordance with that premise, does not serve its high purpose when it exceeds its authority, even to satisfy justified impatience with the slow workings of the political process.' (377 U.S. 624-625.)

"This thesis, expresses in various ways, recurs frequently in Justice Harlan's opinions, and must be counted as one of the significant bases of his decisions in many cases.<sup>11</sup>

"Still another pervasive ingredient of Justice Harlan's judicial approach is the view that, in considering the validity of legislative enactments or executive action challenged on constitutional grounds, the asserted infringement of constitutional rights involved in such enactments or action must be balanced against the legitimate interests of society which the Legislative or Executive Branch was seeking to protect. Coupled with this concept of balancing of interests is his further view that determinations by the Legislative or Executive Branch as to the existence of a social problem requiring remedial action and as to the appropriateness of the measures adopted, should be given great weight by the judiciary in determining whether such measures should be invalidated. An example of a major opinion by Justice Harlan illustrating his application of these two related principles is his dissenting opinion in *Poe v. Ullman*, 367 U.S. 497, 552 (1961), involving a Connecticut statute making it a crime for any person, including married couples, to use any contraceptive drug or device. In this instance, after an extensive analysis and detailed appraisal of the individual rights infringed and of the method adopted by the State—invoking criminal sanctions—to carry out its purpose of protecting the morals of the community, he reached the conclusion that the statute should be held invalid. This conclusion was subsequently confirmed by the Court in *Griswold v. Connecticut*, 381 U.S. 479 (1965), involving the same statute, with Justice Harlan concurring

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<sup>11</sup> The importance which Justice Harlan attached to this subject and the amount of thought which he gave to it are demonstrated by the fact that, in one of his infrequent public addresses, delivered at the dedication of the American Bar Center in Chicago in August 1963, he devoted substantially his entire address to a carefully formulated exposition of the bases upon which there had been supported, and his own reasons for opposing, the notion that "all deficiencies in our society which have failed of correction by other means should find a cure in the courts."

in the result in a separate opinion. In many other cases, the application of these principles by Justice Harlan was a factor in his reaching the conclusion that the statute or executive action challenge should be sustained.<sup>12</sup>

"In the field of enforcement of laws protecting citizens from crimes, particularly crimes of violence, where the governmental interest was unquestioned, Justice Harlan believed strongly that, in balancing such interest against the asserted constitutional rights of those accused of such crimes, the decisions of the Supreme Court had in some respects gone too far in upholding the constitutional challenges to convictions. This resulted in his dissenting from a number of such decisions. One of the most notable of such dissents is his opinion in the much-discussed case of *Miranda v. Arizona*, 384 U.S. 436, 504 (1966), where the Court reversed a conviction because there had been admitted at the trial a confession obtained while the defendant was in custody and before he had been warned about his right to remain silent and his right to a lawyer.<sup>13</sup>

"In the *Miranda* opinion, in addition to expounding his reasons for believing that the Court's decision did not give adequate 'recognition to society's interest in suspect questioning as an instrument of law enforcement,' Justice Harlan expressed the view that the practical effects of the decision would be disappointing with regard to its influence on policemen and unfortunate in that the new rules propounded would handicap massive ongoing efforts to bring about sound reforms in criminal law enforcement procedures.

"Notwithstanding his dissenting view in *Miranda* and related cases that the Fifth Amendment privilege against self-incrimination should not be held to invalidate the confessions involved in such cases, Justice Harlan wrote or joined in several opinions expanding constitutional protections accorded to the accused. One of these was his opinion for the Court in *Marchetti v. United States*, 390 U.S. 39 (1968), which added a new dimension to the protections afforded by the Fifth Amendment. In that case, the federal wagering tax statute, requiring payment of an annual occupation tax and registration, was held invalid on the ground that the statute required, on pain of criminal prosecution, the providing of information which could be used to establish guilt in a subsequent prosecution. An unusual feature of this decision

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<sup>12</sup> See, for example, *Lathrop v. Donohue*, 367 U.S. 820, 848 (1961); *Scales v. United States*, 367 U.S. 203 (1961); *Shapiro v. Thompson*, 394 U.S. 618, 655 (1969); *N.Y. Times Co. v. United States*, 403 U.S. 713, 752 (1971)—Justice Harlan's last opinion prior to his retirement from the Court.

<sup>13</sup> See, also, Justice Harlan's concurring opinion in *Orozco v. Texas*, 394 U.S. 324, 327 (1969), in which the *Miranda* doctrine was applied to questioning of a suspect immediately after arrest.

is that the Court expressly overruled two relatively recent prior decisions of the Court.

“Whatever may be the ultimate verdict of history as to how Justice Harlan’s judicial philosophy should be appraised, there can be no doubt that he will always be regarded as a Justice who possessed in the highest degree the qualities of character and dedication which are an essential component of a truly great judge. These qualities—his integrity, his fairness, his candor, his courtesy, his enjoyment of the spirit of professional comradeship, his gentle humor, his modesty, his intellectual and physical courage and his devotion to the Court and to the country—have won for him the admiration and affection of his colleagues on the Court, of the succession of gifted young men who have served as his Law Clerks and of many other judges and lawyers who have been in a position to form reliable judgments.

“The members of the Bar of the Supreme Court are most grateful that they have had the privilege of appearing before and knowing Justice Harlan and that the Court and the country have had the benefit of his extraordinarily productive and effective service on the Court. His death has left us with a deep sense of loss and we extend to his family our most sincere sympathy in their grief. We and our successors at the Bar will remember Justice Harlan with reverence and with great affection, and his noble example of selfless dedication to the law and to the Court will be a source of inspiration to all of us for many years to come.

“It is accordingly

“*Resolved*, That we, the Bar of the Supreme Court of the United States, express our profound sorrow at the death of Associate Justice John Marshall Harlan and our thankfulness for the great and enduring contributions made by him to the law, to the Court and to the Nation; and it is further

“*Resolved*, That the Attorney General be asked to present these Resolutions to the Court and to request that they be inscribed upon its permanent records.”<sup>14</sup>

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<sup>14</sup>The foregoing Resolutions are proposed by the Committee on Resolutions which consisted of the members set forth in the list attached hereto.

## Committee on Resolutions

## HARLAN MEMORIAL PROCEEDINGS

Professor Wayne G. Barnett  
Professor Paul Bator  
Hon. Dudley B. Bonsal  
Bruce Bromley, Esq.  
Hon. Frederick van P. Bryan  
Eli Whitney Debevoise, Esq.  
Professor Norman Dorsen  
Harold J. Gallagher, Esq.  
Cloyd Laporte, Esq.  
Nathan Lewin, Esq.  
David H. McAlpin, Esq.  
Robert W. Meserve, Esq.  
Matthew Nimetz, Esq.  
John Lord O'Brian, Esq.  
William P. Palmer, Esq.  
David W. Peck, Esq.  
E. Barrett Prettyman, Jr., Esq.  
Hon. William P. Rogers  
Henry Sailer, Esq.  
Philip C. Scott, Esq.  
Charles E. Stewart, Jr., Esq.  
Hon. William H. Timbers  
Lawrence E. Walsh, Esq.  
Bethuel M. Webster, Esq.  
Leo Gottlieb, Esq., *Chairman*

The Chief Justice said :

"Thank you, Mr. Solicitor General. I recognize the Attorney General at this time."

Mr. Attorney General Kleindienst addressed the Court as follows :

"Mr. Chief Justice, May it please the Court :

"The Bar of this Court met today to honor the memory of John Marshall Harlan, Associate Justice of the Supreme Court from 1955 to 1971.

“‘A lawyer’s and a judge’s judge,’ as he has been so aptly described, Justice Harlan was nominated by President Eisenhower in 1954 to fill the vacancy created by the death of Justice Robert H. Jackson. In announcing the appointment, the late President said: ‘Judge Harlan’s qualifications are the highest. Certainly, they were the highest of any that I could find.’

“And, indeed they were. Born in Chicago, Illinois, in 1899 to a family whose dedication to public service dates back almost 300 years, John Marshall Harlan was admitted to the New York Bar in 1925, after distinguishing himself academically at Princeton University, as a Rhodes scholar at Oxford University, and at New York Law School.

“The future Justice’s training as a lawyer began under the tutelage of Emory Buckner, then one of the Nation’s ablest and most highly regarded trial lawyers. Almost immediately after entering the practice of law, Justice Harlan accompanied Buckner into public service when the latter was appointed United States Attorney for the Southern District of New York. There the Justice not only assisted Buckner in the trial of many major prosecutions, but also tried a number of criminal cases.

“Upon leaving the United States Attorney’s Office, Justice Harlan returned to private practice where he became one of the leading members of the New York Bar, specializing in highly complex civil and criminal litigation which brought him before this Court in the role of an advocate. He twice interrupted his private practice to enter public service, once as a Special Assistant to the Attorney General of New York and later as Chief Counsel to the New York State Crime Commission. During World War II he was decorated by three nations for his services as head of the Operations Analysis Section of the Eighth Army.

“Some years ago, writing of his association with his mentor, Emory Buckner, Justice Harlan said: ‘The Cornerstone of . . . [his] litigation method was objective and relentless preparation. . . . [He] was never content to do the best he could with cases as put to him by his clients, but insisted upon making his own investigation of every fact and circumstance before rendering his estimate of the situation.’

“The young apprentice had apparently learned his lesson well. ‘Objective and relentless preparation’ and ‘exhaustive investigation’ of cases not only marked Justice Harlan’s career at the Bar; these traits were also clearly reflected in the objectivity with which he approached cases, in the probing questions he asked of counsel during oral argument, and in the brilliantly analytical and exhaustively researched opinions he wrote during his tenure on this Court and the United States Court of Appeals for the Second Circuit.

“While his opinions, which were the work product of a judicial craftsman, won him the admiration of students of the Court, and while his courtesy, objectivity, and general willingness to listen won



him the special affection of the Bar of the Court, it was his profound belief in the American Federal System as a bulwark of freedom, and his devotion to those basic liberties essential to a free society, so brilliantly expounded upon in his opinions, which can safely be said to have won him his place in the history of the Court. Justice Harlan deeply believed that the diffusion of governmental function between federal and state authority, and between the coordinate branches of the federal government, afforded safeguards to our free society of comparable importance to the Bill of Rights and the Fourteenth Amendment. Apart from its significance as an instrument of freedom, he viewed the manner in which our political system was structured as a catalyst, fostering diversity, innovation, and experimentation.

“With this guiding belief and his refusal to accept the view that the Fourteenth Amendment incorporated the provisions of the Bill of Rights in their entirety, he frequently dissented from opinions of the Court which he regarded as unnecessarily imposing on the states restrictions and procedures which were not essential to a system of ordered liberty and which stifled diversity and experimentation. But, while he would not acquiesce in interfering with state actions which fell short of infringing on fundamental rights, he had no hesitation in meeting the responsibility of the Court to strike down any action which endangered those liberties essential to a free society.

“In cases involving free speech and association, the rights which have been described as ‘the matrix, the indispensable condition of nearly every other form of freedom,’ Justice Harlan led the Court in reminding us that ‘[t]he constitutional right of free expression is powerful medicine in a society as diverse and populous as ours. It is designed and intended to remove governmental restraints from the arena of public discussion, putting the decision as to what views shall be voiced largely into the hands of each of us, in the hope that use of such freedom will ultimately produce a more capable citizenry and more perfect polity and in the belief that no other approach would comport with the premise of individual dignity and choice upon which our political system rests.’ (*Cohen v. California*, 403, U.S. 15, 24.)

“And in another opinion he spoke of the ‘constitutionally guaranteed “freedom to be intellectually . . . diverse or even contrary,” and the “right to differ as to things that touch the heart of the existing order.”’ (*Street v. New York*, 394 U.S. 576, 593, citing *Board of Education v. Barnette*, 319 U.S. 624, 641-642.)

“In *NAACP v. Alabama*, 357 U.S. 449, 462, he stressed ‘the vital relationship between freedom to associate and privacy in one’s associations,’ in an opinion which held that the state could not compel the disclosure of the membership lists of a group that had demonstrated

that each time its membership lists were disclosed, its members had been exposed 'to economic reprisal, loss of employment, threat of physical coercion, and other manifestations of public hostility.'

In *Poe v. Ullman*, 367 U.S. 497, 522, his dissenting opinion turned to the essential values reflected by the Fourth and Fourteenth Amendments.

Voting then to strike down Connecticut's ban on the use of contraceptive devices, as a majority of the Court later did, he noted that while the statute was not offensive under the traditional view of these constitutional provisions because it involved not an 'intrusion into the home so much as on the life which characteristically has its place in the home,' he nevertheless found the distinction to be insubstantial. [I]f the physical curtilage of the home is protected, it is surely as a result of the solicitude to protect the privacy of the life within. Certainly the safeguarding of the home does not follow merely from the sanctity of property rights. The home draws its pre-eminence at the seat of family life. And the integrity of that life is . . . fundamental . . .' (367 U.S. at 551). This concern for the sanctity and privacy of the home marked all of Justice Harlan's opinions in Fourth Amendment cases, although he often found it delicate to balance these values with his continuing concern that state criminal proceedings not be unduly shackled.

"Time does not permit an exhaustive review of Justice Harlan's work, which included some 600 opinions. But what emerges even from a cursory examination is the image of a man of great intellectual and moral integrity, dedicated to the Constitution and committed to the role of the Court as the protector of the fundamental liberties essential to a free people.

"To stop at this point, Mr. Chief Justice, without taking note of Justice Harlan's character and courage would 'miss the full measure of the man. None of us will forget his example of courage and fortitude as he worked without diminution in quantity or quality despite the illness which virtually blinded him in the last few years of his life. And all who knew and worked closely with him will never forget his kindness, warmth and concern for others. As his close friend and colleague, Justice Stewart, has said, 'What truly set him apart was his character . . . his generous and gallant spirit, his selfless courage, his freedom from all guile, his total decency . . . He was a great human being of great worth.'

"May it please this honorable Court :

"In the name of the lawyers of this nation, and particularly the Bar of this Court, I respectfully request that the Resolution presented to you in memory of the late Justice John Marshall Harlan be accepted by you, and that it, together with the chronicle of these proceedings, be ordered kept for all time in the records of this Court."

The Chief Justice said :

"Your motion is granted, Mr. Attorney General, and we thank you for your statement and tributes of the Supreme Court Bar to our late Brother, John Marshall Harlan.

"In responding, on behalf of the Court, to the very appropriate tributes to John Harlan, presented by the Attorney General and the Solicitor General, I would like to provide a brief glimpse of him as we saw him within the Court on a day-to-day basis. His great powers as an advocate and his superb qualities as a judge have been eloquently expressed and we, his colleagues, not only accept but fully endorse what has been said.

"No single Memorial ceremony, of course, can ever encompass the range of qualities and facets of a man of the qualities of John Harlan. At best we can touch on only a few aspects that stand out most clearly. The tributes to him in the various Resolutions give a variety of appraisals and they are of special value because they are expressions of close observers going back over nearly 50 years of his life in the law.

"These Resolutions have noted his quiet, but very important public service. His public service was episodic in the sense that whenever he was called he dropped his private concerns and turned all his great talents to the public task at hand. His performance of duty was unspectacular, if that word is used in a careful sense, and I use it to emphasize that John Harlan always concentrated on the objectives and never dramatized himself—a trait not always found in great advocates. His selfless approach that placed public service ahead of private gain or advantage is shown time and again in his life. His service in World War II is a good example. At the peak of his career as an advocate he laid aside all his opportunities and private interests and devoted the war years to the high level military intelligence work that has been described in the Resolutions, and which, for all its crucial importance was necessarily behind the scenes. And he did this at an age well beyond the realistic demands of civilians for active military service.

"Low key would be one description that we who worked with him day in and day out would accept even when the task he was performing was far from low key. This quality was, of course, ideal in a judge from whom all people expect detachment and objectivity.

"The colleagues of his early years saw one period of his career when his skills were being formed. Others who knew him at the peak of his career as an advocate saw the intensity of his concentration on the detailed facts which he saw as the foundation of all cases, the bed-rock on which legal principles must rest.

"John Harlan was essentially a very private person and a man of the present and the future but occasionally he would turn to reminiscences about cases he had tried or which he helped prepare in his earliest days with Emory Buckner. On the rare occasions he did this, what emerged was his passion for facts. He pursued the facts of his cases with the single-minded concentration of a scientist engaged in research. That same concern for the facts of a case persisted throughout his judicial work.

"His movements, like his thought processes, were always deliberate and unhurried. His only haste was that of the efficient human machine whose orderly habits always brought him to where he was expected in ample time to be prompt in the most casual way.

"We who were his colleagues will always be able to picture him sauntering into the Conference Room, one hand fingering the heavy gold watch chain of his grandfather, the elder Justice Harlan, the other often holding a cigarette.

"His head and face had a sculptured aspect, the eyes deep set but very alert even in the years that his sight was failing. Invariably, his countenance had a quizzical half-smiling look, attentive and receptive to any comment of a colleague. He carried himself unselfconsciously with great dignity but it was the simple dignity of a man who had long since come to terms with life and with himself.

"As an experienced, talented and accomplished advocate he knew that facts are usually the stuff that makes or breaks a case, and in Conference or on the Bench he knew the facts of the cases. All of us can recall his contribution to the Conference process. He never talked at great length but always to the point. In his quietly resonant voice that commanded attention he might open his discussion saying,

"'I would like to back up and link up some facts that, with all deference, seem to have been treated more lightly than I would think they deserve.'

Then he would perform the skilled advocate's task of focusing on the facts he thought controlling in the case.

"Or he might begin by saying:

"'Now that we have the whole case before us it is clear this is a "pewee" but it is here and we should deal with it.'

For John Harlan the 'pewee' case received the same in-depth concentration as every other case. Having mentioned his deep concern with the facts of every case, I hasten to say that his legal research was of the highest order and his long experience and fine scholarship enabled him to carry an enormous number of the Court's opinions in the forefront of his mind.

"In this day of labels for public figures, commentators tended to label John Harlan, but the only shorthand that for me comes near the

mark is that he was a practitioner of 'judicial restraint.' This was not something that developed when he became a judge on the Second Circuit or a Justice here. He was by nature a restrained person who never plunged into unexplored doctrinal thickets without the most careful advance patrolling of the area. If he could not reasonably predict the consequences of a holding, he would likely not join it. With Justice Holmes, it was his view that if a legal principle or concept had been accepted for generations past, the burden to abandon it was a heavy one for him.

"One of his most profound convictions that has already been alluded to was that all good things are not mandated by the Constitution and all undesirable things are not proscribed. He was willing to let some problems remain for future generations to solve rather than take great leaps to seductively appealing results. I am not sure whether he was acquainted with the writings of Rabbi Louis Finkelstein of the Jewish Theological Seminary of America, but his philosophy seemed to accept that great theologian's admonition that we should be content 'to leave a little to the Lord' and to the future.

"When the suggestion was made to me in 1954 that I accept a judicial appointment soon expected to develop, I concluded that I would find out how John Harlan as an active practicing lawyer felt about leaving the practice for the Bench. Our backgrounds had some slight similarity. I had practiced privately for 21 years and he for nearly 30 years. I visited him in his chambers at Foley Square in New York and we talked of practice and of government work and he finally said he suspected I would go on the Bench. I told him I was not at all sure and I asked how he liked the life of a Circuit Judge after years of active practice. He smiled and said essentially this:

"'It's not nearly as much fun as law practice but after 20 or 30 years at it I think possibly there is a greater opportunity to grow on the Bench than in the daily grind of a big firm practice.' John Harlan exhibited great growth capacity all his life but no one would deny his growth after he became a judge.

"As the date of this Memorial to John Harlan approached I recalled the visits to him in his last illness in which he bore his misfortune as he had always faced every crisis in his life, with fortitude and grace, without complaint, still receiving a friend as though he had asked him to his home or his chambers for tea. It was in the fall months that the severity of his condition became clear. Last week as I took a final look at my garden beds I reflected on this Memorial and looked back on my association with him. The fallen leaves reminded me that the end of summer was upon us but the beds were still brilliant with masses of scarlet, coral and white petals of the last of the summer flowers. Yet I knew that the frost would soon be on us and the flowers would be gone,

and of course the frost came—indeed it came that very night. But just as we can carry the memory and the image of past beauty and color, so do we carry the memory of the beauty of the spirit, the personality, the integrity and character of a friend. John Harlan left a rich legacy of this kind for his friends and loved ones.

“His bequest to the Law is recorded so that we can consult him at will in the volumes of the U.S. Reports. But for the warmth of the man as a cherished friend we need no research. To turn the mind to his name brings a flood of images and events of the Conferences, of his resonant voice and patient searching questions from the Bench, of his extraordinary capacity to announce the reasoning of a complex case in simple terms, from memory and without the help of notes or text. Lawyers will remember his genuine understanding of problems of the lawyer at the lectern. And we can recall our luncheon table talk and private discourse in which his warmth and wit and grace came out uninhibited by the diffidence that strangers saw. These are the riches of memory each of his former colleagues will carry as long as we have the power of memory.

“Mr. Attorney General, Mr. Solicitor General, on behalf of the Court I thank you for your presentations here today in memory of John Harlan. We ask you to convey to the Chairman and the Committee on Resolutions our appreciation for their efforts. The Resolutions will be made part of the permanent records of this Court.”

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Adjourned until Monday, November 6, 1972, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## ORDER IN PENDING CASE

No. **A-467**. Melvin Laird, Secretary of Defense, et al., applicants, *v.* Benjamin Spock et al. The application for a stay of the judgment of the United States Court of Appeals for the Third Circuit (No. 72-1934) is denied. The Chief Justice, Mr. Justice White, Mr. Justice Blackmun and Mr. Justice Rehnquist would grant the stay.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

### OPINION PER CURIAM

**No. 72-55.** Frank F. Murch et al., petitioners, *v.* Robert H. Mottram. On petition for writ of certiorari to the United States Court of Appeals for the First Circuit. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari granted, judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Dissenting statement by Mr. Justice Brennan with whom Mr. Justice Douglas and Mr. Justice Marshall concur.

### APPEALS—SUMMARY DISPOSITION

**No. 71-1584.** Bernard L. Stauffer, appellant, *v.* C. L. Weedlun, etc., et al. Appeal from the Supreme Court of Nebraska. The appeal is dismissed for want of a substantial federal question. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

**No. 72-115.** John E. Cunningham et al., appellants, *v.* King County Boundary Review Board et al. Appeal from the Court of Appeals of Washington. The appeal is dismissed for want of a substantial federal question.

**No. 72-175.** Eugene R. Fidell et al., appellants, *v.* Board of Elections of the City of New York et al. Appeal from the United States District Court for the Eastern District of New York. Judgment affirmed. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

**No. 72-200.** Chief of the Capitol Police et al., appellants, *v.* Jeanette Rankin Brigade et al. Appeal from the United States District Court for the District of Columbia. Judgment affirmed.

**No. 72-251.** Anthony F. LoFrisko, etc., appellant, *v.* Gloria Schaffer, as Secretary of State of Connecticut, et al. Appeal from the United States District Court for the District of Connecticut. Judgment affirmed.



No. 72-252. Kerr Motor Lines, Inc., appellant, *v.* United States et al. Appeal from the United States District Court for the Northern District of New York. Judgment affirmed.

No. 72-240. John M. Harper, appellant, *v.* United States. Appeal from the United States Court of Appeals for the First Circuit. Motion to dispense with printing jurisdictional statement granted. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-318. Robert V. Rafter, appellant, *v.* Newark Insurance Company. Appeal from the Court of Appeals of New York. The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-5007. Samuel Corrado, appellant, *v.* Rhode Island Bar Association. Appeal from the Supreme Court of Rhode Island. The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-5290. Robert Raymond Birdwell, appellant, *v.* Washington. Appeal from the Court of Appeals of Washington, Division I. The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-319. Kennecott Copper Corporation et al., appellants, *v.* State Tax Commission of Utah. Appeal from the Supreme Court of Utah. Motion of the Financial Executives Institute for leave to file a brief, as *amicus curiae*, granted. Motion of Tax Executives Institute, Inc., for leave to file a brief, as *amicus curiae*, granted. Motion of The Committee on State Taxation of the Council of State Chambers of Commerce et al., for leave to file a brief, as *amici curiae*, granted. The appeal is dismissed for want of a substantial federal question. Mr. Justice White would note probable jurisdiction and set case for oral argument.

#### ORDERS IN PENDING CASES

No. A-428. Ed S. Cook et al., applicants, *v.* Vivian Calhoun et al. The application for stay presented to Mr. Justice Powell, and by him referred to the Court, is denied. Mr. Justice Marshall took no part in the consideration or decision of this application.

No. D-1. In the Matter of Disbarment of Frances Kahn. It is ordered that Frances Kahn, of New York, New York, be suspended from the practice of law in this Court and that a rule issue returnable within forty days requiring her to show cause why she should not be disbarred from the practice of law in this Court.

No. D-2. In the Matter of Disbarment of Hyman Abrams. It is ordered that Hyman Abrams, of New York, New York, be suspended

from the practice of law in this Court and that a rule issue returnable within forty days requiring him to show cause why he should not be disbarred from the practice of law in this Court.

**No. D-3.** In the Matter of Disbarment of Sidney Konigsberg. It is ordered that Sidney Konigsberg, of New York, New York, be suspended from the practice of law in this Court and that a rule issue returnable within forty days requiring him to show cause why he should not be disbarred from the practice of law in this Court.

**No. D-4.** In the Matter of Disbarment of Samuel B. Brouner. It is ordered that Samuel B. Brouner of New York, New York, be suspended from the practice of law in this Court and that a rule issue returnable within forty days requiring him to show cause why he should not be disbarred from the practice of law in this Court.

**No. D-5.** In the Matter of Disbarment of Burton R. Signer. It is ordered that Burton R. Signer, of Cincinnati, Ohio, be suspended from the practice of law in this Court and that a rule issue returnable within forty days requiring him to show cause why he should not be disbarred from the practice of law in this Court.

**No. D-6.** In the Matter of Disbarment of Daniel D. Yudow. It is ordered that Daniel D. Yudow, of New York, New York, be suspended from the practice of law in this Court and that a rule issue returnable within forty days requiring him to show cause why he should not be disbarred from the practice of law in this Court.

**No. D-7.** In the Matter of Disbarment of Benjamin B. Scherman. It is ordered that Benjamin B. Scherman, of New York, New York, be suspended from the practice of law in this Court and that a rule issue returnable within forty days requiring him to show cause why he should not be disbarred from the practice of law in this Court.

**No. D-8.** In the Matter of Disbarment of Emanuel H. Pavsner. It is ordered that Emanuel H. Pavsner, of New York, New York, be suspended from the practice of law of this Court and that a rule issue returnable within forty days requiring him to show cause why he should not be disbarred from the practice of law in this Court.

**No. 27, Original.** State of Ohio, plaintiff, *v.* State of Kentucky. The exceptions to the Report of the Special Master are set for oral argument in due course.

**No. 71-92.** Elizabeth Corkey et al., appellants, *v.* Dan K. Edwards et al. The motion to set questions V, VI and IV for briefing and oral argument is denied.

**No. 71-708.** Paul J. Trafficante et al., petitioners, *v.* Metropolitan Life Insurance Company et al. The motion to permit two counsel to argue on behalf of the respondents is granted.

**No. 71-829.** Leila Mourning, petitioner, *v.* Family of Publications Service, Inc. The motion of the Solicitor General to permit A. Ray-

mond Randolph, Jr., Esquire, to present oral argument, *pro hac vice*, as *amicus curiae*, in support of the petitioner, is granted.

No. 71-850. United States, petitioner, *v.* Richard J. Mara aka Richard J. Marasovich. The motion of the Legal Aid Society of New York for leave to participate in oral argument, as *amicus curiae*, in support of the respondent is granted.

No. 71-1031. Leonard Tonasket, appellant, *v.* Washington et al. The motion of Colville Confederated Tribes for leave to participate in oral argument, as *amicus curiae*, is granted.

No. 71-1082. Reubin O'D. Askew et al., appellants, *v.* The American Waterways Operators, Inc., et al. The motion to permit two counsel to argue on behalf of the appellants is granted. The motion to permit two counsel to argue on behalf of the appellees is granted.

No. 71-1192. Donald Goldstein, Ruth Koven and Donald Koven, petitioners, *v.* California. The motion of Information Industry Association for leave to file an untimely brief, as *amicus curiae* is granted. The motion of the Attorney General of California for additional time to participate in oral argument, as *amicus curiae*, is denied.

No. 71-1470. Alton J. Lemon et al., appellants, *v.* David H. Kurtzman, etc., et al. The motion of The Pennsylvania Association of Independent Schools to permit two counsel to argue on behalf of the appellees is denied.

No. 71-5139. Gene Ham, petitioner, *v.* South Carolina. The motion of the Attorney General of South Carolina to permit Timothy G. Quinn to present oral argument, *pro hac vice*, on behalf of the respondent, is granted.

No. 71-6356. John Doe et al., petitioners, *v.* John L. McMillan et al. The motion to permit two counsel to argue on behalf of the respondents is granted.

No. 72-11. Roosevelt F. Palmore, appellant, *v.* United States. The motion of the appellant for leave to proceed further herein *in forma pauperis* is granted.

No. 72-5579. Peter Bekeny and Ilona M. Bekeny, petitioners, *v.* Hajo Wandschneider, Executor, etc., et al. The application for stay presented to the Chief Justice, and by him referred to the Court, is denied.

#### APPEALS—JURISDICTION NOTED OR POSTPONED

No. 72-129. National Association for the Advancement of Colored People, etc. et al., appellants, *v.* New York et al. Appeal from the United States District Court for the District of Columbia. In this case further consideration of the question of jurisdiction postponed to the hearing of the case on the merits. Mr. Justice Marshall took no part in the consideration or decision of this matter.

No. 72-269. Arthur Levitt, as Comptroller of the State of New York and Ewald B. Nyquist, as Commissioner of Education of the State of New York, appellants, *v.* Committee for Public Education and Religious Liberty et al.; *William M. ANDERSON*

No. 72-270. ~~Earl W. Drydges~~, as Majority Leader and President pro tem of New York State Senate, appellant, *v.* Committee for Public Education and Religious Liberty et al.; and

No. 72-271. Cathedral Academy et al., appellants, *v.* Committee for Public Education and Religious Liberty et al. Appeals from the United States District Court for the Southern District of New York. In these cases probable jurisdiction noted. Cases consolidated and a total of one hour allotted for oral argument.

#### CERTIORARI GRANTED

No. 71-6757. David X. Fontaine, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

#### CERTIORARI DENIED

No. 71-1474. Albert B. Eason et al., petitioners, *v.* Lena Vern Dandridge et al.;

No. 71-1601. Jefferson Parish School Board et al., petitioners, *v.* Lena Vern Dandridge et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-1544. John Patrick Mahoney, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 71-1613. David Thomas McBride, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 71-5803. Manuel Ray Gomez, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 71-6122. A. D. Wilwording, petitioner, *v.* Don E. Burrell et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 71-6649. Jim Fair, petitioner, *v.* James A. Sebesta, City Elections Officer, City of Tampa, Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6682. James Robert Stockman, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District denied.

No. 71-6758. Thomas Earl Dudley, petitioner, *v.* Elza Brantley, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-6759. William Curtis Hutchinson, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6799. Stanley Crawford, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 71-6840. Leonard L. McLain, petitioner, *v.* W. J. Estelle, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6853. Richard Florentino Tafoya, petitioner, *v.* Frank A. Eyman, Superintendent, Arizona State Prison. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 71-6863. Imogene Hudson Komes, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Santa Clara, denied.

No. 71-6877. James R. Moore, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 71-6914. Roy Edward Snipes, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 71-6920. Elbert Bully, Jr., petitioner, *v.* R. J. Henderson, Superintendent, Auburn Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 71-6930. Billy Joe Tyler, petitioner, *v.* Harold R. Swenson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-59. United States, petitioner, *v.* Hartford Accident and Indemnity Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-86. Clark Sherwood Oil Field Contractors et al., petitioners, *v.* Irene Hanks Smith, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-117. John Iannelli, petitioner, *v.* United States;

No. 71-6858. Frank Squires, petitioner, *v.* United States; and

No. 5274. John Tortora, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-173. Jacksonville Terminal Company, petitioner, *v.* Iris Hodge, etc. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. 72-196. Benjamin A. Javits, petitioner, *v.* The Association of the Bar of the City of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 72-202. In re Douglas C. MacLeod, petitioner. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 72-247. Nacirema Operating Company, Inc., et al., petitioners, *v.* Jerry C. Oosting, Deputy Commissioner, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-253. Pet Incorporated, petitioner, *v.* Kysor Industrial Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-255. National American Bank of New Orleans, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-257. Jesus Alvarez-Franco, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-259. Joanna Alogdelis, petitioner, *v.* Brooklyn College of the City University of New York et al. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 72-260. Kent Meyer et al., petitioners, *v.* City of Oklahoma City et al. Petition for writ of certiorari to the Supreme Court of Oklahoma denied.

No. 72-261. James O. Miller, petitioner, *v.* United States; and

No. 72-5292. Madeline Pineda et al., petitioners, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-262. Thomas J. O'Brien, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-263. Hillis B. Aikin and John W. Milligan, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-265. Pennsylvania, petitioner, *v.* Sylvan M. Cohen. Petition for writ of certiorari to the Superior Court of Pennsylvania, Eastern District, denied.

No. 72-268. Anna Mae Schott, petitioner, *v.* City of Kingman. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-277. Henry C. Fortenberry, etc., petitioner, *v.* New York Life Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-278. James Huel Cravens and Raymond M. Taylor, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-280. Lida Major, petitioner, *v.* Peter A. Signorelli et ux. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 72-281. Lawrence Chrysler Plymouth, Inc., petitioner, *v.* Chrysler Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-282. The Board of Education of the City of Bessemer, Alabama et al., petitioners, *v.* Doris Elaine Brown et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-283. George E. Mahin, Director of Revenue of Illinois, petitioner, *v.* Terrance R. Mitchell et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 72-284. North Carolina State Ports Authority, petitioner, *v.* International Longshoremen's Association, AFL-CIO. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-285. G. Douglas Tibbitts and Mary Tibbitts, petitioners, *v.* James E. Cussen. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-286. American Airlines, Inc., petitioner, *v.* John P. Locaynia et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-289. Kent B. Diehl, Sr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-290. California, petitioner, *v.* Thomas Halpin et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 72-291. United States Fire Insurance Co., petitioner, *v.* Marine Sulphur Transport Corporation et al.; and

No. 72-344. Marine Sulphur Transport Corporation et al., petitioners, *v.* Ida Ruth Heard et al. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-293. Gaston County Dyeing Machine Company, petitioner, *v.* Marvin W. Brown. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-296. John Cosmo Legari, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-297. Nathan Portner, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-299. Pilgrim Equipment Company of Houston, petitioner, *v.* Texas et al. Petition for writ of certiorari to the Court of Civil Appeals of Texas, First Supreme Judicial District, denied.

No. 72-301. Harry Comeaux, petitioner, *v.* George Buller et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-305. William Arvidson et al., petitioners, *v.* Dillingham Corporation, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-306. Monty M. Stanley, petitioner, *v.* Marjorie Taylor. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. 72-310. The Rainier Avenue Corporation, petitioner, *v.* City of Seattle. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 72-311. Walter Speed, Jr., petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 72-314. Robert Keefer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-315. New York Central Railroad Company, petitioner, *v.* Jo Ann Raines, as Special Administrator of the Estate of Thomas Raines. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 72-320. Geraldine L. Lightenburger et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-323. Theodore W. Kheel et al., petitioners, *v.* The Port of New York Authority et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-324. Russell L. Carter, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-325. David Leo Stecher, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.



No. 72-328. William O. Parten and Lewis Lynn Whitmire, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-329. Charles Schrenzel, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-333. James H. Bible, petitioner, *v.* Chevron Oil Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-336. William H. Penaat, petitioner, *v.* City of San Jose. Petition for writ of certiorari to the Court of Appeal of the California, First Appellate District, denied.

No. 72-337. Michael S. Ross, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-340. Paul F. Cantwell et al., petitioners, *v.* Board of Trustees for Utilities, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-342. David Handel, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5010. Perry M. Hawkins, Jr., petitioner, *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 72-5019. Carol Caref, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 72-5024. William B. Campbell, petitioner, *v.* Georgia et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5050. William R. Wilson, petitioner, *v.* Harold J. Cardwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5059. Roosevelt James, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. 72-5079. Grady Franklin Paschall, petitioner, *v.* E. B. Haskins, Superintendent, London Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5193. Howard Clayton Moore, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5194. Franklin D. Sheppard, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-5197. Ivan Maras, petitioner, *v.* Eugene G. Lipow. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-5198. Fannie Mae Case Robertson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5201. Ivan Adolphus Jerome W. (Wright), petitioner, *v.* Government of the Canal Zone. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5202. Carmen Lopez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5205. Jerome Warren Reed, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5207. Homer Lee Shelton, petitioner, *v.* W. J. Estelle, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5208. John Thomas Davidson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-5209. Jerry Lee Jones, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 72-5211. Kenneth Darrell Carpenter, petitioner, *v.* United States; and

No. 72-5232. Peter Harris Morris, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5212. Elaine W. Kerr, petitioner, *v.* Travelers Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5213. Jack R. Stokes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5215. A. J. Briggs, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5216. Donald Louis Lines, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5217. John Webb, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5219. Herbert C. DeVille, petitioner, *v.* Elliot L. Richardson, Secretary of Health, Education and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5220. Alfonso Eduardo Ninov, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5223. Fred O'Clair, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-5224. Robert C. Martin, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 72-5225. James Turner, Jr., et al., petitioners, *v.* District of Columbia. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 72-5228. William Andrew Voegel, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5229. Lloyd King, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 72-5233. Daniel Padilla-Partida, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5235. Dennis Raymond Szczytko, petitioner, *v.* Perry M. Johnson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5237. Burette Chisum, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5241. John Lonnie Jerkins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5242. Alphonse T. Goodman, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5245. William Rodger Starnes, petitioner, *v.* L. M. Connett, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5246. Charles Lucchetti, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5248. James Edward Thomas, petitioner, *v.* Louis S. Nelson, Warden et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5249. Rachel Lee Peaper, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 72-5250. Nedra Gabbard, petitioner, *v.* Martin Gabbard, Justice of the Peace, etc. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 72-5251. Samuel Parker, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 72-5255. Sammy Gene Kirk, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5259. William DeVerse, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5260. Oliver James Ammons, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5261. Ray Allen Collins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5262. Kenneth Wright, petitioner, *v.* E. P. Perini, Superintendent, Marion Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5263. Delores Valentine, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5264. Johnny Mack Thacker, petitioner, *v.* David P. Henry, Administrator of Central Prison et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5266. Larry James Story, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5267. Corinne C. Waterman, petitioner, *v.* Hyman B. Schutzer et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5268. Shirley Kay Griffin and Toyling Howell, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5271. Isaiah Brown, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5276. Don Hunter, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 72-5277. John Phillip McClard, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5280. Dwight Stuart Nordlof, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5281. Conrad Thompson, petitioner, *v.* The Department of the Army et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5285. Preston N. X. Barron, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5286. David McGee, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5287. Frank Edward Wetzel, petitioner, *v.* Stanley Blackledge, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5288. Martin Dwayne Hessler, Petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5289. Therion Frierson, petitioner, *v.* James A. Spruill et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 71-1380. E. B. Caldwell, Warden, petitioner, *v.* Jerry Dale Mathis. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6550. Frank B. W. Davidson, petitioner, *v.* Warden, California State Prison at San Quentin. Petition for writ of certiorari to the Supreme Court of California denied. Mr. Justice Douglas would grant certiorari.

No. 71-6885. Otto Hillen, petitioner, *v.* Director of Department of Social Service and Housing et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 71-6927. Albert Jashunsky, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Douglas would grant certiorari.

No. 72-16. Chesley Karr et al., petitioners, *v.* Clifford Schmidt, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-227. Joseph Waller, Jr., petitioner, *v.* City of St. Petersburg, Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Mr. Justice Douglas would grant certiorari.

No. 72-238. Merwin D. Birch, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-242. Denis Hanly et al., petitioners, *v.* Richard G. Kleindienst, Attorney General of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-295. Gloria Kendall LeBlanc and Helen Jenkins Roig, petitioners, *v.* Southern Bell Telephone & Telegraph Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-309. Howard Mark Sandler, petitioner, *v.* National Director of Selective Service et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-316. Thomas George Azzone, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-330. James B. Carey et ux., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5001. Clyde E. Jones, petitioner, *v. E. B. Haskins*, Superintendent, London Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5031. Dorothy Stevens Clinton, etc., petitioner, *v. Ingram Corporation*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5039. Alexander Bisno, petitioner, *v. Robert Martin*, Director, California Department of Social Welfare. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied. Mr. Justice Douglas would grant certiorari.

No. 72-5063. Wilburn Jackson, petitioner, *v. Georgia*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5072. Stephen Stice Braun, petitioner, *v. Kansas*. Petition for writ of certiorari to the Supreme Court of Kansas denied. Mr. Justice would grant certiorari.

No. 72-5134. Eddie David Cox, petitioner, *v. R. N. Woodson*, Director, Kansas State Penal Institutions, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5192. Henry Bell, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5210. Elton Hurt, Petitioner, *v. Ohio*. Petition for writ of certiorari to the Supreme Court of Ohio denied. Mr. Justice Douglas would grant certiorari.

No. 72-5222. Kenneth Dale Carpenter, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5231. Alfred Featherston, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5234. Belmont Keresty, petitioner, *v. United States*; and

No. 72-5236. Thomas Earl Phillips, petitioner, *v. United States*. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5240. Constance Thomas et al., petitioners, *v. United States*. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Mr. Justice Douglas would grant certiorari.

*DISSENTING OPINION*

No. 72-5243. Peter Philip Mauchlin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5258. James Frank Stone, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5270. Elizabeth B. Nammack, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5291. Robert J. Wall, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied. Mr. Justice Douglas would grant certiorari.

No. 71-6743. Willie Horace Bryant, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan concurs.

No. 72-109. President's Council, District 25 et al., petitioners, *v.* Community School Board No. 25 et al. Motion of The Authors League of America, Inc., for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Dissenting opinion by Mr. Justice Douglas. Mr. Justice Stewart would grant certiorari and set case for oral argument.

No. 72-218. Douglas B. Fugate, Commissioner, Department of Highways, Virginia, petitioner, *v.* Arlington Coalition on Transportation et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. The Chief Justice and Mr. Justice Powell would grant certiorari.

No. 72-266. Daisy B. Stone, petitioner, *v.* Edley ~~Craghill~~ Nicholas Stone et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-275. Aaron Katz, etc., petitioner, *v.* Nolan C. Aspinwall et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Rehnquist took no part in the consideration or decision of this petition.

No. 72-294. L. Goldstein's Sons, Inc., petitioner, *v.* Trio Process Corporation. Motion of the Ford Motor Company for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.



No. **72-302**. Picture Music, Inc., petitioner, *v.* Bourne, Inc. Motion of the Composers and Lyricists Guild of America, Inc., et al., for leave to file a brief, as *amici curiae*. granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-303**. New Hampshire Bankers Association et al., petitioners, *v.* James W. Nelson et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Douglas and Mr. Justice Blackmun would grant certiorari.

No. **72-313**. Metropolitan County Board of Education of Nashville and Davidson County, Tennessee, C. R. Dorrier, Chairman, et al., petitioners, *v.* Robert W. Kelley et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. **72-321**. Seaboard Coast Line Railroad Company, petitioner, *v.* William P. Jackson. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. **72-327**. Jack Hoogasian, State's Attorney of Lake County et al., petitioners, *v.* Sears, Roebuck & Company. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Douglas would grant certiorari. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. **72-339**. Lamb Enterprises, Inc., petitioner, *v.* The Toledo Blade Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas took no part in the consideration or decision of this petition.

No. **72-5269**. Thomas W. Raymond, petitioner, *v.* United States. Motion for an order reinstating case No. 71-6536, *Guy v. U.S.* and for simultaneous consideration denied. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

#### LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. **72-5214**. Franklin Delano Floyd, petitioner, *v.* J. D. Henderson, Warden;

No. **72-5282**. Bobby Baca, petitioner, *v.* Charles E. Harris, Warden, et al.; and

No. **72-5295**. John S. Shelton, petitioner, *v.* James D. Henderson, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

## LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. **71-6827**. Bobby Lee Sams, petitioner, *v.* Marvin E. Frankel, District Judge, United States District Court, Southern District of New York. Motion for leave to file petition for writ of mandamus denied.

## REHEARING DENIED

No. **71-1624**. Moses Lewis, Jr., petitioner, *v.* Strachan Shipping Company et al.;

No. **71-6260**. Paul MacLeod, petitioner, *v.* A. E. Slayton, Jr., Superintendent, Virginia State Penitentiary;

No. **71-6536**. Earl Guy, petitioner, *v.* United States;

No. **71-6564**. Fred A. Newell, petitioner, *v.* Luther Bohanon, Judge, U.S. District Court, Western District of Oklahoma; and

No. **71-6907**. James Watson, petitioner, *v.* Leroy Stynchcombe. Petitions for rehearing denied.

No. **71-1218**. Auckland Holmes and James Oliver, petitioners, *v.* United States. Motion to dispense with printing motion for leave to file petition for rehearing granted. Motion for leave to file petition for rehearing denied.

No. **71-1433**. Thomas E. Belliston et al., petitioners, *v.* Texaco, Inc. Motion for leave to file petition for rehearing denied.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William H. Allison, Jr.	Louisville, Ky.	Robert Allen Sedler.
Terence J. Anderson	Chicago, Ill.	Milton Mallin.
Anthony M. Arena	Boston, Mass.	Monroe L. Inker.
James E. Bates	Los Angeles, Calif.	George G. Witter.
R. E. Baumgartner	Seward, Alaska	Theodore F. Stevens.
Thomas Edward Behuniak	Seymour, Conn.	Selmer A. Davidson.
Leo N. Bradley	Golden, Colo.	Anthony F. Zarlengo.
Scott Bradley	Dallas, Tex.	Philip Louis Burleson.
Roy C. Brock	San Antonio, Tex.	George H. Spencer.
Margaret deB. Brown	San Francisco, Calif.	M. Laurence Popofsky.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Bert Burgoyne	Detroit, Mich	Harry M. Nayer.
John S. Clark	New York, N.Y.	Julian T. Abeles.
Walter M. Clark	St. Louis, Mo.	Wm. H. Arm- strong.
John M. Cogswell	Denver, Colo.	John H. Tippit.
Irving Cohen	Brooklyn, N.Y.	Edward J. Mallon.
Max Cohen	New York, N.Y.	Frank J. Brasco.
Richard F. Comerford, Jr.	Stamford, Conn.	William P. Mason, III.
Rufus Hagood Craig	Nashville, Tenn.	Frank A. Berry, Jr.
Charles McDowell Crook	Montgomery, Ala.	Maury D. Smith.
Marcy Bradshaw Darnall III.	Nashville, Tenn.	Frank A. Berry, Jr.
Stephen E. DeForest	Seattle, Wash.	Richard H. Riddell.
Jay W. Dickey, Jr.	Pine Bluff, Ark.	Jay W. Dickey.
Mary Ellen Dienes (Miss)	Chicago, Ill.	Marshall J. Hartman.
Richard D. Donohoo	St. Paul, Minn.	Joseph A. Maun.
Ted N. Drake	Pine Bluff, Ark.	Jay W. Dickey.
Robert Kilian Dreiling	Kansas City, Mo.	Phillip S. Brown.
Frank Durkan	New York, N.Y.	Edward M. Kennedy.
Harold Jesse Edelson	Wilmington, Del.	Richard A. Rosan.
W. B. Edwards	Houston, Tex.	Jesse P. Luton; Jr.
George H. Eggers	Silver Spring, Md.	Alan M. Perlman.
John Alfred Eichler	Washington, D.C.	Judge Oscar H. Davis.
James R. Everett, Jr.	Old Hickory, Tenn.	George E. Barrett.
Patrick J. Falvey	New York, N.Y.	Joseph Lesser.
Lester Alexander Farmer, Jr.	Dothan, Ala.	William L. Dickinson.
William Feldman	Silver Spring, Md.	Samuel William Cochran.
Donald W. Ferrell	Seattle, Wash.	Robert J. Backstein.
Joseph E. Fortenberry	Auburn, Ala.	James W. Garrett.
George E. Frasier	Seattle, Wash.	Richard H. Riddell.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Lawrence G. Fretzin	Chicago, Ill.	Sandra Gayle Nye.
Charles E. Galey	Lubbock, Tex.	Charles L. Waters.
Ronald Stuart Galloway	Dallas, Tex.	Marvin G. Shwiff.
Gregory Charles M. Garratt	San Diego, Calif.	G. W. Rutherford;
Arnold R. Gellman	Miami, Fla.	Ronald S. Guralnick.
Norman H. Gerlach	Chicago, Ill.	Louis Robertson.
Gerald A. Goldman	Chicago, Ill.	John G. Karones.
Michael Ibs Gonzalez	San Diego, Calif.	James M. Dort.
Charles E. Goss	Harlan, Ky.	James S. Greene, Jr.
William T. Guarnieri	Cleveland, Ohio	Edward M. Esber.
Jack F. Hannig	Los Angeles, Calif.	Glenette Black- well.
Matthew Harper, Jr.	Laurel, Miss.	John C. Stennis.
Paul F. Hayzlett	Peoria, Ill.	James L. Hafele.
Edward J. Hegarty	San Francisco, Calif.	Daniel W. Baker.
James M. Heidelberg, Jr.	San Antonio, Tex.	Edward Idar, Jr.
Minor L. Helm, Jr.	Waco, Tex.	P. M. Johnston.
Gerald W. Hess	Denver, Colo.	Z. L. Pearson, Jr.
Richard Thorndike Hildreth.	Marblehead, Mass.	Merlin H. Staring.
John Holtrichter, Jr.	Palos Verdes Estates, Calif.	Edward G. Gorman.
Ellis C. Hooper	Atlanta, Ga.	W. Rhett Tanner.
Colin Clyde Howard	Tucson, Ariz.	Clinton J. Hansen.
John Hudson	Chicago, Ill.	Milton Mallin.
George L. Hudspeth	Jacksonville, Fla.	Thomas M. Baumer.
Harold E. Hutson	Indianapolis, Ind.	Austin B. Childress.
Kenji Ito	Los Angeles, Calif.	Evelle J. Younger.
Robert S. Ivie	Seattle, Wash.	Richard H. Riddell.
James F. Kennedy, Jr.	Toledo, Ohio	Thomas F. Butler, Jr.
John Edmunds King	Seattle, Wash.	Richard H. Riddell.
John Kokish	Denver, Colo.	Rollie R. Rogers.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Pierre J. LaForce	Washington, D.C.	Angelo A. Iadarola.
Theodore P. Lambros	San Francisco, Calif.	Richard Harrington.
E. Richard Larson	New York, N.Y.	Jonathan A. Weiss.
Vincent R. Larson	Seattle, Wash.	Richard H. Riddell.
James Allan Laurenson	Columbus, Ohio	Joseph M. Howard.
Lewis Olivier Lauve	Alexandria, La.	Grove Stafford.
John R. Lavery	Oak Brook, Ill.	Walter K. Pyle.
Melvyn Rosenman Leventhal.	Jackson, Miss.	Jack Greenberg.
Thomas Franklin Lewis, Jr.	South Bend, Ind.	Roland Obenchain.
Floyd J. Lofton, Jr.	Little Rock, Ark.	John L. McClellan.
William Lan Lutz	Las Cruces, N. Mex.	T. K. Campbell.
Edward P. Lynch	Newark, N.J.	Donald B. Kipp.
John T. Madden	Moundsville, W. Va.	Don A. Barr.
Dwayne D. Maddox	Huntingdon, Tenn.	Robert Taylor Keeton, Jr.
Earl Keith Madsen	Golden, Colo.	Anthony F. Zarlengo.
John R. E. Martin	Topeka, Kans.	Glenn D. Cogswell.
William Edwin Martin	Nashville, Tenn.	William Waller.
Stephen A. Matthews	Pine Bluff, Ark.	Paul B. Young
Philip Kent Maxwell	Corpus Christi, Tex.	William R. Edwards.
Stephen M. McCabe	Mineola, N.Y.	Robert I. Skoy.
William Anthony McKinstry	Oakland, Calif.	James Francis Coakley.
Timothy John McNamara	Lafayette, La.	James J. Davidson.
Ronald Werner Meyer	Phoenix, Ariz.	Thomas J. Novak.
Kaiser Michael, Jr.	Albuquerque, N. Mex.	Rolando J. Matteucci.
Burton M. Michaels	Tallahassee, Fla.	Ralph A. Marsicano.
Christopher Avery Mills	Riverwoods, Ill.	Earl E. Pollock.
Jay Woodruff Nelson	Honolulu, Hawaii	Samuel P. King.
Raeburn L. Norris	Houston, Tex.	M. Gabriel Nahas, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
J. Richard Oexmann	Lexington, Ky.	Charles V. Boarman.
Roy Andrew Olson	Hillsboro, N. Dak.	Robert M. Redding.
John J. Orvis	Dallas, Tex.	Hoyet A. Armstrong.
Robert C. Osterberg	New York, N.Y.	Julian T. Abeles.
Jon Larry Palmer	Hopewell, Va.	Sidney Barney.
Samuel F. Pearce	San Jose, Calif.	Dennis H. Trosch.
Earl Gerard Perry, Jr.	New Orleans, La.	Andrew M. Weir.
Tanya M. Plaut	Orlando, Fla.	James M. Russ.
Victor Potysman	Chicago, Ill.	Patrick A. Tuite.
Robert M. Povondra	San Diego, Calif.	G. W. Rutherford.
Douglass A. Raff	Seattle, Wash.	Richard H. Riddell.
James Sydney Ramsey, Jr.	Dallas, Tex.	Angus G. Wynne.
Anthony J. Randazzo	Lawrence, Mass.	Maurice S. Close.
R. Regis Reasbeck	Hollywood, Fla.	Reinhold J. Fegers.
D. Carl Richards	Dallas, Tex.	Hugh L. Steger.
John R. Risher, Jr.	Washington, D.C.	John M. Bray.
John Walter Robinson	Gretna, La.	Andrew M. Weir.
Eugene F. Roesser	Washington, D.C.	Egbert R. Ferguson, Jr.
Warren M. Salomon	Miami, Fla.	Michael R. Klein.
Walter Wayne Schoenewolf	Brick Township, N.J.	V. Seeley Romaine.
Emil W. A. Schumann	Jersey City, N.J.	Peter P. Artaserse.
Daniel John Seifer	Portland, Oreg.	Norman B. Kobin.
Maxwell Sexton	Oneida, Tenn.	Howard H. Baker, Jr.
Victor Sherman	Beverly Hills, Calif.	Richard Gary Hirsch.
George John Skontos	Chicago, Ill.	John C. Castanes.
Allen L. Smith, Jr.	Lake Charles, La.	Frank M. Brame.
J. Earl Smith	Dothan, Ala.	William Louis Dickinson.
Jack Sparks	Austin, Tex.	Austin C. Bray, Jr.
Forney Braddock Stafford.	Miami, Fla.	M. Lewis Hall, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jerome Stanbury	Hyattsville, Md.	Morris Topf.
Richard G. Steiner	Gretna, La.	Andrew M. Weir.
William Taft Stephens	New York, N.Y.	Arthur H. Dean.
Mayo H. Stiegler	Evanston, Ill.	Allan Ashman.
Richard E. Stifel	Honolulu, Hawaii	Hugh Shearer III.
Elmer John Stone	San Diego, Calif.	G. W. Rutherford.
Fred William Stork III	Phoenix, Ariz.	John Meehan McGowan II.
Lewis Eldean Stringer	Oklahoma City, Okla.	Vincil Penny Crowe.
Milton Gary Strom	New York, N.Y.	Barry H. Gar- finkle.
Edward J. Sullivan, Jr.	Hillsboro, Oreg.	Hall S. Lusk.
Robert M. Sweeting	San Juan, Puerto Rico.	Victor House.
Barnett Allen Task	Cleveland, Ohio	Charles A. Vanik.
Gordon Howard Telfer	Pittsburgh, Pa.	Firman P. Lyle.
Leif Francis Tessem	San Diego, Calif.	James F. Cooper.
Elasko Thigpen	Peoria, Ill.	James L. Hafele.
Tom Thorner	San Rafael, Calif.	Hadden W. Roth.
Jon Franklin Tuttle	Minneapolis, Minn.	Henry Halladay.
Donald S. Voorhees	Seattle, Wash.	Richard H. Riddell.
James Price Wallace	Houston, Tex.	Bailey Edgar Tynes, Jr.
John L. Warden	New York, N.Y.	Arthur H. Dean.
Thomas Edward Warriner	Los Angeles, Calif.	Edward M. Belasco.
Irene Conrad Warshauer	New York, N.Y.	Paul G. Pennoyer, Jr.
Emile McClung Weber	Baton Rouge, La.	H. Alva Brum- field.
Arthur Andrew Weeks	Birmingham, Ala.	Frank W. Donald- son.
Martin Weeks, Jr.	Virmillion, S. Dak.	Everett A. Bogue.
Michael Norman Weiss	Miami, Fla.	Gerald F. Rich- man.
Wayne W. Whalen	Chicago, Ill.	Robert A. Helman.
J. Vernon Williams	Seattle, Wash.	Richard H. Riddell.
Roger Courtland Williams	Tuscaloosa, Ala.	Ralph Roger Williams.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Charles Williams III.	Delray Beach, Fla.	Paul G. Rogers.
George V. Willoughby, Jr.	Seattle, Wash.	Richard H. Riddell.
Joel Lewittes	New York, N.Y.	Louis J. Lefkowitz.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Greer S. Goldman	Washington, D.C.	Solicitor General Erwin N. Griswold.
John J. Polvitz, Jr.	Detroit, Mich.	Solicitor General Erwin N. Griswold.
Rhea Sylvia Drew	New York, N.Y.	Jack Greenberg.
Carl Frederick Meyer, Jr.	Woodbridge, Va.	Ronald S. Frankel.
Barbara Ann Shapiro	New York, N.Y.	Jonathan Shapiro.
Edward Dameron Weakley	St. Louis, Mo.	Howard Elliott, Jr.
William Owen Kafes	Trenton, N.J.	Stephen A. West.
Kenneth Malcolm Montgomery	Indianapolis, Ind.	Stephen A. West.
A. Neal Simmons	Bethesda, Md.	Stephen A. West.
Robert M. Stein	Norfolk, Va.	Stephen A. West.
Gary Lloyd Theurer	Potomac, Md.	Stephen A. West.

The Chief Justice said:

“Mr. Justice White is absent but reserves the right to participate in today’s arguments on the basis of the entire record, briefs, and the tape recording of the oral arguments.”

#### ORAL ARGUMENT

No. 71-229. United States, petitioner, *v.* Antonio Dionisio. Argued by Mr. Philip A. Lacovara for the petitioner and by Mr. John Powers Crowley for the respondent.

No. 71-850. United States, petitioner, *v.* Richard J. Mara aka Richard J. Marasovich. Argued by Mr. Philip Lacovara for the petitioner and by Mr. Angelo Ruggiero for the respondent and by Mrs. Phylis Skloot Bamberger for the Federal Community Defender



Organization of the Legal Aid Society of New York, as *amicus curiae*, by special leave of Court.

No. **71-5139**. Gene Ham, petitioner, *v.* South Carolina. Argued by Mr. Jonathan Shapiro for the petitioner and by Mr. Timothy G. Quinn for the respondent, *pro hac vice*, by special leave of Court.

No. **71-564**. District of Columbia, petitioner, *v.* Melvin Carter. Argued by Mr. Richard W. Barton for the petitioner and by Mr. Warren K. Kaplan for the respondent. Memoranda to come.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### OPINION

No. **71-895**. National Labor Relations Board, petitioner, *v.* International Van Lines. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed, insofar as it refused to enforce the Board's order that the discharged employees be reinstated with back pay, and case remanded to the Court of Appeals for further consideration in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Opinion by Mr. Justice Blackmun concurring in the judgment.

The Chief Justice said:

"Mr. Justice White is absent but reserves the right to participate in today's arguments on the basis of the entire record, briefs, and the tape recording of the oral arguments."

### ORAL ARGUMENT

No. **70-73**. Marvin Miller, appellant, *v.* California. Reargued by Mr. Burton Marks for the appellant and by Mr. Michael R. Capizzi for the appellee.

No. **70-2**. United States, appellant, *v.* 12 200-Ft. Reels of Super 8mm. Film et al. Reargued by Mr. Solicitor General Erwin N. Griswold for the appellant and by Mr. Thomas H. Kuchel, as *amicus curiae* in support of the judgment below, by invitation of the Court.

No. **70-69**. United States appellant, *v.* George Joseph Orito. Reargued by Mr. Solicitor General Erwin N. Griswold for the appellant and by Mr. James M. Shellow for the appellee.

No. **71-708**. Paul J. Trafficante et al., petitioners, *v.* Metropolitan Life Insurance Company et al. Argued by Mr. Stephen V. Bomse for the petitioners, by Mr. Lawrence G. Wallace for the United States, as *amicus curiae*, by Mr. Richard J. Kilmartin for the respondent Metropolitan Life Insurance Company, and by Mr. Robert M. Shea for the respondent Parkmerced Corporation.

Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Neil Myers	Euclid, Ohio	Edward R. Korman.
Peer LaFollette Anderson	Oklahoma City, Okla.	William H. Blackmarr.
Donald F. Marlar	Tulsa, Okla.	William H. Blackmarr.
James Perrin Anderson, Jr.	Greenwood, S.C.	William H. Blackmarr.
Harry Mason Boertzel	Laurel, Md.	William H. Blackmarr.
Charles Allen Riggins	Richmond, Va.	William H. Blackmarr.

The Chief Justice said:

“Mr. Justice White is absent but reserves the right to participate in today’s arguments on the basis of the entire record, briefs, and the tape recording of the oral arguments.”

### ORAL ARGUMENT

No. **71-5685**. Daisy Johnson et al., petitioners, *v.* New York State Education Department et al. Argued by Mr. Carl Jay Nathanson for the petitioners and by Mr. Joel Lewittes for the respondents.

No. **71-1470**. Alton J. Lemon et al., appellants, *v.* David H. Kurtzman, etc., et al. Argued by Mr. David P. Bruton for the appellants and by Mr. William B. Ball for the appellees.

No. **71-862**. United Air Lines, Inc., appellant, *v.* George E. Mahin et al. Argued by Mr. Mark H. Berens for the appellant and by Mr. Robert J. O’Rourke for the appellees.

No. **71-857**. Evco, dba Evco Instructional Designs, petitioner, *v.* Franklin Jones, Commissioner of the Bureau of Revenue of the State of New Mexico et al. Argued by Mr. Kendall O. Schlenker for the petitioner and by Mr. John C. Cook for the respondents.

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Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present : Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## ORAL ARGUMENT

No. 71-829. Leila Mourning, petitioner, *v.* Family Publications Service, Inc. One and one half hours allowed for oral argument. Argued by Mr. Eric Schnapper for the petitioner, by Mr. A. Raymond Randolph, Jr., for the United States, as *amicus curiae*, *pro hac vice*, by special leave of Court, and by Mr. Robert S. Rifkind for the respondent.

No. 71-666. United States, appellant, *v.* Glaxo Group Limited et al. One and one half hours allowed for oral argument. Argued by Mr. Daniel M. Friedman for the appellant, by Mr. Henry P. Sailer for the appellee Glaxo Group, Limited, and by Mr. Sigmund Timberg for the appellee Imperial Chemical Industries, Limited.

No. 71-909. Environmental Protection Agency et al., petitioners, *v.* Patsy T. Mink et al. Argued by Mr. Roger C. Cranton for the petitioners and by Mr. Ramsey Clark for the respondents.

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Adjourned until Monday, November 13, 1972, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## ORDER IN PENDING CASE

No. A-444. Samuel L. Popkin, applicant, *v.* United States. The application for a stay of the mandate of the United States Court of Appeals for the First Circuit presented to Mr. Justice Brennan, and by him referred to the Court, is denied. Mr. Justice Douglas would grant the stay.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

### OPINIONS PER CURIAM

No. **71-5780**. Celestino Rivas et al., appellants, *v.* Robert C. Cozens, Director, California Department of Motor Vehicles, et al. Appeal from the United States District Court for the Northern District of California. Motion for leave to proceed *in forma pauperis* granted. Judgment vacated and case remanded to the United States District Court for the Northern District of California to determine whether case has become moot. Opinion *per curiam*.

No. **72-5256**. Rosalie Givens et al., petitioners, *v.* W. T. Grant Company. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the United States Court of Appeals for the Second Circuit for reconsideration of its order of dismissal in light of 28 U.S.C. § 1447(c). Opinion *per curiam*.

### APPEALS—SUMMARY DISPOSITION

No. **71-6752**. Charles Walker, appellant, *v.* Kentucky. Appeal from the Court of Appeals of Kentucky. The appeal is dismissed for want of a substantial federal question.

No. **72-32**. D. M. Winter, Jr., etc., appellant, *v.* S. J. Pratt, W. W. Lewis and C. H. Lowder, etc. Appeal from the Supreme Court of South Carolina. The appeal is dismissed for want of a substantial federal question.

No. **72-354**. Rockland County Builders Association, Inc., et al., appellants, *v.* John McAlevey, etc., et al.; and

No. **72-369**. Ruth Golden and Ramapo Improvement Corp., appellants, *v.* The Planning Board of the Town of Ramapo et al. Appeals from the Court of Appeals of New York. The appeals are dismissed for want of a substantial federal question.

No. 72-365. Lucy Marie Reilley, appellant, *v.* Bernard J. Reilley. Appeal from the Supreme Court of Appeals of West Virginia. The appeal is dismissed for want of a substantial federal question.

No. 72-5513. Samuel Corrado, appellant, *v.* Providence Redevelopment Agency. Appeal from the Superior Court of Rhode Island. The appeal is dismissed for want of a substantial federal question.

No. 72-104. David Kaplan et al., appellants, *v.* James B. Milliken et al. Appeal from the United States District Court for the Western District of Kentucky. Judgment affirmed.

No. 72-246. Interstate Commerce Commission, appellant, *v.* IML Seatransit Ltd., et al. Appeal from the United States District Court for the Northern District of California. Judgment affirmed. Mr. Justice Douglas, Mr. Justice White and Mr. Justice Rehnquist would note probable jurisdiction and set case for oral argument.

No. 72-373. Texas Eastern Transmission Corporation, appellant, *v.* Thomas Benson, Commissioner of Revenue. Appeal from the Supreme Court of Tennessee, Middle Division. The appeal is dismissed for want of a substantial federal question. Mr. Justice Douglas, Mr. Justice Stewart and Mr. Justice White would note probable jurisdiction and set case for oral argument.

#### CERTIORARI—SUMMARY DISPOSITION

No. 72-5317. Johnnie Frazier, petitioner, *v.* North Carolina. On petition for writ of certiorari to the Supreme Court of North Carolina. Motion for leave to proceed in forma pauperis and petition for writ of certiorari granted. Judgment vacated and case remanded to the Supreme Court of North Carolina for further consideration in light of *Stewart v. Massachusetts*, 408 U.S. 845 (1972).

#### ORDERS IN PENDING CASES

No. A-460. In the Matter of Howard Berg, Philip Craven, and Daniel Rosenberg, applicants. The application for stay of execution of judgment and bail presented to Mr. Justice Douglas, and by him referred to the Court, is denied. Mr. Justice Douglas would continue the stay.

No. 71-1178. Gulf States Utilities Company, petitioner, *v.* Federal Power Commission et al. The motion of the Solicitor General for leave to participate in oral argument, as *amicus curiae*, in support of the respondent cities is granted and fifteen minutes are allotted for that purpose. The petitioner is also allotted fifteen additional minutes for oral argument.

No. 71-1192. Donald Goldstein, Ruth Koven and Donald Koven, petitioners, *v.* California. The motion of Recording Industry Associa-



tion of American, Inc., et al., for leave to participate in oral argument, as *amici curiae*, is denied.

No. 71-6757. David X. Fontaine, petitioner, *v.* United States. The motion of petitioner for the appointment of counsel is granted, and it is ordered that Steven M. Umin, Esquire, of Washington, D.C., a member of the Bar of this Court be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

No. 72-95. Lewis S. Tollett, Warden, petitioner, *v.* Willie Lee Henderson. The motion of respondent for the appointment of counsel is granted, and it is ordered that H. Fred Hoeffle, Esquire, of Cincinnati, Ohio, a member of the Bar of this Court be, and he is hereby, appointed to serve as counsel for the respondent in this case.

No. 72-312. Merrill Lynch, Pierce, Fenner & Smith, Inc., petitioner, *v.* David Ware et al. The Solicitor General is invited to file a brief expressing the views of the United States in this case.

No. 72-5240. Constance Thomas et al., petitioners, *v.* United States. Dissenting opinion by Mr. Justice Douglas from the denial of certiorari on November 6, 1972, with whom Mr. Justice Brennan and Mr. Justice Marshall concur.

No. 72-5535. Bentley Andrew Dye, petitioner. *v.* New Jersey. The application for bail presented to Mr. Justice Stewart, and by him referred to the Court, is denied. Mr. Justice Douglas would grant bail. Mr. Justice Brennan took no part in the consideration or decision of this application.

#### APPEALS—JURISDICTION NOTED

No. 72-214. The Atchison, Topeka and Santa Fe Railway Company et al., appellants, *v.* The Wichita Board of Trade et al; and

No. 72-433. Interstate Commerce Commission, appellant, *v.* Wichita Board of Trade. Appeals from the United States District Court for the District of Kansas. In these cases probable jurisdiction noted. Cases consolidated and a total of one hour allotted for oral argument.

No. 72-350. United States, appellant, *v.* State Tax Commission of Mississippi et al. Appeal from the United States District Court for the Southern District of Mississippi. In this case probable jurisdiction noted.

#### CERTIORARI DENIED

No. 71-1556. George McGowan, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 71-6720. John Fletcher, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 71-6880. Larry Ronald Davis, petitioner, *v.* E. B. Caldwell, Warden. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 71-6897. Peter John Andersen, petitioner, *v.* Regents of the University of California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District denied.

No. 72-67. Horace H. Hill, Sr., and Pauline A. Hill, petitioners, *v.* Charleen Jo Hill. Petition for writ of certiorari to the Supreme Court of California denied.

No. 72-79. County Board of Education of Richmond County, Georgia et al. petitioners, *v.* Robert L. Acree, et al.; and

No. 72-167. Ann Gunter Drumond et al., petitioners, *v.* Robert L. Acree et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-135. Irvin Projansky, petitioner, *v.* United States;

No. 72-272. Gerald Leavitt, petitioner, *v.* United States;

No. 72-390. Michael Geier, petitioner, *v.* United States; and

No. 72-514. Harry Brainin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-157. Harry L. Lonquest, petitioner, *v.* Wyoming. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 72-177. Howard Slaton Miller, petitioner, *v.* A. E. Slayton, Jr., Superintendent of Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-288. W. S. Potts et al., petitioners, *v.* Arlene Flax et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-335. Walker Beck LeFlore, petitioner, *v.* Alabama Ex Rel. Cassie Belle Moore. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 72-343. Jill S. Loeser et al., petitioners *v.* Julius Loeser. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 72-346. William E. Humble, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-347. Custom Recording Company, Inc., et al., petitioners, *v.* Columbia Broadcasting System, Inc. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 72-353. Certified Grocers of Illinois, Inc., et al., petitioners, *v.* Sparkle Food Center, Inc., et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 72-358. Charles L. Bishop, petitioner, *v.* Coral Drilling, Inc., et al. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 72-360. International Longshoremen's Association, et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-361. Stephen S. Gottlieb, petitioner, *v.* Perry B. Duryea, Jr., et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 72-362. Winchester TV Cable Co., Inc., et al., petitioners, *v.* Federal Communications Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-363. Flossie V. Grimes, petitioner, *v.* Nottoway County School Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-372. Road Materials, Inc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-374. Russell L. Swarthout, petitioner, *v.* Erika Olund. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-375. San Francisco Newspaper Printing Company Inc., et al., petitioners, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-377. Ed Campbell, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 72-378. Clifford Hersh, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-379. M. J. Pirolli & Sons, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-380. F. J. Perillo, et ux., petitioner, *v.* United American Life Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-381. Basyap, Inc., et al., petitioners, *v.* District of Columbia Redevelopment and Land Agency et al. Petition for writ of certiorari to the United States of Appeals for the District of Columbia Circuit denied.

No. 72-383. Texaco, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-384. Kansai Iron Works, Ltd., petitioner, *v.* Marubeni-Iida, Inc., et al. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 72-387. Robert Schwartz, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-391. Gilbert Robinson, petitioner, *v.* Burton Frasher and Kay Frasher. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-395. John Nuveen & Co., Inc., et al., petitioners, *v.* Henry T. Sanders. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-420. Rudy Montano, petitioner, *v.* United States; and

No. 72-5182. Charles E. Griffin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5004. Paul W. Cousino, petitioner, *v.* Robert Coulon et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5014. Albert Connors, petitioner, *v.* ~~██████████~~. *PERRY JOHNSON, WARDEN* Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5297. James Carter, petitioner, *v.* Vincent R. Mancusi, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5298. Samuel Rea Cooper, III, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5305. Renfro T. Hays, petitioner, *v.* Phil M. Canale, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5306. John Edward LaBadie, petitioner, *v.* Michigan. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5307. John Horace Gray et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5309. Charles Tony Bennett et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5314. Boyd Vanderslice Hibberd, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-5316. George Knox, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5318. Everett Douglas, petitioner, *v.* Roy M. Nixon, Sheriff, etc. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5321. Donald R. Bennett, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5325. James Cody, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5326. Robert Grantham, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5327. Guadalupe Yanez Monje, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5330. William Wolfe, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 72-5332. Eugene LeRoy Hagan, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 72-5333. Junious Jones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5334. Phillip Allen LeBrun, petitioner, *v.* Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 72-5335. Benjamin B. Jackson, petitioner, *v.* Leo T. Wolford. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5338. Ronald F. Wagner, petitioner, *v.* Workmen's Compensation Appeals Board et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-5339. Corvin C. Emdy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5340. Louie Chacon, petitioner, *v.* Howard D. McClain et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5341. Willie Thomas Spinks, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5342. Jewel A. Houp, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5344. Obie Diah Strother, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5345. Roscoe Cook, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5514. Samuel Corrado, petitioner, *v.* Providence Redevelopment Agency. Petition for writ of certiorari to the Supreme Court of Rhode Island denied.

No. 71-1642. William T. Farr, petitioner, *v.* Superior Court of California, Los Angeles County. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied. Mr. Justice Douglas would grant certiorari.

No. 71-6700. Jerry LaMar Venable and Tony Lamar Millican, petitioners, *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee denied. Mr. Justice Douglas would grant certiorari.

No. 72-349. Olga Scarpetta, petitioner, *v.* Nick F. DeMartino, et ux. Petition for writ of certiorari to the Supreme Court of Florida denied. Mr. Justice Douglas would grant certiorari.

No. 72-352. Walter Collins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-355. Harriett C. Russell, etc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-356. Richard Joyce Smith, etc., petitioner, *v.* George P. Baker et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-371. National Labor Relations Board, petitioner, *v.* Tamiment, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-382. Wade V. Carter, Jr., et al., petitioners, *v.* Panama Canal Company. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-388. Betty L. Gerace, et vir., petitioners, *v.* County of Los Angeles et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied. Mr. Justice Douglas would grant certiorari.

No. 72-389. Frank Zizzo, petitioner, *v.* United States and James Traeger, United States Marshal. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5296. Joseph Chagois, petitioner, *v.* Lykes Bros. Steamship Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5315. James Thurmond Boatwright, petitioner, *v.* R. L. Hendricks, Superintendent, Eglin Federal Prison Camp. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5328. Rodney Gene Broadway, petitioner, *v.* Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5337. Kirksey McCord Nix, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 71-6589. Robert James Slade, Jr., petitioner, *v.* Valley National Bank, Glendale, etc. Motion for leave to dispense with printing *amicus curiae* brief by The National Legal Aid and Defender Association granted. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Los Angeles, denied. Mr. Justice Douglas would grant certiorari.

No. 72-41. Washington Parish School Board et al., petitioners, *v.* Vertrees Moses et al. Motion for leave to dispense with printing respondents' brief granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-307. Anthony Joseph Russo, Jr. and Daniel Ellsberg, petitioners, *v.* William Matthew Byrne, Jr., etc. Petition for writ of certiorari to the United States of Appeals for the Ninth Circuit denied. Dissenting opinion by Mr. Justice Douglas. Mr. Justice Brennan would grant certiorari.

No. 72-345. Charu M. Rao, petitioner, *v.* Board of County Commissioners (Pierce) et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 72-5247. Paul Eugene Grubb, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Douglas and Mr. Justice Marshall concur.

No. 72-5299. Gary Stephen Salter, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Stewart would grant certiorari.

#### LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 72-5324. Willie Ben McCrary, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Correction. Motion for leave to file petition for writ of habeas corpus denied.

#### LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 72-5336. Hugh Wilson Steele, petitioner, *v.* Thomas D. Lambros, Judge. Motion for leave to file a petition for writ of mandamus denied.

#### REHEARING DENIED

No. 71-6594. Melvin Leroy Tyler, petitioner, *v.* Thomas Parks;

No. 71-6691. William Frederick Zimmer, petitioner, *v.* R. J. Gaffney, Warden;

No. 71-6729. David L. Weaver, petitioner, *v.* California Department of Corrections et al.;

No. 71-6813. Frederick C. Fermin, petitioner, *v.* Elliott L. Richardson, Secretary of Health, Education and Welfare;

No. 71-6819. Walter Nelson, petitioner, *v.* Harold N. Butler, Superintendent, Wallkill Prison;

No. 71-6861. D. C. Dockery, petitioner, *v.* California; and

No. 72-5067. Nolan Delbert Wimberley and Mervin Carlos McKinney, petitioners, *v.* Thomas C. Lynch, etc., et al. Petitions for rehearing denied.

No. 71-1270. Mary McKee, petitioner, *v.* United States. Motion for leave to file second petition for rehearing denied.

No. 71-1401. Richard Joyce Smith, Trustee, etc., petitioner, *v.* George P. Baker et al. Petition for rehearing denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.



No. 71-5689. Edwin Nachbaur, petitioner, *v.* Irving M. Herman, Director, Office of Appeal General Counsel, NLRB. Second motion for leave to file petition for rehearing denied.

## RECESS ORDER

The Court will take a recess from Monday, November 20, 1972, until Monday, December 4, 1972.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles Richard Abele	St. Louis, Mo.	John H. Haley, Jr.
Sol E. Abrams	Greenville, S.C.	Ernest J. Howard.
Walter Atkinson	Los Angeles, Calif.	Charles E. Beardsley.
Richard Franklin Balotti	Wilmington, Del.	Charles F. Richards, Jr.
Lee Dickinson Barker	Los Angeles, Calif.	John D. Maharg.
Stuart Bear	New Haven, Conn.	William H. Clendenen, Jr.
Fred H. Benners	Dallas, Tex.	Jack Pew, Jr.
Albert Berg	Beverly Hills, Calif.	Maynard D. Davis.
James Malcolm Bierce	Akron, Ohio	William R. Holland.
David B. Boller	Los Angeles, Calif.	Charles E. Beardsley.
J. B. Booher	Fort Lauderdale, Fla.	G. H. Martin.
Charles Benjamin Bowen	Greenville, S.C.	Ernest J. Howard.
John Arthur Brady	Arlington, Va.	Louis Koutoulakos.
Paul W. Brock	Mobile, Ala.	Charles B. Arendall, Jr.
Michael Paul Bucklo	Chicago, Ill.	Charles J. Merriam.
James Robert Buckner	Knoxville, Tenn.	Edgar C. Platt.
A. Jerry Busby	Phoenix, Ariz.	Jordan Green.
Thomas J. Casamassima	Los Angeles, Calif.	Norman L. Epstein.
Larry W. Chandler	Magnolia, Ark.	John L. McClellan.
Angelo F. Chelli	New York, N.Y.	Clelia D'Alessandro (Miss.)

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
R. L. Choate	Magnolia, Ark.	John L. McClellan.
Michael G. Citera	Chicago, Ill.	Ronald Louis Haddad.
Thomas Russell Clark	Tucson, Ariz.	Lowell K. Rothschild.
John Horning Connelly	Miami, Fla.	George Kastrenakes.
Raymond A. Cook	Houston, Tex.	Robert F. Camp- bell.
William D. Cremins	Fairfax, Va.	Joseph P. Dyer.
Douglass L. Custis	Cincinnati, Ohio	David G. Clark.
Nathan Davidovich	Denver, Colo.	Edward S. Green- berg.
Larry L. Debus	Phoenix, Ariz.	Jordan Green.
G. Robert DeLoach, Jr.	Indianapolis, Ind.	William J. Delany.
O. H. Eaton, Jr.	Orlando, Fla.	Mack N. Cleveland, Jr.
Alfred H. Ebert, Jr.	Houston, Tex.	W. McIver Streetman.
John R. Elfers	Covington, Ky.	Robert O. Lukowsky.
Lewis Hemphill Fogle, Jr.	Miami, Fla.	George Kastrenakes.
Sebastian J. Fortunato	Newark, N.J.	Donald B. Kipp.
James Hardin Frazee	Louisville, Ky.	L. Stanley Chauvin, Jr.
Richard A. Freedman	Dix Hills, N.Y.	Ernest Walton.
William Mathers Goebel	Bloomington, Ill.	Richard T. Dunn.
Joel E. Gottlieb	Columbia, S.C.	Daniel R. McLeod.
Nathaniel Jay Gould	Great Neck, N.Y.	Erwin Krasnow.
Joseph Michael Grines	Treose, Pa.	Frederick C. Lough.
Ernest Allen Guinn, Jr.	El Paso, Tex.	Judge Ernest Guinn.
Julian P. Guinn	Paris, Tenn.	Robert T. Keeton, Jr.
John H. Gurley	Blackwell, Okla.	Peyton E. Brown
James R. Hawkins II	New York, N.Y.	Robert L. Clare, Jr.
Merrick C. Hayes	Bloomington, Ill.	Louis F. Ulbrich.
John Crawford Hoyle	Washington, D.C.	David L. Norman.
Herbert Hendrix Hubbard	Baltimore, Md.	George Cochran Doub.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Sheldon D. Katz	Westhampton Beach, N.Y.	Edgar Hills.
Cortland J. Kelly	Mitchell, S. Dak.	William J. Srstka, Jr.
John MacDonald King	Damascus, Md.	Joseph M. Mathias
Elizabeth B. Kleeman	Yellow Springs, Ohio	Michael John Valder.
Immanuel Kohn	New York, N.Y.	Donald J. Mulvihill.
Paul H. LaRue	Chicago, Ill.	Richard S. Rhodes.
Olen E. Leonard, Jr.	Honolulu, Hawaii	James E. Ross.
Jerry T. Light	Little Rock, Ark.	William J. Smith.
Walter H. Madden	Rockville, Md.	Joseph M. Mathias
Paul Michael Mahoney	Whittier, Calif.	Ferdinand F. Fernandez.
Guy Edison Clay Maitland	New York, N.Y.	Elliott B. Nixon.
Robert Alexander Manning	Akron, Ohio	William R. Holland.
Henry August Martin	Monessen, Pa.	Albert M. Nichols
Henry M. Massie, Jr.	Richmond, Va.	Andrew P. Miller.
John G. Mattimoe	Toledo, Ohio	William A. Belt.
Jack I. McAuliffe	Reno, Nev.	Jack Street.
Huey D. McInish	Dothan, Ala.	William Louis Dickinson.
Jan K. Michalski	Worcester, Mass.	Walter C. Koehler.
Barbara M. Milstein (Mrs.)	Washington, D.C.	Alvin J. Bronstein.
Jay Edward Moyer	Cleveland, Ohio	John J. Adams.
Isobel English Muirhead	Summit, N.J.	Joseph Lesser.
Emmett Hiram Nanna, Jr.	Hyattsville, Md.	Ronald Willoner.
Robert B. Nicholson	Washington, D.C.	Howard E. Shapiro.
William Lawrence Nungester.	Buhl, Idaho	Michael H. Felton.
Joseph C. O'Bryan	Louisville, Ky.	L. Stanley Chauvin, Jr.
Alvin Arthur Ohm	Dallas, Tex.	Otto B. Mullinax.
Philip Dexter Peacock	Houston, Tex.	W. McIver Streetman.
Max Gilmer Peterson, Jr.	Plano, Ill.	Frederick J. Glassman.
Donald Oliver Pratt	Belton, Tex.	Dan R. Kiely.
Owen J. Ramsey III	Sacramento, Calif.	George Basye.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Frank Joseph Sala, Jr.	Reno, Nev.	Jack Streeter.
William Haleem Saliba	Mobile, Ala.	Ross Diamond, Jr.
Melvin Roger Segal	Los Angeles, Calif.	Edward M. Belasco.
John P. Segovia	East Chicago, Ind.	Raymond Ruff.
Michael D. Shapiro	Philadelphia, Pa.	Louis Weiner.
Joel Richard Shyavitz	Lowell, Mass.	Joseph J. Zacharer.
James Bureson Smith	San Antonio, Tex.	Paul Heermans Smith.
Abraham R. Spalter	Washington, D.C.	J. David Mann, Jr.
James Victor Spencer, III	El Dorado, Ark.	William J. Wynne.
Avernum Jay Sprecher	East Haddam, Conn.	Jacob D. Zeldes.
Kenneth B. Spring	Calabasas, Calif.	Harvey A. Schneider.
Iris Axel Steel (Mrs.)	New York, N.Y.	Daniel M. Cohen.
Thomas B. Tenfelde	New York, N.Y.	Richard S. Kahn.
Robert Patrick Tiernan	Diablo, Calif.	George H. Boldt.
Philip James Tierney	Rockville, Md.	George D. Solter.
Edward C. Tietig	Miami, Fla.	Donald E. Van Koughnet.
George F. Townes	Greenville, S.C.	Ernest J. Howard.
Dennis Robert Wanifuchi	Denver, Colo.	Edward S. Green- berg.
David E. Ward, Jr.	Tampa, Fla.	Cody Fowler.
Keith Ashley Warren	Mineola, N.Y.	Philip Cosmas Valenti.
Bill W. Waters	Pampa, Tex.	Wm. Jarrel Smith.
William Kansas Waugh III	Kansas City, Mo.	Charles Frisbie.
Wm. Bew White, Jr.	Birmingham, Ala.	William Douglas Arant.
Tom Cornell Whitmore	Chicago, Ill.	Judge Walter J. Cummings.
Charles S. Wible	Owensboro, Ky.	Wells T. Lovett.
C. Douglas Wikle	Los Angeles, Calif.	Charles S. Beards- ley.
Robert F. Wood	Clarksdale, Miss.	Joe A. Cannon.
Hubert Howell Young, Jr.	Suffolk, Va.	Robert L. Kuhner
Roger Kenneth Zuker	Washington, D.C.	Gilbert R. Gior- dano.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard C. Van Dusen	Detroit, Mich.	Solicitor General Erwin N. Griswold.
Donald Joseph Sheehy	Washington, D.C.	Solicitor General Erwin N. Griswold.
H. Wayne Unger, Jr.	Columbia, S.C.	James C. Eastman.
Richard Bruce Wolf	Washington, D.C.	Victor H. Kramer.

## ORAL ARGUMENT

No. **71-711**. National Labor Relations Board, petitioner, *v.* Granite State Joint Board, Textile Workers Union of America, Local 1029, AFL-CIO. Argued by Mr. Norton J. Come for the petitioner and by Mr. Harold B. Roitman for the respondent.

No. **71-692**. Illinois, petitioner, *v.* Donald Somerville. Argued by Mr. Edward J. Gildea for the petitioner and by Mr. Ronald P. Alwin for the respondent.

No. **71-839**. Paul P. Erlenbaugh et al., petitioners, *v.* United States. Argued by Mr. Charles W. Grubb for the petitioners and by Mr. Allan A. Tuttle for the respondent.

No. **71-879**. Heublein, Inc., appellant, *v.* South Carolina Tax Commission. Argued by Mr. Stephen M. Piga for the appellant and by Mr. G. Lewis Argoe, Jr., for the appellee.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

Applicant	City and State	Movant
A. Jack May	Danville, Ky.	Seymour Sheriff.
William Edward Artz	Arlington, Va.	Thomas J. Morris.
Meriel Daniel Harris	Somerset, Ky.	Phillip K. Wicker.

### OPINION

No. **71-496**. Clarence Ward, petitioner, *v.* Village of Monroeville, Ohio. On writ of certiorari to the Supreme Court of Ohio. Judgment reversed and case remanded to the Supreme Court of Ohio for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice White with whom Mr. Justice Rehnquist joins.

### ORAL ARGUMENT

No. **71-1082**. Reubin O'D. Askew et al. appellants, *v.* The American Waterways Operators, Inc., et al. Argued by Mr. Daniel S. Dearing and Mr. Robert L. Shevin for the appellants and by Mr. Nicholas J. Healy for the appellees American Institute of Merchant Shipping et al. and by Mr. LeRoy Collins for the appellees The American Waterways Operators, Inc., et al.

No. **71-1134**. Harry Roaden, petitioner, *v.* Kentucky. Argued by Mr. Phillip K. Wicker for the petitioner and by Mr. Robert V. Bullock for the respondent.

No. **71-1043**. Saul Heller, petitioner, *v.* New York. Argued by Mr. Irving Anolik for the petitioner and by Mr. Lewis R. Friedman for the appellee.

No. **71-889**. Lillian V. Couch, petitioner, *v.* United States and Edward F. Jennings, etc. Argued by Mr. John G. Rocovich, Jr., for the petitioner and by Mr. Lawrence G. Wallace for the respondents.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### ADMISSION TO THE BAR ON ORAL MOTION

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Sidney Gordon Leech	Baltimore, Md.	Harley Thomas Howell.

### ORAL ARGUMENT

No. **71-1011**. Samuel Bronston, petitioner, *v.* United States. Argued by Mr. Sheldon H. Elsen for the petitioner and by Mr. Andrew L. Frey for the respondent.

No. **71-5908**. Leon Chambers, petitioner, *v.* Mississippi. Argued by Mr. Peter Westen for the petitioner, *pro hac vice*, by special leave of Court and by Mr. Timmie Hancock for the respondent.

No. **71-678**. Executive Jet Aviation, Inc., et al., petitioners, *v.* City of Cleveland, Ohio, et al. Argued by Mr. Phillip D. Bostwick for the petitioners and by Mr. Solicitor General Erwin N. Griswold for the respondents.

No. **71-1136**. Murray Tillman et al., petitioners, *v.* Wheaton-Haven Recreation Association, Inc., et al. Argued by Mr. Allison W. Brown, Jr., for the petitioners, by Mr. Henry J. Noyes for respondents Wheaton-Haven Recreation Association, Inc., et al. and by Mr. John H. Mudd for respondent E. Richard McIntyre.

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Adjourned until Monday, November 20, 1972, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

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The Chief Justice said:

“Today’s orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally.”

### OPINION PER CURIAM

No. **71-1509**. United States, appellant, *v.* James Jim et al.; and No. **71-1612**. Utah et al., appellants, *v.* James Jim et al. Motion of the Navajo Tribe of Indians for leave to file a brief as *amicus curiae*, in No. 71-1509, granted. Appeals from the United States District Court for the District of Utah. Judgment reversed and case remanded to the United States District Court for the District of Utah for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Dissenting opinion by Mr. Justice Douglas.

### APPEALS—SUMMARY DISPOSITION

No. **71-1478**. Arthur Falkner et ux., appellants, *v.* Wilfred Pastrano et ux. Appeal from the Supreme Court of Florida. Motions to dispense with printing jurisdictional statement and to dispense with printing motion to dismiss granted. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. **72-334**. Mason H. Rose, appellant, *v.* W. E. Bondurant, Chairman, Board of Bar Examiners of the State of New Mexico, et al. Appeal from the United States District Court for the District of New Mexico. Judgment affirmed. Mr. Justice Stewart would vacate judgment and remand to determine whether this case has become moot.

No. **72-412**. Joseph John Martinez, appellant, *v.* Texas State Board of Medical Examiners. Appeal from the Court of Civil Appeals of Texas, Fourth Supreme Judicial District. The appeal is dismissed for want of a substantial federal question.

No. **72-415**. Conn-Wood Investment Corporation et al., appellants, *v.* Workmen’s Compensation Appeals Board of the State of California et al. Appeal from the Court of Appeal of California, Sec-



ond Appellate District. The appeal is dismissed for want of a substantial federal question.

**No. 72-413.** Charles Simon, appellant, *v.* Francis Sargeant. Appeal from the United States District Court for the District of Massachusetts. Judgment affirmed.

**No. 72-432.** Fred G. Moritt, appellant, *v.* Nelson D. Rockefeller, Governor of the State of New York, et al. Appeal from the United States District Court for the Southern District of New York. Motion to dispense with printing jurisdictional statement granted. Judgment affirmed. Mr. Justice Douglas would postpone question of jurisdiction to a hearing of case on the merits.

**No. 72-5118.** Favis Clay Martin, appellant, *v.* Texas. Appeal from the Court of Criminal Appeals of Texas. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

#### CERTIORARI—SUMMARY DISPOSITION

**No. 71-1133.** Upper Pecos Association, petitioner, *v.* Peter J. Peterson et al. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Upon consideration of memorandum for respondents suggesting mootness and brief in opposition thereto, judgment vacated and case remanded to the Court of Appeals to determine whether case has become moot. Mr. Justice Brennan took no part in the consideration or decision of this case.

#### ORDERS IN PENDING CASES

**No. A-457.** Gerald Alan Borkehagen, applicant, *v.* United States. The application for stay and/or bail presented to Mr. Justice Douglas, and by him referred to the Court, is denied. Mr. Justice Douglas would grant the stay.

**No. 58, Original.** The American Party et al., plaintiffs, *v.* State of New York et al. The motion for leave to file bill of complaint denied.

**No. 71-1043.** Saul Heller, petitioner, *v.* New York. The motion of Charles H. Keating, Jr., to file an untimely brief, as *amicus curiae*, in support of respondent, granted.

**No. 72-397.** Bonelli Cattle Company et al., petitioners, *v.* Arizona et al. The Solicitor General is invited to file a brief expressing the views of the United States. Mr. Justice Rehnquist took no part in the consideration or decision of this order.

**No. 72-400.** Jimmy Rose, Warden, petitioner, *v.* Robert Rivera. The motion of petitioner to consolidate with Nos. 71-1281 and 71-1472 is denied.

No. **72-730**. Arnold Markle et al., applicants, *v.* Janice Abele et al. The motion to vacate stay heretofore granted by the Court on October 16, 1972, is denied.

## CERTIORARI DENIED

No. **71-1567**. Augustus L. Berry, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Court of Appeals of North Carolina denied.

No. **71-6824**. Wilbur O. Morton, petitioner, *v.* Wyoming. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. **71-6841**. Ralph Ray Sigman, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **71-6894**. Harold L. McGhee, petitioner, *v.* Charles L. Wolff, Jr., Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **71-6899**. John J. Reardon, petitioner, *v.* Lenard F. Meacham. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. **72-396**. Louis Johns, petitioner, *v.* Josephine Johns. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-401**. Citizens Utilities Water Company of Arizona, petitioner, *v.* The Superior Court of the State of Arizona in and for the County of Pima et al. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. **72-404**. Disposable Services, Inc., petitioner, *v.* ITT Life Insurance Company of New York. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-405**. Lee W. Merrick, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **72-409**. Rocco Lauria, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **72-411**. Masonite Corporation and Robert E. Paul, petitioners, *v.* Andre Hendry et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-423**. Hadco Products, Inc., petitioner, *v.* Walter Kidde & Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **72-424**. City of Crystal City, petitioner, *v.* Del Monte Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-427. Sun Shipbuilding & Dry Dock Company, petitioner, *v.* United States and Prudential-Grace Lines, Inc. Petition for writ of certiorari to the United States Court of Claims denied.

No. 72-428. Alabama, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 72-429. John Davidson Bolton, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeals of California, Second Appellate District, denied.

No. 72-430. Gladys C. Doss, petitioner, *v.* Lewis-Gale Hospital, Inc. Petition for writ of certiorari to the Circuit Court of Roanoke, Virginia, denied.

No. 72-437. John A. Mader et al., petitioners, *v.* Daniel E. Armel et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-439. Jamie Dean Alexander, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-440. Josue N. Saez, petitioner, *v.* Eugene G. Goslee, Acting General Counsel, National Labor Relations Board, etc. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-443. Campo Corporation et al., petitioners, *v.* Supreme Judicial Court for the Commonwealth of Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 72-445. Duquesne Brewing Company of Pittsburgh, petitioner, *v.* Ronald A. Connor, A Minor by his Guardian, Pearl Connor et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 72-447. John A. Hutter et ux., petitioners, *v.* City of Chicago. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 72-449. Capitol Tile and Marble Inc., et al., petitioners, *v.* William E. Deese. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-450. Bellingham Stevedoring Company, petitioner, *v.* Dampskibsaktieselskabet, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-454. Estate of Walburga Hedrick, etc., petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-458. Hospital Television, Inc., petitioner, *v.* Wells Television, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-460. Jim Garrison, petitioner, *v.* Clay L. Shaw. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5020. John R. Gay, petitioner, *v.* License Branch, Real Estate Commission of the District of Columbia. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 72-5044. Bruce Wilden Hughes, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 72-5132. Gerard Redman, petitioner, *v.* Joseph P. Conboy, Superintendent, Great Meadow Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5346. Lawrence Rensing, petitioner, *v.* John L. Zelker, Superintendent, Green Haven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5347. Alvin Carney Wynn, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5350. Johnny B. Dapper, petitioner, *v.* J. Robert O'Connor et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5351. Fred A. Newell, petitioner, *v.* United States, etc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5352. George T. Johnson, petitioner, *v.* Lenard F. Meacham. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 72-5354. Fernando Perez Bustillo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5355. Antoni Mitchelson, petitioner, *v.* R. J. Henderson, Superintendent, Auburn Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5357. Joseph A. Priore, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 72-5360. Ernest Jesus Navallez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5361. Edward Charles Davis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5364. Marshall Brent Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5365. Michael James Cassidy, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for in the Ninth Circuit denied.

No. 72-5366. James E. Yeager, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5369. Don Victor Harbolt, Jr., petitioner, *v.* Noah L. Alldredge, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5370. Earl Herman Congrove, petitioner, *v.* United States District Court of the Eastern District of Kentucky. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5373. Kenneth F. Potts, petitioner, *v.* A. E. Slayton, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5374. Henry Clay Ethington, Jr., Petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5376. Robert E. Johns, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 72-5378. John Pejokovich, petitioner, *v.* Board of Education, Prince George's County, et al. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 72-5380. Aubrey Banks, Jr., petitioner, *v.* A. E. Slayton, Jr., etc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5382. Richard Lewis Keller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5384. Rick A. Roberts, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5393. Roberto I. Ferrer-Vega, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5394. Ben Hitchcock, petitioner, *v.* A. E. Gomes. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5395. Walter Buckles, petitioner, *v.* Wyoming. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 72-5396. Alvin McBride, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5397. Dewayne Linwood, a Minor, etc., petitioner, *v.* Board of Education of the City of Peoria, etc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5402. Samuel Tate, petitioner, *v.* D.C. Transit Co. Petition for writ of certiorari to the Court of Appeals of the District of Columbia denied.

No. 72-5404. Phillip Allen Le Brun, petitioner, *v.* H. C. Cupp, Superintendent, Oregon State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5410. Richard Black, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-1381. E. B. Caldwell, Warden, petitioner, *v.* Gary Thornton. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6690. Robert Gene Keeny, petitioner, *v.* Harold R. Swenson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-326. George N. Charlton, Jr., petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-370. Arnold Marcus et al., petitioners, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Douglas would grant certiorari.

No. 72-398. WAIT Radio, petitioner, *v.* Federal Communications Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-406. Joseph Barnett Dominey, Jr., petitioner, *v.* Louise Ellen Dominey. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Eighth Supreme Judicial District, denied. Mr. Justice Douglas would grant certiorari.

No. 72-416. Seward Motor Freight, Inc., et al., petitioners, *v.* Nebraska State Railway Commission et al. Petition for writ of certiorari to the Supreme Court of Nebraska denied. Mr. Justice Douglas would grant certiorari.

No. 72-417. Douglas Ware, etc., et al., petitioners, *v.* Nolan Estes, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-418. Newell Hammond, petitioner, *v.* United Papermakers and Paperworkers Union, AFL-CIO, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-431. Jerry K. Clark et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied. Mr. Justice Douglas would grant certiorari.

No. 72-5353. Steven Lewis Brownstein, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5362. Ezra Lee Hereden, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5363. Julius Pastor Gant, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5399. James Luther Tatum, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5409. Catalino S. Gedarro, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-399. John L. Williams, District Attorney General, petitioner, *v.* Lilly Mae Onie Lee Whitlaw Hilliard. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5073. Maxwell Zeigler, petitioner, *v.* Thomas F. Riley, Superintendent, Monroe County Penitentiary. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Douglas would deny petition on the ground of mootness.

#### REHEARINGS DENIED

No. 71-1109. Alan E. Norris et al., appellants, *v.* Samuel J. Jordan et al.; and

No. 71-1439. Alan E. Norris et al., appellants, *v.* Samuel J. Jordan et al., the motion of appellants for specification of grounds for finding want of jurisdiction denied. Petition for rehearing of appellant Kerns denied.

No. 71-1666. J. Robert Huie et al., petitioners, *v.* United States;

No. 71-6487. Robert M. Medina, petitioner, *v.* United States;

No. 71-6673. Jerry Lee Golden, petitioner, *v.* C. Murray Henderson, Warden;

No. 71-6723. Marian Chais-Shulman, petitioner, *v.* Bank of America Trust No. 54212, etc.;

No. 71-6786. Eugene L. Crow, petitioner, *v.* Frank A. Eyman, Warden, et al.; and

No. 72-5133. Robert Buchanan, III, appellant, *v.* Texas. Petitions for rehearing denied.

No. 71-1680. Louisville and Nashville Railroad Company et al., petitioners, *v.* A. Battle Rodes, etc., et al. Petition for rehearing denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 72-5101. Edward Serzysko, petitioner, *v.* The Chase Manhattan Bank. Motion to recuse Mr. Justice Powell and Mr. Justice Rehnquist denied. Petition for rehearing denied.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Joseph David Wentworth Beeler.	Chicago, Ill.	Terence F. MacCarthy.
Lila Greene Bellar (Mrs.)	Charlotte, N.C.	Charles V. Bell.
Robert Eugene Benson	Denver, Colo.	James L. White.
Lawrence Elliott Blake	Richmond, Va.	William M. Phillips.
Melvin Neil Borowka	New York, N.Y.	Charles M. Monblatt.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Mark Maurice Bradfield	West Palm Beach, Fla.	James T. Carlisle.
Thomas D. Carlson	Minneapolis, Minn.	Harold C. Evarts.
Franklin D. Cleckley	Morgantown, W. Va.	Paul L. Selby, Jr.
Cal H. Coleman	Orange, Calif.	Paul J. Cooksey.
Howard Stephen Cranston	Los Angeles, Calif.	Thomas H. McGovern.
Francis Joseph Cuneo, Jr.	Naperville, Ill.	Ralph J. Gust, Jr.
Peter Wrenn Delohery	Arlington, Va.	Louis Alexander Traxel.
W. E. Dolph	Tucson, Ariz.	Harold C. Warnock.
Gerry L. Dondanville	Elgin, Ill.	Howard T. Savage.
William Warren Fernandez	Orlando, Fla.	Richard B. Keating.
Patrick James Finucan	Tomahawk, Wis.	Jack McManus.
John Ferree Forward II	Los Angeles, Calif.	Raymond H. Williams.
John Emerson Glover	Los Angeles, Calif.	G. Bentley Ryan.
Charles William Gorham	Birmingham, Ala.	Robert S. Vance.
James C. Hair, Jr.	Washington, D.C.	Morton Hollander.
Clarke Eliot Herbert	Los Angeles, Calif.	Paul Weinberg.
John Y. Hohn	Bainbridge Island, Wash.	Nelson H. Grubbe.
Edwin Sharp Hopson	Louisville, Ky.	Robert B. Lagather.
Marven E. Howard	Orange, Calif.	Paul J. Cooksey.
Paul D. Jaffe	White Plains, N.Y.	Joel Martin Aurnou.
John A. Kaye	Freehold, N.J.	Kenneth R. Smith, Jr.
Donald F. Keefe	New Haven, Conn.	Richard G. Bell.
Ronald David Keener	Springfield, Ohio	James M. Matthews, Jr.
Carl W. Kepper	Hattiesburg, Miss.	Peter M. Stockett, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert A. Laswell, Sr.	Chula Vista, Calif.	Judge Joseph A. Kilgarif.
Richard Lawrence Levine	Fall River, Mass.	Elliot L. Richardson.
James W. Lynch	New York, N.Y.	Elliot B. Nixon.
Francis Joseph Mahon	Chicago, Ill.	Francis J. McConnell.
Roger D. Marshall	Dallas, Tex.	Robert F. Middleton.
Patrick Lawrence McCloskey	New York, N.Y.	Martin J. McHugh.
Duard R. McDonald	Marietta, Ga.	Lawrence B. Custer.
Daniel D. McFarland	Riverdale, Md.	Thomas S. Templeton.
Maurice Keith Merten	Eugene, Oreg.	Solicitor General Erwin N. Griswold.
David Arthur Mills	Danvers, Mass.	Robert H. Quinn.
Gerald P. Moran	Toledo, Ohio.	William A. Belt.
Dennis E. Murray	Sandusky, Ohio.	Melvyn J. Stauffer.
Donald Oresman	New York, N.Y.	Stephen P. Duggan.
Robert Paul Paskings	Philadelphia, Pa.	Judge Robert W. Williams, Jr.
Kendall W. Paul	Richmond, Va.	Irving M. Blank.
Walter L. Porter	St. Matthews, Ky.	L. Stanley Chauvin, Jr.
Thomas Jay Press	Washington, D.C.	Solicitor General Erwin N. Griswold.
Carrold E. Ray	Marianna, Ark.	J. Smith Henley.
Carl F. Salans	Washington, D.C.	John R. Stevenson.
Jon Albert Sale	New York, N.Y.	Solicitor General Erwin N. Griswold.
James Vincent Senape, Jr.	Freeland, Pa.	Martin D. Cohn.
David Robert Serns	Miami, Fla.	Joel Alan Savitt.
Howard Bruce Silberberg	Alexandria, Va.	Sheldon I. Cohen.
Richard Maury Sims, III	San Francisco, Calif.	Moses Lasky.
J. Alvernon Smith, Jr.	Richmond, Va.	Irving M. Blank.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Fred Tschopp, Jr.	Fountain Valley, Calif.	Alan J. Gould.
Robert Ross Walker	Yucaipa, Calif.	William Sabourin.
R. Stanton Wettick, Jr.	Pittsburgh, Pa.	Paul H. Titus.
Lawrence D. Wiedemann	New Orleans, La.	Patrick T. Caffery.
Paul W. Willihnganz	San Diego, Calif.	Jerry J. Williams.
Paul William Wright	Fairfax, Va.	Justin R. Wolf.
Charles A. Youts	Waco, Tex.	Loy M. Simplins.

## OPINIONS

No. 71-485. Robert Gottschalk, Acting Commissioner of Patents, petitioner, *v.* Gary R. Genson and Arthur C. Tabbot. On writ of certiorari to the United States Court of Customs and Patent Appeals. Judgment reversed and case remanded to the United States Court of Customs and Patent Appeals for further consideration in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Mr. Justice Stewart, Mr. Justice Blackmun and Mr. Justice Powell took no part in the consideration or decision of this case.

No. 71-5685. Daisy Johnson et al., petitioners, *v.* New York State Education Department et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment vacated and case remanded to the United States District Court for the Eastern District of New York to determine whether this case has become moot. Opinion *per curiam* announced by Mr. Chief Justice Burger. Concurring opinion by Mr. Justice Marshall.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Herbert Bernard Hoffman	Washington, D.C.	Solicitor General Erwin N. Griswold.
Michael Barry Rosenberg	Washington, D.C.	Solicitor General Erwin N. Griswold.
Jon William Bruce	Auburn, Ind.	Kenneth Francis Ripple.
Woodrow Davis Wollesen	Pittsburgh, Pa.	Maurice J. Street.
Robert John Buenzle	Washington, D.C.	Vincent A. Pepper.
Gary L. Greer	Arlington, Va.	Philip M. Glick.
Arthur T. Kornblut	Washington, D.C.	George Malcolm White.

The Rules of Evidence for United States Courts and Magistrates, Amendments to the Federal Rules of Civil Procedure, Amendments to the Federal Rules of Criminal Procedure, adopted pursuant to Title 28, United States Code, Sections 2072 and 2075 and Title 18, United States Code, Sections 3402, 3771 and 3772. Mr. Justice Douglas dissents from the adoption of these rules and amendments.

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Adjourned until Monday, December 4, 1972, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## ORDER IN PENDING CASE

No. A-555. Louis Adams, applicant, *v.* B. J. Maylin. The application for stay of execution and enforcement of judgment presented to Mr. Justice Douglas, and by him referred to the Court, is denied. Mr. Justice Douglas would grant the application.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell and Mr. Justice Rehnquist.

The Chief Justice said:

“Today’s orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally.”

### OPINIONS PER CURIAM

**No. 71-6647.** Alfred David Webb, petitioner, *v.* Texas. On petition for writ of certiorari to the Court of Criminal Appeals of Texas. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment reversed and case remanded to the Court of Criminal Appeals of Texas for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*. Dissenting opinion by Mr. Justice Blackmun with whom Mr. Justice Rehnquist joins.

**No. 72-72.** Marilyn Cool, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Petition for writ of certiorari granted, judgment reversed, and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Dissenting opinion by Mr. Justice Rehnquist with whom the Chief Justice and Mr. Justice Blackmun concur.

### APPEALS—SUMMARY DISPOSITION

**No. 71-6658.** Jordan W. Anderson and Clyde W. Anderson, appellants, *v.* Louisiana. Appeal from the Supreme Court of Louisiana. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

**No. 72-484.** David E. Felland, appellant, *v.* Charlotte S. Schaefer et al. Appeal from the Supreme Court of Minnesota. The appeal is dismissed for want of a substantial federal question.

**No. 72-516.** John C. O'Connor and Frank J. Shea, appellants, *v.* New Jersey et al. Appeal from the Superior Court of New Jersey, Appellate Division. The appeal is dismissed for want of a substantial federal question.

No. 72-570. Washer One, Inc., dba The Irish Washwoman, et al., appellants, *v.* Kentucky ex rel. Division of Unemployment Insurance. Appeal from the Court of Appeals of Kentucky. The appeal is dismissed for want of a substantial federal question.

No. 72-546. Finger Lakes Racing Association, Inc., appellant, *v.* New York State Off-Track Pari-Mutuel Betting Commission et al. Appeal from the Court of Appeals of New York. The appeal is dismissed for want of a substantial federal question. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

No. 72-5412. L. G. Ruderer, appellant, *v.* United States, etc., appellant, *v.* United States, etc. Appeal from the United States Court of Appeals for the Eighth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Mr. Justice Blackmun took no part in the consideration or decision of this case.

#### CERTIORARI—SUMMARY DISPOSITION

No. 72-517. Pennsylvania, petitioner, *v.* Elmer Carl Linde. On petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District. It appearing that the respondent, a defendant in a state criminal proceeding, died on November 2, 1972, petition for writ of certiorari dismissed. *Gersewitz v. New York*, 326 U.S. 687 (1945).

No. 72-5206. Russell Alexander, petitioner, *v.* C. Murray Henderson, Warden. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated, insofar as it leaves undisturbed the death penalty imposed, and case remanded to the Court of Appeals for further proceedings. See *Stewart v. Massachusetts*, 408 U.S. 845 (1972).

#### ORDERS IN PENDING CASES

No. 70-279. United States et al., appellants, *v.* Florida East Coast Railway Company et al. The motion of appellee Seaboard Coast Line Company to permit two counsel to argue on behalf of the appellees is granted. Mr. Justice Powell took no part in the consideration or decision of this motion.

No. 71-1136. Murray Tillman et al., petitioners, *v.* Wheaton-Haven Recreation Association, Inc., et al. The motion of respondents for leave to file supplemental memorandum, after oral argument, is granted.

No. 71-1178. Gulf States Utilities Company, petitioner, *v.* Federal Power Commission et al. The motion of Public Service Company of Indiana, Inc., for leave to participate in oral argument and for additional time is denied.

No. 71-1193. United States, appellant, *v.* Travis Paul Enmons et al. The motion of The Chamber of Commerce of the United States for leave to file an untimely brief, as *amicus curiae*, is granted.

No. 71-1371. Pedro J. Rosario et al., petitioners, *v.* Nelson Rockefeller, Governor of the State of New York, et al. The motion of the County Attorney for Nassau County, New York, for leave to participate in oral argument is denied.

No. 71-1497. Loretta Fay Beck, petitioner, *v.* Connecticut General Life Insurance Company. The respondent is requested to file a response to the petition for rehearing within thirty days.

No. 71-1583. Edmund G. Brown, Jr., Secretary of State of California, appellant, *v.* Raymond G. Chote. It is ordered that Philip Elman, Esquire, of Washington, D.C. a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the appellee in this case.

No. 71-6272. Samuel Ed Robinson, petitioner, *v.* William S. Neil, Warden. The motion of counsel for the petitioner to allow additional time and/or division of argument is denied.

No. 71-6278. Condrado Almeida-Sanchez, petitioner, *v.* United States. The motion of Gilbert Foerster for leave to file an untimely brief, as *amicus curiae*, is granted.

No. 71-6316. Andrew C. Goosby et al., petitioners, *v.* Maurice Osser et al. The motion of Elliot P. Platt and Joseph A. Torregrossa to permit Ann I. Torregrossa to argue *pro hac vice* for petitioners is granted. The motion of the Attorney General of Pennsylvania for divided argument is granted and an additional ten minutes is allotted for that purpose.

No. 71-6356. John Doe et al., petitioners, *v.* John L. McMillan et al. The motion of the Legislative Respondents for further divided argument is granted and an additional five minutes for oral argument is allotted to respondents for that purpose.

No. 72-77. Delores Norwood et al., appellants, *v.* D. L. Harrison, Sr., et al. The motion of appellants for leave to proceed further herein *in forma pauperis* is granted.

No. 72-640. Oregon State Elks Association et al., appellants, *v.* Michael Falkenstein et al. The application for stay of judgment presented to Mr. Justice Douglas, and by him referred to the Court, is denied. Dissenting opinion by Mr. Justice Douglas.



## APPEALS—JURISDICTION NOTED

No. 72-493. John W. <sup>VLANDIS</sup> ██████████, Director of Admissions, the University of Connecticut, appellant, *v.* Margaret Marsh Kline and Patricia Catapano. Appeal from the United States District Court for the District of Connecticut. Motion of appellees for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted.

No. 72-534. United States Department of Agriculture et al., appellants *v.* Jacinta Moreno et al. Appeal from the United States District Court for the District of Columbia. Motion of appellees for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted.

## CERTIORARI GRANTED

No. 72-212. Hoyt C. Cupp, Superintendent, Oregon State Penitentiary, petitioner, *v.* Daniel P. Murphy. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 72-490. McDonnell Douglas Corporation, petitioner, *v.* Percy Green. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted.

No. 72-419. Pittsburgh Press Company, petitioner, *v.* The Pittsburgh Commission on Human Relations et al. Motion of American Newspaper Publishers Association for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the Commonwealth Court of Pennsylvania granted.

No. 72-486. Federal Power Commission, petitioner, *v.* Memphis Light, Gas and Water Division, et al.; and

No. 72-488. Texas Gas Transmission Corporation, petitioner, *v.* Memphis Light, Gas and Water Division, et al. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. Cases consolidated and a total of one hour allotted for oral argument.

No. 72-5323. Francis A. Keeble, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit granted limited to question 2 presented by the petition which reads as follows:

"2. Whether the District Court's refusal to give a lesser included offense instruction under 18 U.S.C. 1153 violated the Fifth Amendment's due process guarantee."

No. 72-5443. James Edward Barnes, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

## CERTIORARI DENIED

No. 71-1465. J. B. Rosenthal, petitioner, *v.* Arkansas Louisiana Finance Corporation. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 71-1648. Richard A. Napolitano, petitioner, *v.* Daniel P. Ward, Justice of the Illinois Supreme Court, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-6694. Thomas Milton Wilson, petitioner, *v.* J. L. Downie, Warden. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 71-6777. Michael Heston, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 72-111. Jeffrey Phillip Bloom et al, petitioners, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 72-231. Alexander Biscuitti, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 72-322. The Steam Vessel Flying Foam, etc., et al., petitioners, *v.* Iron Ore Transport, Co., Ltd., etc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-422. Antonio Benevento et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 72-435. Theodore Ray Melancon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-436. Norwood Patterson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-442. J. J. Lowenthal et al., petitioners, *v.* Alexander Tcheppin et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-461. Steven Modla, petitioner, *v.* Southside Hospital et al. Petition for writ of certiorari to the Court of Appeals of Arizona, Division One, denied.

No. 72-462. Ford Motor Company, petitioner, *v.* Maurizio D. Fortunato. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-467. Aubrey Kaufman, petitioner, *v.* Diversified Industries, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-468. Shatterproof Glass Corporation, petitioner, *v.* Guardian Glass Co., Inc., et al. Petition for writ of certiorari to the United State Court of Appeals for the Sixth Circuit denied.

No. 72-471. Nathaniel Johnson, Jr., petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 72-472. Mae Sims, Guardian ad litem for Cynthia L. Sims et al., petitioners, *v.* State of Idaho, Department of Highways, et al. Petition for writ of certiorari to the Supreme Court of Idaho denied.

No. 72-473. Paul J. Mahoney, petitioner, *v.* James D. Hodgson. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-477. Edward L. Stephenson et al., petitioners, *v.* Karl F. Landegger et al. Petition for writ of certiorari to the United States States Court of Appeals for the <sup>SECOND</sup> ~~SECOND~~ Circuit denied.

No. 72-479. Donald L. Garren and James A. Eddinger, petitioners, *v.* City of Winston-Salem, North Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-487. Rudolph Prisco, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 72-494. Aniello Dellacroce, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of ~~writ of certiorari to the Court of Appeals of New York~~ denied.

No. 72-495. John Percy Stiglets, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-496. Morrie Benson, petitioner, *v.* Arthur Newman et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-497. Oklahoma, petitioner, *v.* The Cherokee Nation et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-499. Joseph Tremarco, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division, Supreme Court of New York, Second Judicial Department, denied.

No. 72-505. John Wayne Price, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

1ST JUDICIAL DEPT

No. 72-508. Charles C. Wilson, Inc., et al., petitioners, *v.* Medicenters of America, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-509. Hugo DiPaolo, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 72-512. Bolt Associates, Inc., petitioner, *v.* Western Geophysical Company of America et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 513. Angelo DeRosa, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 72-518. Charles F. Atwell, petitioner, *v.* Gay S. Hardy et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-519. America Mannex Corporation, petitioner, *v.* Charlton P. Rozands, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-526. Jesus Novelo Perreira, petitioner, *v.* Dampskibsselskabet Norden A/S and the M. S. Nordpol. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-527. Potomac Sand and Gravel Company, petitioner, *v.* Governor of Maryland et al. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 72-530. Mortimer G. Levine, petitioner, *v.* The Long Island Railroad Company et al. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 72-531. Dow Chemical Company, petitioner, *v.* Dixie Carriers, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit.

No. 72-533. John M. Luttrell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-~~535~~<sup>343</sup>. Fannie Smith, Administratrix, etc., petitioner, *v.* Olsen & Ugelstad. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-544. The Board of Education of the Oklahoma City Public Schools, etc., et al., petitioners, *v.* Robert L. Dowell, etc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-547. Myron Leskiw et al., petitioners, *v.* Local 1470, International Brotherhood of Electrical Workers, AFL-CIO-CLC, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-548. Edward Lee Michael, Jr., petitioner, *v.* A. E. Gomes, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-551. Jerome Daly et al., petitioners, *v.* John McCarthy, Clerk, Supreme Court of Minnesota et al. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 72-554. Walton W. Mims, etc., petitioner, *v.* W. G. Yarborough et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-556. Sid Harvey, Inc., et al., petitioners, *v.* Local 810, Steel, Metals, Alloys & Hardware Fabricators & Warehousemen, International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-561. Florida Vanderbilt Development Corporation et al., petitioners, *v.* Chandler Leasing Division, Pepsico Service Industries Leasing Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-563. Keith B. McKy, petitioner, *v.* Union Bank and Trust Company of Helena, Montana, as Executor, etc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-564. Board of Education of Central District No. 1 of the Towns of Addison, etc., et al., petitioners, *v.* Charles James. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-565. Marie Baldassaro, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Franklin County, denied.

No. 72-572. Schoenling Brewing Co., Inc., petitioner, *v.* Wurzburger Hofbrau Aktiengesellschaft et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-573. Charles K. Marsh, petitioner, *v.* Horace V. Curry. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-576. Philip A. Robinson et al., petitioners, *v.* Lloyd W. McCorkle, Commissioner, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5030. Donald James Wolfe, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 72-5038. Elizabeth Chavez et al., petitioners, *v.* Freshpict Foods, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5058. Edwin E. Lotz, petitioner, *v.* Marion J. Koloski, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5082. Bernard G. Woche, petitioner, *v.* Los Angeles City School District, etc. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-5089. William A. A. Tahl, petitioner, *v.* Joseph O'Connor, Sheriff, San Diego County. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5100. Patrick D. Mills, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 72-5145. James O. Nudo, petitioner, *v.* Eliza Brantley, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5157. Fred Douglas Kyle, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5196. James Bryan Watson, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 72-5204. T. Mac Tanner, petitioner, *v.* John J. Twomey, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5356. Myrtle H. Ford, petitioner, *v.* California State Personnel Board. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-5383. Edward White, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5385. Nathan Charles Kotrlik and Craig Ronald Gaevert, petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5387. Kenneth Eugene McEachern, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5392. James Clay Martin, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5400. James T. Overton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5403. Alonzo B. Garrett, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 72-5408. Kenneth Jackson, petitioner, *v.* George H. Bohlinger. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-5415. Donald C. Wilson, petitioner, *v.* Burton A. Scott, Kenosha County District Attorney, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5416. Alek Fidanian, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5417. Benjamin Murdock, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-5418. Frank E. Perry, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 72-5419. Dana Flinchum, petitioner, *v.* Clinchfield Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5420. Osborn Olden, petitioner, *v.* Lawrence E. Wilson, Ex-Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5421. George R. Nichols, petitioner, *v.* Ray H. Page, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5422. William Eugene Dailey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5423. George S. Traber, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5424. James P. Taylor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5425. Edward Robert Cooney, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5427. Michael Wayne Carver, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 72-5428. William Rodger Starnes, petitioner, *v.* C. E. Harris, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5429. John Grayton, petitioner, *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 72-5430. James Morris Fletcher, petitioner, *v.* Joseph R. Brierley, Superintendent, State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5433. Marguerite S. N. Stock, petitioner, *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5435. George Dee Hurst, aka Thomas S. Cloe, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5436. Alfred Lewis, petitioner, *v.* Vincent R. Mancusi, Superintendent, Attica Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5438. Richard E. Warner, petitioner, *v.* United States Patent Office et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-5439. Sammie Epperson, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-5440. Emory Woods, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5444. Nathan Jackson, petitioner, *v.* Harold W. Follette, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5445. Charlotte R. Hurd, petitioner, *v.* F. Lee Bailey et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-5446. Alvin Nelson, petitioner, *v.* John L. Zelker, Superintendent of Green Haven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5447. George Alvin Tyler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5448. James Waddell, petitioner, *v.* Noah L. Alldredge, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.



No. 72-5449. James S. Ratliff, Jr., petitioner, *v.* Ira M. Coiner, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5450. Doyle Lee Sanders, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5452. Alvis Patrick Daras, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5456. Procoro Flores, etc., petitioner, *v.* Employers' Fire Insurance Company of San Antonio, Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5457. Lenine Strollo, petitioner, *v.* Noah L. Alldredge, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5461. Henry L. Rogers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5462. Alfred Lloyd Lee, petitioner, *v.* Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5463. Jay Allen Hill, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Summit County, denied.

No. 72-5465. Raymond Berryhill, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5466. Eldon Bobby Lewis, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 71-1634. Charles Zemliak, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District denied. Mr. Justice Douglas would grant certiorari.

No. 71-6929. Robert Charles Kochel, petitioner, *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-164. Haywood E. Honeycutt, petitioner, *v.* North Carolina. Petition for writ of certiorari to the General Court of Justice of North Carolina, Superior Court Division, denied. Mr. Justice Douglas would grant certiorari.

No. 72-453. Louis Emery Roger, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-469. Bradford Township et al., petitioners, *v.* Illinois State Toll Highway Authority et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-476. Michael James Baldivid, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-500. D'Arnold Davis, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Mr. Justice Douglas would grant certiorari.

No. 72-504. Thomas James Slone, Sr., petitioner, *v.* Supreme Court of Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Mr. Justice Douglas would grant certiorari.

No. 72-553. In re Terrell Schwarz, petitioner. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Douglas would grant certiorari.

No. 72-5053. L. Ray McClenan, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Mr. Justice Douglas would grant certiorari.

No. 72-5120. John P. Kwitek and Donald Crisp, petitioners, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied. Mr. Justice Douglas would grant certiorari.

No. 72-5203. Elizabeth Cradle, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied. Mr. Douglas would grant certiorari.

No. 72-5386. Johnny Earl Vines, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5407. Christopher Kephart, petitioner, *v.* United States: and

No. 72-5459. Herbert Harvey Roth, Jr., petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5458. William Kemp Griffith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 71-1699. Gene Godwin, petitioner, *v.* Martin Dies, Secretary of State of Texas. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-171. Lawrence Stewart, petitioner, *v.* Virginia. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 72-426. Olga Corey, petitioner, *v.* Attorney General of the United States et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-463. Maurice L. Silver, petitioner, *v.* Castle Memorial Hospital et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 72-464. Alfar Dairy, Inc., petitioner, *v.* Palm Beach County Board of Public Instruction. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-520. John Henry Tillman, petitioner, *v.* New Jersey. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 72-475. Wendell Warren Austin, petitioner, *v.* United States;

No. 72-5451. Charles Allen Savidge, petitioner, *v.* United States; and

No. 72-5476. Irving Wellesley Beeman, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Powell would grant certiorari.

No. 72-478. E. P. Perini, Superintendent, Marion Correctional Institution, petitioner, *v.* Frank Johns. Motion to dispense with printing petition and motion to dispense with printing respondent's brief granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-489. Robert E. Dauer, et al., petitioners, *v.* Ozel Conley et al. Motion of respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-571. John L. Zelker, Superintendent, Green Haven Correctional Facility, petitioner, *v.* Gustavo Lopez. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-507. Winifred M. Goudie, petitioner, *v.* Sears, Roebuck and Company et al. Motion to dispense with printing portions of appendix granted. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Mr. Justice Powell took no part in the consideration or decision of this motion and petition.

#### LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 72-5338. Ernest Robinson, petitioner, *v.* Louie L. Wainwright, Director, Division of Adult Corrections, Florida. Motion for leave to file petition for writ of habeas corpus denied.

#### LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 72-5377. Ruchell Magee, petitioner, *v.* Superior Court of San Francisco County, California, et al. Motion for leave to file petition for writ of mandamus and/or prohibition denied.

#### REHEARINGS DENIED

No. 71-1403. Forbes Leasing and Finance Corporation, petitioner, *v.* Marvin Lebowitz;

No. 71-1408. Aero Mayflower Transit Company, Inc., et al., appellants, *v.* United States et al.;

No. 71-1419. John A. Hutter et ux., appellants, *v.* Bernard J. Korzen, etc.;

No. 71-1519. Ceicel D. Brown and William D. Brown, petitioners, *v.* Thomas P. Scott;

No. 71-1547. C & H Transportation Co., Inc., et al., appellants, *v.* Interstate Commerce Commission; and

No. 72-149. United States, appellant, *v.* Interstate Commerce Commission (International Transport, Inc., case);

No. 71-1573. Archie Peltzman, petitioner, *v.* National Labor Relations Board;

No. 71-1614. Wendel Everett Lowry and Lowry Investments, Inc., petitioners *v.* United States;

No. 71-1640. Bank of America National Trust and Savings Association, petitioner, *v.* United States;

No. 71-1651. Pat Newbern, etc., et al., appellants, *v.* Alabama;

No. 71-6329. Newton Collier Estes, petitioner, *v.* Deborah Northcross et al.;

No. 71-6431. Ira Nash, Jr., petitioner, *v.* Texas;

No. 71-6464. Francis James Murray, petitioner, *v.* City of Cincinnati;

No. 71-6495. John C. Caldron, petitioner, *v.* R. J. Gaffney, Warden;

No. 71-6518. John Martinez, petitioner, *v.* Vincent R. Mancusi, Warden;

No. 71-6606. Gary Gene Wetteroff et al., petitioners, *v.* Sheldon D. Grand, Trustee;

No. 71-6643. Ida M. Picking, appellant, *v.* Melvin A. Yates et al.;

No. 71-6677. George E. Allard, Sr., petitioner, *v.* United States;

No. 71-6680. Raymond Earl Ferguson, petitioner, *v.* Virginia;

No. 71-6717. Francis Henderson Robinson, petitioner, *v.* United States;

No. 71-6873. Robert Summers Neely, Jr., petitioner, *v.* John A. Field, Jr., etc., et al.;

No. 71-6875. John Henry Moran, petitioner, *v.* The Tuition Plan of New Hampshire, Inc.;

No. 72-134. Mrs. Billie B. McClure, petitioner, *v.* The Salvation Army;

No. 72-148. Norman Rothman and Fabio Domenico Decristofaro, petitioners, *v.* United States;

No. 72-150. United States, appellant, *v.* Interstate Commerce Commission (Ace Doran Hauling Co. case);

No. 72-152. William R. Ming, Jr., petitioner, *v.* United States;

No. 72-156. Juan Pompa Zarate, petitioner, *v.* United States;

No. 72-5011. Ervin Hohensee, petitioner, *v.* Scientific Living, Inc., et al.;

No. 72-5065. Donald Crawford, appellant, *v.* Missouri; and

No. 72-5158. James Richard Sikes and Thomas Dwight Jenkins, petitioners, *v.* United States. Petitions for rehearing denied.

No. 71-1555. Vesta G. Johnston and J. B. Johnston, petitioners, *v.* Calvin S. Byrd;

No. 71-1633. Walter L. Larsen, Jr., petitioner, *v.* Air California; and

No. 71-1655. Arthur E. Falkner, petitioner, *v.* The Supreme Court of Florida et al. Motions to dispense with printing petitions for rehearing granted. Petitions for rehearing denied.

No. 71-6754. Forrest Van Pelt, petitioner, *v.* Marie J. DiCosimo;

No. 72-2. Ray Palmer and Maurice Robert Hettich, petitioners, *v.* United States; and

No. 72-5109. Claude M. Hill, petitioner, *v.* Claude J. Gauvin and James Matz. Motions for leave to file petitions for rehearing denied.

No. 71-6883. Jim Fair, petitioner, *v.* W. T. Hodges et al. Application to enjoin respondent from hearing petitioner's future cases, presented to Mr. Justice Douglas, and by him referred to the Court, denied. Mr. Justice Douglas would grant the application. Petition for rehearing denied.

## ORDER

It is ordered that Edward G. Hudon, be and he is hereby, appointed Librarian of this Court in the place of Henry Charles Hallam, Jr., retired.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
George J. Adler	Orlando, Fla.	Irvin A. Meyers.
J. David Andrews	Seattle, Wash.	David E. Wagoner.
Peter G. Angelos	Baltimore, Md.	Sigmund Levin.
Daniel T. Balfour	Richmond, Va.	Conard B. Mattox, Jr.
John H. Barnett	Gulfport, Miss.	Jason Floyd, Sr.
Norman Charles Barnett	Washington, D.C.	Michael Boudin.
Timothy H. Barron	Wellsville, N. Y.	Wayne A. Freeman, Jr.
Charles Thomas Bastien	Denver, Colo.	George Bicknell Rice.
Gary E. Becker	Tell City, Ind.	David E. Evrard.
Harry Neal Beekman	Ponca City, Okla.	Joseph S. Lewis.
Daniel L. Berman	Salt Lake City, Utah	Arthur A. Allen, Jr.
Robert Bland Black	Parkersburg, W. Va.	William L. Jacobs.
John S. Bowman	Montgomery, Ala.	Maury D. Smith.
Thomas Edward Bracken	Morristown, N.J.	Gerald T. Foley, Jr.
Lowell Joseph Bradford	Washington, D.C.	W. Theodore Pierson.
Paul Herbert Broadwell	Phoenix, Ariz.	Henry J. Florence.
Richard William Brock	Oxford, Miss.	David M. Lewis, Jr.
David E. Brook	Acton, Mass.	Homer O. Blair.
Carmine J. Bua	San Diego, Calif.	James Frederick Cooper.
Robert Callister	Las Vegas, Nev.	Elwin C. Leavitt.
Roy L. Cameron, Jr.	Philadelphia, Pa.	George W. Connell.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Roger L. Chaffe	Louisville, Ky.	Robert H. Sachs.
Paul G. Chevigny	New York, N.Y.	Burt Neuborne.
Thomas E. Childs Jr.	Eupora, Miss.	Fred M. Bush Jr.
James G. Clement	Irving, Tex.	Richard Dean Moorhead.
Leonard Lawrence Coburn	Washington, D.C.	Joseph John Saunders.
Harry Lee Coe III	Tampa, Fla.	Vincent Giglio.
Stephen Ellis Cohen	North Bergen, N.J.	James M. FitzSimons.
Michael Colodner	New York, N.Y.	Maria Lenhoff Marcus (Mrs.).
James Robert Conway III	New Orleans, La.	Donald A. Hoffman.
George Cooper	New York, N.Y.	Richard B. Sobol.
James H. Dannenberg	San Francisco, Calif.	Sydney M. Eisenberg.
John Coleman Dawson	Houston, Tex.	Walter P. Zivley.
Dixon Quackenbush Dern	Beverly Hills, Calif.	Arthur J. Levine.
William G. Downey	Philadelphia, Pa.	Robert N. Ferrer.
Russell J. Drake	Tuscaloosa, Ala.	George A. LeMaistre.
Frances O. Drummond (Mrs.)	Los Angeles, Calif.	Albert A. Adam.
Robert Lee Eddy III	New Orleans, La.	Richard A. Kuntz.
John Wagner Eilers, Jr.	Cincinnati, Ohio	Robert P. Goldman.
Donald Joseph Elardo	Washington, D.C.	Tedson J. Meyers.
James H. Falk	Tucson, Ariz.	Edward L. Morgan.
Lawrence D. Fay	Jacksonville, Fla.	Mark Hulsey, Jr.
Frederick John Feigl	Richardson, Tex.	Raymond Douglas Noah.
Donald Feldman	Miami, Fla.	Arthur Roth.
David L. Field	Enid, Okla.	Douglas Mc- Keever.
Walter Flowers	Tuscaloosa, Ala.	Orval Hansen.
John L. Foster	Detroit, Mich.	John Arthur Hamilton.
Robert Gerald Fracasso	New Britain, Conn.	Frederick W. Danforth, Jr.
Gary David Gayton	Seattle, Wash.	Thomas H. S. Brucker.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Miles Gingery	Olympia, Wash.	Richard M. Montecucco.
R. Thomas Gooding	La Grande, Oreg.	Willard K. Carey.
John T. Graham	Sarasota, Fla.	Marvene A. Gordon.
Martin M. Green	Clayton, Mo.	Arthur Litz.
Merlyn C. Green	Saint Paul, Minn.	Joseph A. Maun.
William Dean Greenshields	Ponca City, Okla.	Joseph S. Lewis.
Chester P. Guziel	Woodland Hills, Calif.	Marshall K. Gordon.
S. Lorrayne Halbig	San Antonio, Calif.	John Franklin Conyers.
Robert T. Hall	Fairfax, Va.	Phillip J. Hirschkop.
Daniel W. Hammer	Cleveland, Ohio	Patrick F. McCartan.
John Phelps Hammond	New Orleans, La.	Richard B. Montgomery, Jr.
Glen M. Hatch	Salt Lake City, Utah.	John Crawford, Jr.
Richard E. Hendricks	Mansfield, Ohio	Charles T. Robinson.
E. Mark Himmelstein	San Francisco, Calif.	Mark Scott Hamilton.
Edward B. Hipp	Raleigh, N.C.	Maurice Westbrook Horne.
Joseph J. Holzka	Staten Island, N.Y.	John S. Zachary.
Neil Fisher Horton	Oakland, Calif.	J. Richard Johnston.
William Marion Huffman	Marshall, Tex.	Sam Blakeley Hall, Jr.
Edward William Huneke	Washington, D.C.	Charles S. Rhyne.
Stephen J. Johnson, Jr.	Maitland, Fla.	Albert Yurko.
Elbert Richard Jones, Jr.	Raleigh, N.C.	William T. Hatch.
William Augustas Julias	Harrisonburg, Va.	Donald E. Showalter.
Irwin I. Kamen	New York, N.Y.	Jay W. Kaufmann.
Stephen Patrick Kanar	Orlando, Fla.	Charles E. Davis.
B. Z. Kastler	Salt Lake City, Utah.	John Crawford, Jr.
Anthony Martin Keating	Houston, Tex.	Dwayne C. Pollard.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kurt G. Kersten	Trenton, Mich.	Robert E. Butcher.
Richard R. Kirby	Atlanta, Ga.	Thomas A. Travis, Jr.
Sven V. Kirkegaard	Sturgeon Bay, Wis.	Maxwell H. Herriott.
Joseph S. Kodish	Akron, Ohio	William R. Baird.
Louis R. Koerner, Jr.	New Orleans, La.	James F. Mulla, Jr.
Edward R. Langenbach, Jr.	Seattle, Wash.	Robert J. Backstein.
John C. LaFave	Houston, Tex.	Marion D. Leach.
Dale I. Larson	Minnesota, Minn.	Harding A. Orren.
Franklin C. Latcham	San Francisco, Calif.	Marshall L. Small.
Philip E. Lattavo	Canton, Ohio	H. Gene Shackle.
Milton S. Lazaroff	Philadelphia, Pa.	Abraham J. Brem Levy.
William J. Legg	Oklahoma City, Okla.	Irving L. Faught.
Raoul Lerow	Atlanta, Ga.	Eugene Gold.
Edward Allen Lewkowski	Cheyenne, Wyo.	Carl F. Meyer, Jr.
Morris Clair Looyesen	Olympia, Wash.	Robert M. McDonald.
W. Bruck Malone	Evanston, Ill.	Gilbert A. Smith.
Lyn H. Marcus	Beverly Hills, Calif.	Alvin Hirsch.
Raymond H. Mathisen	Miami, Fla.	Thomas B. DeWolf.
George C. McCarthy	Long Beach, Calif.	Joseph A. Ball.
Dale Edward McCoy	Indianapolis, Ind.	Theodore L. Sendak.
Joe McLeod	Fayetteville, N.C.	Arthur S. Meisnere.
Basil J. Mezines	Washington, D.C.	Frederick M. Rowe.
Joseph Payne Milton	Jacksonville, Fla.	Clark Walter Toole, Jr.
Stephan Michael Minikes	Washington, D.C.	H. B. Robertson, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John I. Moore	Baton Rouge, La.	Frank W. Middleton, Jr.
Charles David Munich	Bridgeport, Conn.	Herbert Joseph Bundock.
John Wayne Norman	Oklahoma City, Okla.	Clyde J. Watts.
Bruce G. Odlaug	Saint Paul, Minn.	Ronald S. Hazel.
James Peter Panico	Maitland, Fla.	Albert Yurko.
Ralph Gerald Panzer	Mt. Clemens, Mich.	William A. Gentz.
John C. Patterson, Jr.	Sarasota, Fla.	David S. Yost.
Robert Pitofsky	Washington, D.C.	Frederick M. Rowe.
Robert W. Pittman	Oklahoma City, Okla.	Robert E. Shelton.
Ronald Pomerance	New York, N.Y.	Ira Gammerman.
Paul Bernard Radelat	Houston, Tex.	Myron M. Sheinfeld.
C. Ramsey Randolph	Lomita, Calif.	Francis B. Toler, Jr.
Edward E. Reich	Arlington, Va.	Robert L. Baum.
Leonard E. Reinowski, Jr.	Mt. Clemens, Mich.	William A. Gentz.
Michael Frederick Richman	Long Beach, Calif.	Joseph A. Ball.
James Edward Ritchie	San Francisco, Calif.	Solicitor General Erwin N. Griswold.
Clayton Paul Roche	San Francisco, Calif.	Ernest P. Goodman.
Gerald Conrad Rovner	Boston, Mass.	Marvin H. Siegel.
John Robert Saalfield	Jacksonville, Fla.	Harry T. Gray.
William Edward Sadowski	Miami, Fla.	Talbot D'Alemberte.
Walter W. Sapp	Colorado Springs, Colo.	Clyde E. Milligan.
Gary Clyde Scherotter	Palm Springs, Calif.	Karl William Lee.
Richard James Schreiber	Chicago, Ill.	Richard T. Cub- bage.
Robert Jeffrey Sher	Washington, D.C.	John A. Earnest.
Wayne L. Shumaker, Jr.	Cleveland, Ohio	Wm. A. Schmidt, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Harry Sol Siegel	Chicago, Ill.	Sidney R. Yates.
Elwin Lloyd Skiles, Jr.	Dallas, Tex.	John Sparkman.
Robert I. Starr	Washington, D.C.	John R. Stevenson.
Charles W. Stoll	Los Angeles, Calif.	Patrick Eugene Hughes.
Peter R. Stromer	San Jose, Calif.	Francis E. X. Murphy.
Joseph B. Teichman	Miami, Fla.	Burton Young.
Jeffrey Allen Tew	Miami, Fla.	Claude Pepper.
James Michael Thomas	San Francisco, Calif.	Marvin B. Haiken.
Harry Mattison Tollerton	Chevy Chase, Md.	Robert S. Poydasheff.
Henry G. Ullerich	Los Angeles, Calif.	William E. James.
Robert J. Vandaworker	Baton Rouge, La.	Benjamin B. Taylor, Jr.
F. R. VanHooreweghe	Chillicothe, Ill.	Thomas W. Kehr.
R. Eugene Vernon	Oakland, Calif.	John C. Minney.
Alphonso H. Voorhees	St. Louis, Mo.	Hugh B. Cox.
William Langley Ware	Bartlesville, Okla.	John Lea Williford.
Jeffrey Weithorn	Miami, Fla.	Walter Raymond Paynter.
Larry Wenig	New York, N.Y.	Philip M. Berman.
Joseph Allen Wideman	Ponca City, Okla.	Joseph S. Lewis.
Charles L. Wiest, Jr.	San Francisco, Calif.	Roy D. Adcock.
Jon Lehder Williams	Wilton, Conn.	Theodore L. Sendak.
John Peak Wilson	Columbia, S.C.	Daniel R. McLeod.
Neal Edward Wixson	Buffalo, N.Y.	William H. Gage.
James R. Wyrsh	Kansas City, Mo.	Calvin K. Hamilton.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Frederic Sterling Gray	Washington, D.C.	Solicitor General Erwin N. Griswold.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Louis S. Lear	Silver Spring, Md.	Solicitor General Erwin N. Griswold.
Kenneth Charles Anderson	Alexandria, Va.	Solicitor General Erwin N. Griswold.
Gerald T. Dunne	St. Louis, Mo.	Frederick Bernays Wiener.
Wilhelm Alfons Zeitler	Arlington, Va.	Robert J. Flynn, Jr.
Charles I. Brodsky	Morganville, N.J.	Roland A. Linger.
Kenneth L. King	Washington, D.C.	William D. Hall.

## OPINION

No. **71-857**. Evco, dba Evco Instructional Designs, petitioner, *v.* Franklin Jones, Commissioner of the Bureau of Revenue of the State of New Mexico, et al. On writ of certiorari to the Court of Appeals of New Mexico. Judgment reversed and case remanded to the Court of Appeals of New Mexico for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Burger.

## ORAL ARGUMENT

No. **71-1398**. John W. Warner, Secretary of the Navy, petitioner, *v.* John W. Flemings. Argued by Mr. Solicitor General Erwin N. Griswold for the petitioner and by Mr. Michael Meltsner for the respondent.

No. **71-6314**. James Roy Gosa, petitioner, *v.* J. A. Mayden, Warden. Argued by Mr. John R. Saalfield for the petitioner and by Mr. Solicitor General Erwin N. Griswold for the respondent.

No. **71-1193**. United States, appellant, *v.* Travis Paul Enmons et al. Argued by Mr. William Bradford Reynolds for the appellant and by Mr. Bernard Dunau for the appellees.

No. **71-5656**. Doris Philpott and William Wilkes, petitioners, *v.* Essex County Welfare Board. Argued by Mr. George Charles Bruno for the petitioners and by Mr. Ronald Reichstein for the respondent.

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Adjourned until tomorrow at 10 o'clock.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Clark Renshaw	Reno, Nev.	Dennis G. Lyons.
Allan B. Osborne	Harrisburg, Pa.	Jay Seitchik.
Kathleen Mathea Falco	Washington, D.C.	H. David Rosenbloom.

### OPINIONS

**No. 71-36.** California et al., appellants, *v.* Robert LaRue et al. Appeal from the United States District Court for the Central District of California. Judgment reversed and case remanded to the United States District Court for the Central District of California for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rehnquist. Concurring opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Marshall.

**No. 71-900.** Union Oil Company of California, petitioner, *v.* The Tugboat San Jacinto et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rehnquist. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Douglas and Mr. Justice Brennan join.

### ORAL ARGUMENT

**No. 71-991.** Otter Tail Power Company, appellant, *v.* United States. Argued by Mr. Milton Handler for the appellant and by Mr. Lawrence G. Wallace for the appellee.

**No. 71-1178.** Gulf States Utilities Company, petitioner, *v.* Federal Power Commission et al. One and one half hours allowed for oral argument. Argued by Mr. Benny Harry Hughes for the petitioner, by Mr. Leo E. Forquer, General Counsel for the F.P.C. in support of the petitioner, by Mr. Robert C. McDiarmid for the respondent cities,

and by Mr. Howard E. Shapiro for the United States, as *amicus curiae*, supporting respondent cities.

**No. 71-6516.** Charles D. Braden, petitioner, *v.* 30th Judicial Circuit Court of Kentucky. Argued by Mr. David R. Hood for the petitioner and by Mr. John M. Famularo for the respondent, *pro hac vice*, by special leave of Court.

**No. 71-1059.** Kern County Land Company, petitioner, *v.* Occidental Petroleum Corporation. Argument commenced by Mr. David R. Hyde for the petitioner.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

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Applicant	City and State	Movant
Elizabeth Mary Boyer	Novelty, Ohio	Marguerite Rawalt.
Stephen P. Berzon	Berkeley, Calif.	Laurence S. Gold.

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### OPINIONS

No. **71-586**. William S. Neil, Warden, petitioner, *v.* Archie Nathaniel Biggers. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment affirmed in part and reversed in part and case remanded to the United States Court of Appeals for the Sixth Circuit for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Powell. Opinion by Mr. Justice Brennan concurring in part and dissenting in part with whom Mr. Justice Douglas and Mr. Justice Stewart concur. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. **71-366**. Tidewater Oil Company, petitioner, *v.* United States and Phillips Petroleum Company. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion by Mr. Justice Marshall. Concurring statement by Mr. Justice White. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Rehnquist joins, and in which Mr. Justice Douglas joins in part.

### ORAL ARGUMENT

No. **71-1059**. Kern County Land Company, petitioner, *v.* Occidental Petroleum Corporation. Argument continued by Mr. David R. Hyde for the petitioner and concluded by Mr. Whitney North Seymour for the respondent.

No. 71-575. Linda Gomez, Individually and as next friend of Zoraida Gomez, appellant, *v.* Francisco Ocasio Perez. Argued by Mr. Stanley Dalton Wright for the appellant and by Mr. Joseph Jaworski, *as amicus curiae*, in support of the judgment below.

No. 71-6078. Linda R. S., et al., appellants, *v.* Richard D. and Texas et al. Argued by Mr. Windle Turley for the appellants and by Mr. Robert W. Gauss for the appellees.

No. 71-6272. Samuel Ed Robinson, petitioner, *v.* William S. Neil, Warden. Argued by Mr. James D. Robinson for the petitioner and by Mr. Bart C. Durham, III, for the respondent.

No. 71-6316. Andrew C. Goosby et al., petitioners, *v.* Maurice Osser et al. One hour and ten minutes allowed for oral argument. Argument commenced by Mrs. Ann S. Torregrossa for the petitioners, *pro hac vice*, by special leave of Court.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

Applicant	City and State	Movant
Frederick W. Invernizzi	Baltimore, Md.	James H. Norris.
James P. Schaller	Chevy Chase, Md.	Thomas Searing Jackson.

### OPINIONS

**No. 71-224.** Harold R. Swenson, Warden, petitioner, *v.* James William Stidham. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White.

**No. 71-708.** Paul J. Trafficante et al., petitioners, *v.* Metropolitan Life Insurance Company et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the United States District Court for the Northern District of California for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Concurring opinion by Mr. Justice White with whom Mr. Justice Blackmun and Mr. Justice Powell join.

**No. 71-711.** National Labor Relations Board, petitioner, *v.* Granite State Joint Board, Textile Workers Union of America, Local 1029, AFL-CIO. On writ of certiorari to the United States Court of Appeals for the First Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Concurring opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Blackmun.

### ORAL ARGUMENT

**No. 71-6316.** Andrew C. Goosby et al., petitioners, *v.* Maurice Osser et al. Argument continued by Mrs. Ann S. Torregrossa for the petitioners, *pro hac vice*, by special leave of Court, by Mr. Peter W. Brown for the respondents Commonwealth of Pennsylvania et al., and concluded by Mr. John Mattioni, for municipal respondents.

No. 71-1119. Indiana Employment Security Division et al., appellants, *v.* Essie D. Burney. Argued by Mr. Darrell K. Diamond, for the appellants and by Mr. Ivan E. Bodensteiner for the appellee.

No. 71-6193. Joseph Everette Brown and Thomas Dean Smith, petitioners, *v.* United States. Argued by Mr. Lowell W. Lundy for the petitioners and by Mr. Mark L. Evans for the respondent.

No. 70-279. United States et al., appellants, *v.* Florida East Coast Railway Company et al. Argued by Mr. Samuel Huntington for the appellants, by Mr. A. Alvis Layne for appellee Florida East Coast Railway Co., and by Mr. Richard A. Hollander for appellee Seaboard Coast Line Railroad Co.

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Adjourned until Monday, December 11, 1972, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

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The Chief Justice said:

“Today’s orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally.”

### OPINIONS PER CURIAM

No. 72-376. One Lot Emerald Cut Stones and One Ring, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Petition for writ of certiorari granted and judgment affirmed. Opinion *per curiam*.

No. 72-5411. John R. Dillard, etc., appellant, *v.* Industrial Commission of Virginia et al. Appeal from the United States District Court for the Eastern District of Virginia. Motion for leave to proceed *in forma pauperis* granted. Judgment vacated and case remanded to the United States District Court for the Eastern District of Virginia to consider whether this case is moot. Opinion *per curiam*.

### APPEALS—SUMMARY DISPOSITION

No. 72-506. Philip A. Robinson, appellant, *v.* Lloyd W. McCorkle, etc., et al. Appeal from the United States District Court for the District of New Jersey. Judgment affirmed.

No. 72-582. Abe Lavine, Individually and as Commissioner of the Department of Social Services of the State of New York, appellant, *v.* Sylvia Shirley, etc., et al. Appeal from the United States District Court for the Northern District of New York. Judgment vacated and case remanded to the United States District Court for the Northern District of New York for further consideration in light of Chapter 687 of the 1972 Laws of New York (New York Social Services Law § 101-a as amended). *Diffenderfer v. Central Baptist Church*, 404 U.S. 412 (1972).

No. 72-583. Ralph H. Bearden, Jr., appellant, *v.* Metropolitan Dade County, Florida. Appeal from the Supreme Court of Florida. The appeal is dismissed for want of a substantial federal question.

No. 72-585. Pepper and Tanner, Inc., appellant, *v.* International Equity Corporation. Appeal from the Superior Court of Pennsylvania,

Eastern District. The appeal is dismissed for want of a substantial federal question.

No. 72-588. Loyal Order of Moose, Lodge No. 107, appellant, *v.* Pennsylvania Human Relations Commission. Appeal from the Supreme Court of Pennsylvania, Middle District. The appeal is dismissed for want of a substantial federal question.

No. 72-589. Arthur Krause, Administrator of the Estate of Allison Krause, appellant, *v.* Ohio. Appeal from the Supreme Court of Ohio. The appeal is dismissed for want of a substantial federal question.

No. 72-600. Cities Service Gas Company, appellant, *v.* Western Natural Gas Company et al. Appeal from the Supreme Court of Oklahoma. The appeal is dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-5401. William Cason, appellant, *v.* City of Columbus, Ohio. Appeal from the Supreme Court of Ohio. Motion for leave to proceed *in forma pauperis* granted. Judgment reversed and case remanded to the Supreme Court of Ohio. *Gooding, Warden, v. Wilson*, 405 U.S. 518 (1972). Mr. Justice Powell, concurring in the result: As the Court below applied a *per se* rule, apparently without regard to the circumstances under which the words were used, I join in the reversal. See my separate opinion in *Rosenfeld v. New Jersey*, 408 U.S. 901, 903 (1972); *Lewis v. City of New Orleans*, 408 U.S. 913 (1972); and *Brown v. Oklahoma*, 408 U.S. 914 (1972). The Chief Justice, Mr. Justice Blackmun and Mr. Justice Rehnquist dissent for the reasons expressed in the several opinions in *Rosenfeld v. New Jersey*, 408 U.S. 901 (1972); *Lewis v. City of New Orleans*, 408 U.S. 913 (1972); and *Brown v. Oklahoma*, 408 U.S. 914 (1972).

No. 72-5529. In the Matter of Tomacita Negron, appellant. Appeal from the Court of Appeals of New York. The appeal is dismissed for want of a substantial federal question. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

#### CERTIORARI—SUMMARY DISPOSITION

No. 72-217. Kermit Allman, City Sergeant for the City of Roanoke, Virginia, petitioner, *v.* Spencer Manns, Jr. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Colten v. Kentucky*, 407 U.S. 104 (1972).

## ORDERS IN PENDING CASES

No. A-556. Peyton Berbling, State's Attorney for Alexander County, Illinois, et al., applicants, *v.* Ezell Littleton et al. The application for stay of judgment of the United States Court of Appeals for the Seventh Circuit presented to Mr. Justice Rehnquist, and by him referred to the Court, is granted insofar as it applies to applicants O'Shea and Spomer pending the timely filing of a petition for a writ of certiorari. Should such a petition be so timely filed, this order is to continue pending this Court's action on the petition. If the petition for a writ of certiorari is denied, this order is to terminate automatically. In the event the petition for a writ of certiorari is granted, this order is to remain in effect pending the sending down of the judgment of this Court.

No. A-600. Robert E. Hampton, Chairman of the United States Civil Service Commission, et al., petitioners, *v.* A. Ernest Fitzgerald et al. The application for an extension of time to file a petition for writ of certiorari presented to the Chief Justice, and by him referred to the Court, is granted and it is ordered that the time for filing such a petition be, and the same is hereby, extended to and including January 13, 1973.

No. A-603. Michael D. Schlesinger, applicant, *v.* Melvin Laird, Secretary of Defense, et al. The application for stay presented to Mr. Justice Douglas, and by him referred to the Court, is denied. Dissenting opinion by Mr. Justice Douglas.

No. A-605. Robert E. Hampton, Chairman of the United States Civil Service Commission, et al., applicants, *v.* A. Ernest Fitzgerald et al. The application for stay of mandate of the United States Court of Appeals for the District of Columbia Circuit presented to the Chief Justice, and by him referred to the Court, is granted pending the timely filing of a petition for a writ of certiorari. Should such a petition be so timely filed, this order is to continue pending this Court's action on the petition. If the petition for a writ of certiorari is denied, this order is to terminate automatically. In the event the petition for a writ of certiorari is granted, this order is to remain in effect pending the sending down of the judgment of this Court.

No. 71-1193. United States, appellant, *v.* Travis Paul Enmons et al. The motion of appellees for leave to file a supplemental brief, after argument, is granted.

No. 71-1442. Roland V. Colgrove, petitioner, *v.* James F. Battin, United States District Judge for the District of Montana. The motion of Nooter Corporation for leave to file a brief, as *amicus curiae*, is granted.

No. 72-11. Roosevelt F. Palmore, appellant, *v.* United States. The motion of appellee for additional time for oral argument is granted and fifteen minutes are allotted for that purpose. The appellant is also allotted fifteen additional minutes for oral argument.

No. 72-239. Harriott H. Childs, petitioner, *v.* United States. The respondent is requested to file a response to the petition for rehearing within thirty days.

No. 72-578. Bruce W. Bublick, petitioner, *v.* United States. The motion of the Chicago Bar Association et al., for leave to file a brief, as *amici curiae*, is granted.

No. 72-762. Alvarez Reyes, petitioner, *v.* New York. The application for bail presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. 72-804. William D. Ruckelshaus, Administrator of the Environmental Protection Agency, petitioner, *v.* Sierra Club et al. The application for stay of judgment of the United States Court of Appeals for the District of Columbia Circuit presented to the Chief Justice, and by him referred to the Court, is granted pending this Court's action on the petition for writ of certiorari. Should the petition for a writ of certiorari be denied, this order is to terminate automatically. In the event the petition for a writ of certiorari is granted, this order is to remain in effect pending the sending down of the judgment of this Court. Mr. Justice Douglas would deny the stay.

#### APPEALS—JURISDICTION NOTED

No. 71-1639. William M. Broadrick et al., appellants, *v.* Oklahoma et al. Appeal from the United States District Court for the Western District of Oklahoma. In this case probable jurisdiction noted.

No. 72-402. United States, appellant, *v.* General Dynamics Corporation et al. Appeal from the United States District Court for the Northern District of Illinois. In this case probable jurisdiction noted.

No. 72-634. United States Civil Service Commission et al., appellants, *v.* National Association of Letter Carriers, AFL-CIO, et al. Appeal from the United States District Court for the District of Columbia. In this case probable jurisdiction noted.

#### CERTIORARI GRANTED

No. 71-1647. Federal Maritime Commission, petitioner, *v.* Seatrains Lines, Inc., et al. Petition for writ certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 72-586. Elmer O. Cady, Warden, petitioner, *v.* Chester J. Dombrowski. Motion of respondent for leave to proceed *in forma*

*pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

## CERTIORARI DENIED

No. **71-6670**. Edward Richburg, petitioner, *v.* William D. Leeke, Director, South Carolina Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **71-6926**. Susan Splinter, petitioner, *v.* Edward V. Hanrahan, State's Attorney of Cook County. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **72-220**. Phelps Dodge Corporation, petitioner, *v.* AFL-CIO Joint Negotiating Committee for Phelps Dodge Corporation et al; and

No. **72-359**. National Labor Relations Board, petitioner, *v.* AFL-CIO Joint Negotiating Committee for Phelps Dodge et al. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **72-317**. Amando Gomez, petitioner, *v.* Superior Court of California, County of San Diego. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. **72-332**. Charles Laurent Fioconi and Jean Claude Kella, petitioners, *v.* Attorney General of the United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **72-491**. Simon Brach, petitioner, *v.* United States; and

No. **72-492**. Zali Fried, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **72-503**. Harris Trust and Savings Bank et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **72-522**. Ben J. Rogers et al., petitioners, *v.* Equal Employment Opportunity Commission. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-574**. Lee T. Sellars, petitioner, *v.* Committee on Admissions of the District of Columbia Court of Appeals. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. **72-577**. Cawy Bottling Co., Inc., petitioner, *v.* Maltina Corporation and Julio Blanco-Herrera. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-587. Holland-America Line, petitioner, *v.* Foreign Study League. Petition for writ of certiorari to the Supreme Court of Utah denied.

No. 72-596. Emil F. Adams et al., petitioners, *v.* Evansville-Vanderburgh School Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-597. Robert E. McDaniel, petitioner, *v.* Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 72-602. Harsh Building Co., et al., petitioners, *v.* Sam Bialac et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-605. Donald L. Buckelew, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 72-607. Mrs. B. J. Gaillot, Jr., petitioner, *v.* United States Department of Health, Education, and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-614. D. W. Shaps, petitioner, *v.* Union Commerce Bank. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Ninth Supreme Judicial District denied.

No. 72-626. University of Illinois Foundation, petitioner, *v.* Blonder-Tongue Laboratories, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-639. Southern Pacific Transportation Company, petitioner, *v.* Sutton's Steel & Supply, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-652. Harry L. Brown, Executor of the Estate of Harry A. Haverlah, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-688. White Motor Corporation and Freightliner Corporation, petitioners, *v.* Finis Stewart and Lee Way Motor Freight, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5075. Robert Warner Myers, petitioner, *v.* Washington. Petition for writ of certiorari to the Court of Appeals of Washington denied.

No. 72-5095. James McInnis, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 72-5151. Milas Travis Smith, petitioner, *v.* W. J. Estelle, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.



No. 72-5168. James L. Whitney, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5175. Karl Meyer, petitioner, *v.* Daniel Weil, Executive Director, Cook County House of Correction, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5188. Fred Ryan Hood, petitioner, *v.* J. Bard Purcell, Sheriff. Petition for writ of certiorari to the Court of Appeals of Oregon denied.

No. 72-5473. Walter Lee Sadler, petitioner, *v.* North Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5478. Delia Diaz de Salazar, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5481. Ted Banks, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5482. Frank Carbonaro, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5483. James Albert Driver, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5485. Andra Drew, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 72-5487. George Ross English and Robert Lee English, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5488. Don Richard Lego, petitioner, *v.* John J. Twomey, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5489. George Harley Perkins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5490. Billie Austin X. Bryant, petitioner, *v.* G. W. Pickett, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5491. Franklin Dwight Richards, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 72-5495. John Columbus Dalton, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5498. Joseph White, petitioner, *v.* Harold J. Cardwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5502. Donald B. Bartley, petitioner, *v.* Kentucky. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5511. Robert E. Tracy, petitioner, *v.* Rex B. Hawks, etc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5515. Hudson D. Harmon, petitioner, *v.* Elliot L. Richardson, Secretary of Health, Education and Welfare (████). Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5517. Hugh Rooney and Yola Rooney, petitioners, *v.* First Wisconsin National Bank of Milwaukee et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5518. J. Bryant Kasey and Maryann Kasey, petitioners, *v.* Molybdenum Corporation of America. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5532. Billie Joe Campbell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5545. In The Matter of Norbert Engler, petitioner. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 72-482. Victor L. Marchetti, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas, Mr. Justice Brennan and Mr. Justice Stewart would grant certiorari.

No. 72-501. Terminal Freight Cooperative Association et al., petitioners *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-515. Samuel Santoro and John Tortora, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-541. William Von Sleichter, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals

for the District of Columbia Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-559**. The Western and Southern Life Insurance Company, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-592**. Cities Service Oil Company, Successor by Merger to Columbian Fuel Company, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied. Mr. Justice Douglas would grant certiorari.

No. **72-5090**. Marshall Lee Peters, petitioner, *v.* California. Petition for writ of Certiorari to the Court of Appeal of California, First Appellate District denied. Mr. Justice Douglas would grant certiorari.

No. **72-5138**. John Allen Minor, petitioner, *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied. Mr. Justice Douglas would grant certiorari.

No. **72-5486**. Sharon K. Crosson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-5492**. William Alfred Glass, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Douglas would grant certiorari.

No. **72-590**. D. B. Anders, petitioner, *v.* United States. Motion of petitioner to strike matter from brief for respondent denied. Petition for writ of certiorari to the United States Court of Claims denied.

No. **72-599**. Stanley A. Phipps et al., petitioners, *v.* Associate Fundings, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice White would grant certiorari.

No. **72-629**. William Thornton Spence, M.D., and the Washington Hospital Center, petitioners, *v.* Jerry W. Canterbury. Motion to dispense with printing respondent's brief granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **72-5273**. Robert Warner Myers, petitioner, *v.* Thomas G. Pinnock etc. Motion to consolidate with No. 72-5075 granted. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. **72-5301**. William Nugent, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Dissenting opinion by Mr. Justice White with whom Mr. Justice Douglas and Mr. Justice Brennan join.

No. 72-5455. Austin Louis Smith et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan concurs.

No. 72-5537. Vasil M. Markoff, petitioner, *v.* New York Life Insurance Company. Petition for writ of certiorari to the Supreme Court of Nevada denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

#### LEAVE TO FILE PETITION FOR HABEAS CORPUS DENIED

No. 72-5162. Norman Lorenzo Braden, petitioner, *v.* Walter T. Capps, Warden. Motion for leave to file petition for writ of habeas corpus denied.

#### LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 72-5493. Willie Strode, petitioner, *v.* Mississippi. Motion for leave to file petition for writ of mandamus denied.

#### LEAVE TO FILE PETITION FOR WRIT OF PROHIBITION DENIED

No. 72-5474. Wilbur O. Morton, petitioner, *v.* United States et al. Motion for leave to file petition for writ of prohibition and/or mandamus denied.

#### REHEARINGS DENIED

No. 71-651. California, petitioner, *v.* Judith Krivda and Roger T. Minor;

No. 72-42. Walter Claude Durst, petitioner, *v.* National Casualty Co., et al.;

No. 72-159. Walter Claude Durst, petitioner, *v.* United States Court of Appeals for the Ninth Circuit et al.;

No. 72-160. Walter Claude Durst, petitioner, *v.* United States Court of Appeals for the Ninth Circuit;

No. 72-324. Russell L. Carter, petitioner, *v.* United States;

No. 72-5150. Armando Garcia-Turino, petitioner, *v.* United States;

No. 72-5171. Leonarda F. Vda de Sibonga, petitioner, *v.* Administrator of Veterans Affairs; and

No. 72-5289. Therion Frierson, petitioner, *v.* James A. Spruill et al. Petitions for rehearing denied.

No. 71-5005. Wayne H. Brooks, petitioner, *v.* Florida et al.;

No. 71-5075. Wayne H. Brooks, petitioner, *v.* Florida;

No. 71-5207. Wayne H. Brooks, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections; and

No. 71-5311. Wayne H. Brooks, petitioner, *v.* Louis L. Wainwright, Director, Division of Corrections. Motions for leave to file petitions for rehearing denied.

No. 72-136. Walter Claude Durst, petitioner, *v.* United States Court of Appeals for the Ninth Circuit et al. Motion for leave to use record in No. 72-42 in support of rehearing granted. Petition for rehearing denied.

#### RECESS ORDER

The Court will take a recess from Monday, December 18, 1972, until Monday, January 8, 1973.

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#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William J. Augustine	Tucson, Ariz.	S. Thomas Chandler.
Robert C. Babione	St. Louis, Mo.	Richard L. Daly.
Robert Vincent Beale	Newport News, Va.	Fred W. Bateman.
Steven R. Berger	Miami, Fla.	Raymond J. Dwyer.
Terry S. Bickerton	San Antonio, Tex.	Paul H. Smith.
Sidney G. Blacker	Los Angeles, Calif.	Robert W. Kenny.
Bruce Jay Brotman	Miami, Fla.	Andrew J. Decker, Jr.
John Joseph Campo III	Phoenix, Ariz.	Frederick H. Rosenfeld.
James T. Carey	Louisville, Ky.	Gordon B. Davidson.
David Franklin Chappell	Fort Worth, Tex.	Charles Joseph Murray.
Michael L. Cook	Austin, Tex.	Mrs. Mary Joe Carroll.
John Printz Corderman	Hagerstown, Md.	Charles F. Wagaman.
Maynard E. Cush	Shreveport, La.	Cleveland C. Burton.
Ernest Edwin Cutting	Minneapolis, Minn.	A. L. Janes, Jr.
Richard Danese, Jr.	Newtown, Pa.	Thomas P. Ruane.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David J. Della-Bitta	Hartford, Conn.	Robert K. Killian.
Henry Thomas Dolan	Philadelphia, Pa.	Francis J. Morrissey, Jr.
Clive Thomas Donelan	Dallas, Tex.	Cecil William Emerson, Jr.
Charles Edmund Ellis, Jr.	Tullahoma, Tenn.	Thomas Robert O'Boyle.
Alan Jay Farber	Louisville, Ky.	Joseph Broderick.
William A. Farber	Somerville, N.J.	Charles D. Edelman.
J. Michael Flournoy	Flagstaff, Ariz.	Douglas J. Wall.
Marshall Stuart Freedman	Los Angeles, Calif.	George Roland Milman.
Philip C. Friday, Jr.	Austin, Tex.	Sam Houston Clinton, Jr.
Thomas F. Gallagher	Boston, Mass.	Arnold S. Brown.
C. J. Gatz	Norfolk, Nebr.	Frederick M. Deutsch.
Morris L. Gerst	Phoenix, Ariz.	Frederick H. Rosenfeld.
Herbert Leonard Gildan	West Palm Beach, Fla.	J. Brian Brennan.
Gerald Goldman	Washington, D.C.	Greer S. Goldman:
Dennis J. Green	St. Louis, Mo.	Edwin J. Putzell, Jr.
A. J. Hardiman	Chicago, Ill.	Carl M. Walsh.
John A. Harris III	Toledo, Ohio	Merritt W. Green.
Robert John Hipple	Falls Church, Va.	Solicitor General Erwin N. Griswold.
John Edward Jones	Orlando, Fla.	David A. Mario.
Ernest G. Kelly, Jr.	Memphis, Tenn.	Jack Petree.
Lawrence Kill	New York, N.Y.	Eugene R. Anderson.
James Roy Kirk	Columbus, Ohio	Robert A. Bell.
James L. Larson	Fort Bragg, Calif.	James F. King, Jr.
Burton A. Librach	St. Louis, Mo.	Warren Morgens.
Donald Low	Beverly Hills, Calif.	George Roland Milman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Kirk McDonald	Coral Gables, Fla.	Judge Boyce F. Ezell, Jr.
George W. McHugh, Jr.	St. Martinville, La.	Eugene Albert Theroux.
Kevin Wayne Midlam	San Diego, Calif.	C. Ashley Johnson.
Peter Joseph Monaghan	New York, N.Y.	Richard Gilling- ham.
James L. Murphy	Minneapolis, Minn.	Gary Warren Hoch.
Anthony J. Murray, Jr.	Chicago, Ill.	Joseph Minsky.
Frank J. Pekofski	Gary, Ind.	Daniel C. Kuzman.
Ronald Steven Ran	Cincinnati, Ohio	Vernon H. Humbert.
Steven G. Randle	Austin, Tex.	William M. King.
Julius Reich	Los Angeles, Calif.	Charles K. Hackler.
Ronald C. Rothman	St. Louis, Mo.	Warren Morgens.
Lawrence Schechterman	Plainsfield, N.J.	Harry Bernstein.
Jerome Ralph Schindler	Columbus, Ohio	Ronald P. Moran.
James Bryant Scott III	Dallas, Tex.	Henry Wade.
William Griffith Sheridan, Jr.	Portland, Oreg.	Arden E. Shenker.
Harlan Sherwat	Washington, D.C.	Alfred Winchell Whittaker.
Conrad P. Smith	Washington, D.C.	Jerome Shuman.
Barry Lee Springel	Cleveland, Ohio	Robert W. Poore.
Stuart Alan Stanley	Coral Gables, Fla.	Judge Boyce F. Ezell, Jr.
Margaret V. Turney (Mrs.)	National City, Calif.	John W. Porter.
Roy Allen Tyler	Evansville, Ind.	Justice Tom C. Clark.
George Vradenburg III	New York, N.Y.	George B. Turner.
Ralph Waldo Walker II	Atlanta, Ga.	Robert S. Stubbs II.
Thomas Michael Whaling	Orange, Calif.	Keith C. Monroe.
George Kendrick Williams	Huntsville, Ala.	William D. Page.
David A. Willis	Portage, Ind.	Birch E. Bayh.
Sam Yoelin	Denver, Colo.	Edward S. Greenberg.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Michael Levy	Washington, D.C.	Mary Gardiner Jones.
Leonard Allen Marcussen	Oakland, Calif.	Valentine Brookes.
Lawrence Valentine Brookes.	San Francisco, Calif.	Valentine Brookes.
William A. Kaplin	Washington, D.C.	Arthur John Keefe.
J. Noland Franz	Arlington, Va.	Samuel E. Neel.
James Kinsey Jackson	Washington, D.C.	Matthew Joel Zinn.
James P. Holden	Washington, D.C.	Matthew Joel Zinn.

## ORAL ARGUMENT

**No. 71-1022.** United States, petitioner, *v.* James A. Basye et al. Argued by Mr. Solicitor General Erwin N. Griswold for the petitioner and by Mr. Valentine Brookes for the respondents.

**No. 71-718.** Paul D. McGinnis, Commissioner of Correction, State of New York, et al., appellants, *v.* James Royster et al. Argued by Mr. Michael Colodner for the appellants and by Mr. G. Jeffery Sorge for the appellees, *pro hac vice*, by special leave of Court.

**No. 30, Original.** State of Michigan, plaintiff *v.* State of Ohio. Argued by Mr. Charles F. Keeley for the plaintiff and by Mr. Charles S. Rawlings for the defendant.

**No. 36, Original.** State of Texas, plaintiff, *v.* State of Louisiana. Argued by Mr. Samuel D. McDaniel for the plaintiff and by Mr. Oliver P. Stockwell for the defendant.

Adjourned until tomorrow at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Mary Jane Carter Due	Salt Lake City, Utah	Frank E. Moss.
C. Edward Webster II	Cody, Wyo.	Frank E. Moss.
Tobias Victor Welo	San Francisco, Calif.	Stephen A. Wakefield.
Stuart Evan Glass	Washington, D.C.	Freeman Sharp.
Ethan Allen Turshen	Arlington, Va.	Max M. Turshen.
James Dale Bimson	Virginia Beach, Va.	Harry Frazier III.
John Barkley Ashton	Richmond, Va.	Harry Frazier III.
William James Spriggs	Washington, D.C.	Ashley Sellers.
Buel White	McLean, Va.	Ashley Sellers.
William John Wellman	Alexandria, Va.	Ashley Sellers.
Thomas L. Patten	Washington, D.C.	Ashley Sellers.

## OPINION

No. **71-839**. Paul P. Erlenbaugh et al., petitioners, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment affirmed. Opinion by Mr. Justice Marshall. Mr. Justice White took no part in the decision of this case.

## ORAL ARGUMENT

No. **71-364**. Joan S. Mahan, Secretary, State Board of Elections, et al., appellants, *v.* Henry E. Howell, Jr., et al.; and

No. **71-373**. City of Virginia Beach, appellant, *v.* Henry E. Howell, Jr., et al. One and one half hours allowed for oral argument. Argued by Mr. Andrew P. Miller for the appellants in No. 71-364, by Mr. Harry Frazier, III, for the appellant in No. 71-373, by Mr. Henry E. Howell, Jr., for the appellees in both cases, and by Mr. Clive L. DuVal, 2d, for appellee DuVal in both cases.

No. **71-834**. Rosalind McClanahan, etc., appellant, *v.* State Tax Commission of Arizona. One and one half hours allowed for oral argument. Argued by Mr. Richard B. Collins for the appellant, by

Mr. Harry R. Sachse for the United States, as *amicus curiae*, by special leave of Court, and by Mr. James D. Winter for the appellee.

No. 71-738. The Mescalero Apache Tribe, petitioner, *v.* Franklin Jones, Commissioner of the Bureau of Revenue of the State of New Mexico, et al. Argued by Mr. George E. Fettinger for the petitioner and by Mr. John C. Cook for the respondents.

No. 71-1031. Leonard Tonasket, appellant, *v.* Washington et al. Argument commenced by Mr. Robert L. Pirtle for the appellant and continued by Mr. Alvin J. Ziontz for the Confederated Tribes of the Colville Reservation, Washington, et al., as ~~amicus~~ *amicus curiae*, by special leave of Court.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Meritt Bruce Gavin	Union, N.J.	Louis Brooks Gavin.
Donald Glenn Gavin	Washington, D.C.	Louis Brooks Gavin.
Alford Warriner Cooley	Washington, D.C.	Donald Juneau.
Everett Hale Shapiro	Santa Rosa, Calif.	James J. Murphy.
Rollin Anthony Rogers	Washington, D.C.	Charles A. Hobbs.

### ORAL ARGUMENT

**No. 71-1031.** Leonard Tonasket, appellant, *v.* Washington et al. Argument continued by Mr. Slade Gorton for the appellees and concluded by Mr. Robert L. Pirtle for the appellant.

**No. 71-1192.** Donald Goldstein, Ruth Koven and Donald Koven, petitioners, *v.* California. Argued by Mr. Arthur Leeds for the petitioners and by Mr. David M. Schacter for the respondent.

**No. 71-1371.** Pedro J. Rosario et al., petitioners, *v.* Nelson Rockefeller, Governor of the State of New York, et al. Argued by Mr. Burt Neuborne for the petitioners and by Mr. A. Seth Greenwald for the respondents.

**No. 71-6356.** John Doe et al., petitioners, *v.* John L. McMillan et al. One hour and five minutes allowed for oral argument. Argued by Mr. Michael Valder for the petitioners, by Mr. Fred M. Vinson, Jr., and Mr. William C. Cramer for Legislative respondents, and by Mr. David P. Sutton for the District of Columbia respondents.

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Adjourned until Monday, December 18, 1972, at 10 o'clock.

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(Journal)

## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## APPEALS—SUMMARY DISPOSITION

No. 71-1261. Donald D. Cook, etc., et al., appellants, *v.* George Peto, Jr., dba Loop Carry Out. Appeal from the United States District Court for the Southern District of Ohio. Judgment vacated and case remanded to the United States District Court for the Southern District of Ohio for further consideration in light of *California v. LaRue*, 409 U.S. — (1972).

No. 71-6689. Lewis Clark, Representative of Freda Clark, deceased, appellant, *v.* Catherine Payne. Appeal from the United States Court of Appeals for the Third Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-300. Harry Lee Huggins et al., appellants, *v.* Russell W. Dement, Jr., et al. Appeal from the Supreme Court of North Carolina. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

No. 72-421. Elliot L. Richardson, Secretary of Health, Education and Welfare, appellant, *v.* Norma Davis. Appeal from the United States District Court for the District of Connecticut. Motion of appellee for leave to proceed *in forma pauperis* granted. Judgment affirmed. *Weber v. Aetna Casualty & Surety Co.*, 406 U.S. 164 (1972). The Chief Justice, Mr. Justice Stewart, and Mr. Justice Rehnquist would note probable jurisdiction and set case for oral argument.

No. 72-465. Lance Roofing Company, Inc., et al., appellants, *v.* James D. Hodgson, Secretary of Labor, et al. Appeal from the United States District Court for the Northern District of Georgia; and

No. 72-466. Frank Irely, Jr., Inc., appellant, *v.* James D. Hodgson, Secretary of Labor, et al. Appeal from the United States District

Court for the Northern District of West Virginia. Judgments affirmed. Mr. Justice Stewart would note probable jurisdiction and set cases for oral argument.

No. 72-610. Ace Doran Hauling & Rigging Co., et al., appellants, *v.* Interstate Commerce Commission. Appeal from the United States District Court for the Western District of Pennsylvania. Judgment affirmed. Mr. Justice Douglas dissents from the affirmance.

No. 72-615. Paul Glenovich and Johnnie D. Dontos, appellants, *v.* Wallace H. Noerenberg, etc., et al. Appeal from the United States District Court for the District of Alaska. Judgment affirmed.

No. 72-618. American Party of Florida et al., appellants, *v.* Reubin O'D. Askew, Governor of the State of Florida, et al. Appeal from the United States District Court for the Northern District of Florida. Judgment affirmed.

No. 72-650. William R. Sterrett et al., appellants, *v.* Ruthie Lee Gaither et al. Appeal from the United States District Court for the Northern District of Indiana. Motion of appellees for leave to proceed *in forma pauperis* granted. Judgment affirmed.

No. 72-655. Elliot L. Richardson, Secretary of Health, Education, and Welfare, appellant, *v.* Barbara Ann Griffin, etc. Appeal from the United States District Court for the District of Maryland. Motion of appellee for leave to proceed *in forma pauperis* granted. Judgment affirmed. The Chief Justice, Mr. Justice Stewart and Mr. Justice Rehnquist would note probable jurisdiction and set case for oral argument.

No. 72-5170. Geneva H. Sayles, appellant, *v.* Nicholas S. Nunzio, etc., et al. Appeal from the District of Columbia Court of Appeals. The appeal is dismissed for want of a substantial federal question.

No. 72-5549. George Hight, appellant, *v.* Texas. Appeal from the Court of Civil Appeals of Texas, First Supreme Judicial District. The appeal is dismissed for want of a substantial federal question.

#### CERTIORARI—SUMMARY DISPOSITION

No. 72-178. Susan R. Struck, petitioner, *v.* Secretary of Defense et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment vacated and case remanded to the Court of Appeals to consider the issue of mootness in light of the position presently asserted by the Government. Mr. Justice Stewart would postpone the issue of mootness to the hearing of the case on the merits.

#### ORDERS IN PENDING CASES

No. A-612. Environmental Defense Fund, Inc., et al., applicants, *v.* Robert F. Froehlke, Secretary of the Army, et al., and

No. A-633. Environmental Defense Fund, Inc., et al., applicants, *v.* Corps of Engineers of the United States Army et al. The applications for injunctions presented to Mr. Justice Blackmun, and by him referred to the Court, are denied. Mr. Justice Douglas would grant the injunctions.

No. 71-685. Robert J. Lehnhausen, petitioner, *v.* Lake Shore Auto Parts Co., et al.; and

No. 71-691. Edward J. Barrett, County Clerk of Cook County, Illinois, et al., petitioners, *v.* Clemens K. Shapiro et al. The motion for an order respecting oral argument is granted and it is ordered that the Attorney General of Illinois be allotted twenty minutes for oral argument on behalf of the petitioner in case No. 71-685; that the State's Attorney be allotted ten minutes for oral argument on behalf of the petitioners in case No. 71-691; that counsel for Lake Shore Auto Parts Company be allotted twenty minutes for oral argument on behalf of the respondents in case No. 71-685; and that counsel for M. Weil & Sons, Inc., be allotted ten minutes for oral argument on behalf of the respondents in case No. 71-691.

No. 71-1637. City of Burbank et al., appellants, *v.* Lockheed Air Terminal Inc., et al. The motion of the Attorney General of California for leave to participate in oral argument as *amicus curiae*, in support of the appellants is granted and fifteen minutes are allotted for that purpose. The appellees are also allotted fifteen additional minutes for oral argument.

No. 72-730. Arnold Markle et al., appellants, *v.* Janice Abele et al. The motion of appellants to expedite consideration is denied.

No. 72-774. John F. Cooper, petitioner, *v.* The Florida State Board of Dentistry. The application for stay presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. 72-5800. James Dawson, petitioner, *v.* United States. The application for stay of execution and enforcement of mandate presented to Mr. Justice Stewart, and by him referred to the Court, is denied.

#### APPEALS—JURISDICTION NOTED

No. 72-535. United States and Interstate Commerce Commission, appellants, *v.* Students Challenging Regulatory Agency Procedures (S.C.R.A.P.), et al.; and

No. 72-562. Aberdeen and Rockfish Railroad Company et al., appellants, *v.* Students Challenging Regulatory Agency Procedures (S.C.R.A.P.), et al. Appeals from the United States District Court for the District of Columbia. Motion of appellee SCRAP for leave to dispense with printing motion to dismiss or affirm granted. In these

cases probable jurisdiction is noted. Cases consolidated and one hour allotted for oral argument. Motion of Aberdeen & Rockfish Railroad Company et al. to advance granted. Mr. Justice Powell took no part in the consideration or decision of motions and jurisdictional statements.

## CERTIORARI GRANTED

No. 71-1417. Booster Lodge No. 405, International Association of Machinists and Aerospace Workers, AFL-CIO, petitioner, v. National Labor Relations Board et al.; and

No. 71-1607. National Labor Relations Board, petitioner, v. The Boeing Company et al. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. Cases consolidated and a total of one and one half hours allotted for oral argument.

No. 72-624. United States, petitioner, v. Pennsylvania Industrial Chemical Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 72-630. Paul Hall, etc., et al., petitioners, v. John Cole. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted limited to questions 1 and 2 presented by the petition which read as follows:

"1. Whether a federal court in a Section 102 proceeding, reviewing an expulsion of a member by a union, finding his expulsion in violation of Section 101(a) (2), and directing his restoration to membership, may also award the member's attorney reasonable counsel fees.

"2. Whether a federal court in a Section 102 proceeding, in restoring an expelled member to membership, may award reasonable counsel fees when it is found that the member sustained no damages by reason of the expulsion; additionally found that the union in good faith believed it had the right to discipline the member for his conduct; further found no motivation of malice by the union in its discipline of the member and does not find that the member by his conduct acted in good faith, but instead concludes the member's conduct was motivated in part for personal political ambitions."

Mr. Justice Marshall took no part in the consideration or decision of the motion and petition.

## CERTIORARI DENIED

No. 71-1529. Robert E. Poff, dba 1st King, petitioner, v. The Department of Alcoholic Beverage Control of the State of California et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 71-1563. The Boeing Company, petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 71-6928. James Mumaw Valentine, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-185. Ernest E. Byrd, petitioner, *v.* District of Columbia Alcoholic Beverage Control Board. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 72-195. Harry Coleman, dba Club Hi Dolly, petitioner, *v.* The Department of Alcoholic Beverage Control of California et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-279. Vernon J. Knox, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 72-441. Sid E. Williams et al., petitioners, *v.* Walter C. Bornemeier et al.; and

No. 72-648. Tom Morgan, petitioner, *v.* Walter C. Bornemeier et al. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-456. Star Industries, Inc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 72-502. Edward S. Irons, petitioner, *v.* Commissioner of Patents. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-523. Plantation Patterns, Incorporated et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-542. Robert H. Slatko, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-545. Liberty Amendment Committee of the U.S.A., petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-557. Jesse Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-567. Aubrey Wayne Beauchamp, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.



No. 72-568. Wesley Kraude, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-575. George Shameia, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-578. Bruce W. Bublick, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-593. Travis-Edwards, Inc., petitioner, *v.* James D. Hodgson, Secretary of Labor, United States Department of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-604. New Jersey et al., petitioners, *v.* John William Smith. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-611. Marvin Goodson and William E. Hannam, petitioners, *v.* Allen V. C. Davis et al.; and

No. 72-612. Thomas C. May, as Intervenor on Behalf of Custom Component Switches, Inc., petitioner, *v.* Allen V. C. Davis et al. Petitions for writs of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-613. Carpenters District Council of Houston and Vicinity et al., petitioners, *v.* Linbeck Construction Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-616. Gulf Oil Corporation, petitioner, *v.* Kenneth Lehrman. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-651. Alvin H. Berndt et al., petitioners, *v.* Paulette Papilsky. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-653. Melvin R. Laird, Secretary of Defense, et al., petitioners, *v.* Michael B. Anderson et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-659. Max Offenberg et ux., petitioners, *v.* California et al. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 72-676. Steven Lyle Craig, petitioner, *v.* Colorado. Petition for writ of certiorari to the Supreme Court of Colorado denied.

No. 72-5117. Niles Crowe and Horace Wright, Jr., petitioners, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 72-5183. Roger Benjamin Dodson, petitioner, *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 72-5186. Jim Fair, etc., petitioner, *v.* Florida and R. Stone, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5200. Henry Thompson, Jr., petitioner, *v.* Ramon L. Gray, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5253. William Alvin Moon, petitioner, *v.* A. E. Slayton, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5254. Juan Valdez, petitioner, *v.* New Mexico. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 72-5265. Roy Pressel, petitioner, *v.* Oregon. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5275. Robert W. Flint, Jr., petitioner, *v.* Francis Howard, Warden. Petition for writ of certiorari to the Supreme Court of Rhode Island denied.

No. 72-5284. J. M. Hill, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 72-5313. Charles S. Dunk and Bella M. Dunk, petitioners, *v.* The Manufacturers Light and Heat Company. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 72-5331. Earnest Lee Simpson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5479. Albert Solomon Preston, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5499. Robert Anderson Way, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5500. Robert L. Cardillo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-5505. James Devine Steed, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5510. Bennette Williams, petitioner, *v.* Louisiana. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5516. Eduardo Ramon Ochoa, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5519. Ben Herbert Sutherland, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5523. Reuben McMullen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5524. Ruchell Magee, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 72-5533. Rudolph Arvin, petitioner, *v.* A. E. Slayton, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5534. Don Willard Albert, petitioner, *v.* Wyoming. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit, denied.

No. 72-5544. John Philip Kwitek, petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5548. David Porter, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5551. Merrill Lane Andrews, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 72-5554. Mary Jo Cratic, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals for Ohio, Cuyahoga County, denied.

No. 72-5555. Ruchell Magee, petitioner, *v.* Superior Court, City and County of San Francisco. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 72-5559. Guy N. Stafford, petitioner, *v.* N.A.A. Employees Federal Credit Union et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5577. Charles Edward Payne, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 72-5579. Peter Bekeny and Ilona M. Bekeny, petitioners, *v.* Hajo Wandschneider, Executor, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5587. Mrs. Tom L. Ritch et al., petitioners, *v.* Tarrant County Hospital District. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 72-254. William S. Neil, Warden, petitioner, *v.* Castel Venable. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-521. Irish Northern Aid Committee, petitioner, *v.* Attorney General of the United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Douglas and Mr. Justice Brennan concur.

No. 72-529. Jack P. F. Gremillion, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 72-532. Charles Keever, petitioner, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-594. Robert Gordon Mather, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-625. Marguerite Andrus Smith, petitioner, *v.* Falcon Seaboard, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-680. Thomas T. Schrader, petitioner, *v.* Selective Service System Local Board No. 76 of Wisconsin et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5146. Joseph Edward Johnson, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Mr. Justice Douglas would grant certiorari.

No. 72-5199. Richard Phillips, petitioner, *v.* Robert L. Carr, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5230. Donald Gene Boag, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5239. Willis Leroy, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Mr. Justice Douglas would grant certiorari.

No. 72-5508. Samuel Lebonza Rosemond, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5556. Sam Hoover, petitioner, *v.* W. J. Estelle, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-633. Copeland Refrigeration Corporation, petitioner, *v.* Warriner Hermetics, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Stewart would grant certiorari.

No. 72-5497. Wayne B. Clizer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Stewart would grant certiorari.

No. 72-644. D.C. Transit System, Inc., petitioner, *v.* Washington Metropolitan Area Transit Commission et al. Motion of respondent Black United Front for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-5405. Jamal Yas Taha Al-Karagholi, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia denied. Dissenting opinion by Mr. Justice Douglas.

No. 72-5506. Cheryl Dawn James, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas and Mr. Justice Stewart would grant certiorari.

No. 72-5535. Bentley Andrew Dye, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied. Dissenting opinion by Mr. Justice Douglas, Mr. Justice Brennan took no part in the consideration or decision of this petition.

No. 72-5566. Elsie E. Egbert, petitioner, *v.* Marie C. Egbert Martinez et al. Application for an extension of time to file petition *nunc pro tunc* presented to Mr. Justice White and by him referred to the Court denied. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

#### LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 71-6778. Theophilus Charles Williams, petitioner, *v.* California;

No. 72-5522. Dean Blankenship, petitioner, *v.* Lenard F. Meacham et al.; and

No. 72-5527. Victor Frank Szijarto, petitioner, *v.* Louis S. Nelson, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

#### LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 72-5593. Joseph P. Zenchak, petitioner, *v.* United States District Court for the Western District of Kentucky. Motion for leave to file petition for writ of mandamus denied.

#### LEAVE TO FILE PETITION FOR WRIT OF PROHIBITION DENIED

No. 72-5530. Leonard M. Arnold, petitioner, *v.* W. Wayne Oliver, Judge, etc. Motion for leave to file petition for writ of prohibition denied.

#### REHEARINGS DENIED

No. 71-1497. Loretta Fay Beck, petitioner, *v.* Connecticut General Life Insurance Company;

No. 71-6500. Edwin James Doherty, petitioner, *v.* United States;

No. 71-6649. Jim Fair, petitioner, *v.* James A. Sebesta, City Elections Officer, City of Tampa, Fla.;

No. 71-6847. Terry Donald Martin, petitioner, *v.* United States;

No. 72-240. John M. Harper, appellant, *v.* United States;

No. 72-319. Kennecott Copper Corporation et al., appellants, *v.* State Tax Commission of Utah;

No. 72-5014. Albert Connors, petitioner, *v.* Perry M. Johnson, Warden; and

No. 72-5351. Fred A. Newell, petitioner, *v.* United States, etc. Petitions for rehearing denied.

No. 71-6540. Robert Grene, petitioner, *v.* United States. Motion for leave to file petition for rehearing denied.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Stanley J. Adelman	Chicago, Ill.	Jerome S. Weiss.
George William Alexander	Chicago, Ill.	James P. Economos.
Ronald Aultman	Fort Worth, Tex.	Jerry J. Loftin.
William C. Ayer, Jr.	Frankfort, Ky.	Clyde Milton Richardson, Jr.
William I. Aynes	Atlanta, Ga.	Richard John Reynolds II.
Laura Smith Babin (Mrs.)	Los Angeles, Calif.	Solicitor General Erwin N. Griswold.
Philip L. Babin	Los Angeles, Calif.	Solicitor General Erwin N. Griswold.
Roy E. Berg	Janesville, Wis.	Leon Feingold.
Fred Jay Berman	Miami, Fla.	James West Murdock.
Herbert Louis Brill	Miami, Fla.	Peter J. Adolph.
Charles A. Brown	Little Rock, Ark.	Gerland P. Patten.
Shirley J. Burgoyne (Mrs.)	Ann Arbor, Mich.	Ross W. Campbell.
John Hosler Burson	Findlay, Ohio	John R. Brock.
William G. Camara	Fall River, Mass.	Lloyd Earl Belford.
Michael J. Cappucio	Miami, Fla.	James L. Hurley.
Jackson A. Cargill	Orlando, Fla.	Harry M. Voorhis.
Ronald K. Carpenter	Crookston, Minn.	John W. Hatcher, Jr.
William Henry Clark	Miramar, Fla.	James F. Minnet.
Joseph John Contrucci, Jr.	Washington, D.C.	Urban A. Lester.
Arthur Ray Crawford	Washington, D.C.	Allen Kirkpatrick III.
John Russell Crews	Lubbock, Tex.	Thomas S. Milam.
Harold Churchill Culmer	Miami, Fla.	Alfonso Leo Adderly.
Marc L. Dembling	Linden, N.J.	Jerome D. Schwitzer.
Marden Guy Dixon	Silver Spring, Md.	Jacob A. Stein.
Edward Thomas Dodd, Jr.	Waterbury, Conn.	Jeremiah M. Keefe.
Stephen G. Dunning	Anchorage, Alaska	Roger G. Connor.
Jack E. Evans	Phoenix, Ariz.	John R. Franks.
Richard M. Fairbanks III	Washington, D.C.	President Richard M. Nixon.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert F. Falkner	Niles, Mich.	Robert L. Melroy.
Robert John Felton	Titusville, Pa.	Robert C. Elliott II.
Charles E. Floyd, Jr.	Phenix City, Ala.	Paul Kilpatrick, Jr.
James Dean Foley	Burlington, Vt.	John W. Hatcher, Jr.
Robert W. Garcin	Los Angeles, Calif.	Patrick J. Kight- linger.
Gordon Bertram Gay	Fredericksburg, Va.	John A. Jamison.
John L. Gray	Columbus, Ohio.	Joseph M. Mil- lions.
Stephen H. Grimes	Bartow, Fla.	Chesterfield Har- vey Smith.
Lynn C. Higby	Panama City, Fla.	Charles Simmons Isler, Jr.
Hobart M. Hind	Albany, Ga.	Herbert Thomas Greenholtz.
John Graham Holden	Portland, Oreg.	Lofton L. Tatum.
Jackson L. Hummel	Littleton, Colo.	William L. Whit- taker.
Earl Lauren Johnson	Minneapolis, Minn.	Richard David Goff.
Peter Roy Kent	Los Angeles, Calif.	Everett E. Ricks, Jr.
David R. Kliegman	New York, N.Y.	Peter T. Farrell J.S.C.
Edgar J. Lana	Oakland, Calif.	Harris Zimmer- man.
Frederic S. Lane	Chicago, Ill.	Earl E. Pollock.
George T. Lowy	New York, N.Y.	Bruce Bromley.
Edward M. Luria	Washington, D.C.	Urban A. Lester.
George P. Lynch	Chicago, Ill	Carl M. Walsh.
Stephen A. Marshall	New York, N.Y.	Max J. Rubin.
Charles H. McCrea	Las Vegas, Nev.	Clark J. Guild, Jr.
John Christopher Minor	Newport, Oreg.	Gary D. Gort- maker.
John Herbert Mulholland	Cleveland, Ohio.	Albert P. Sharpe III.
David E. Murrell	Lexington, Ky.	Clyde Milton Richardson, Jr.
Donald E. Nawi	New Rochelle, N.Y.	Sydney C. Win on.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Wilfrid Davidson Nelson	Seattle, Wash.	Robert Joseph Backstein.
Norris L. O'Neill	Hartford, Conn.	James A. Wade.
Allan C. Peckham	Spring Green, Wis.	Vernon W. Thompson.
Anthony F. Phillips	New York, N.Y.	Mark F. Hughes.
Michael Pirosh	Beverly Hills, Calif.	George Martin Dell.
Ronald F. Pollack	New York, N.Y.	Steven J. Cole.
Stuart H. Pringle, Jr.	New York, N.Y.	Phillip C. Broughton.
Robert Eugene Puterbaugh	Lake Wales, Fla.	Robert D. Byers.
Alan V. Rash	El Paso, Tex.	Larry Harvey Schwartz.
Donald R. Ray	Chesapeake, Va	John P. Bunszel.
Edward C. Reed, Jr.	Reno, Nev.	Clark J. Guild, Jr.
Peter Ivan Reiter	New York, N.Y.	Charles I. Sherman.
Rita Page Reuss (Mrs.)	Cleveland, Ohio	Robert B. Krupansky.
Margie Ann Richard (Mrs.)	Carson City, Nev.	Robert Frank List.
Jerald E. Rosenblum	Los Altos, Calif.	Thomas A. Skornita.
Elliot Calvin Rothenberg	Washington, D.C.	Carl Yaeger, Jr.
Stephen Barry Sachs	Red Bank, N.J.	Irving E. Keith.
William J. Schafer III	Phoenix, Ariz.	Gary K. Nelson.
Joseph R. Schurman	Chevy Chase, Md.	William E. Foley.
Daniel Carl Schwartz	Washington, D.C.	Lloyd N. Cutler.
Charles M. Sevilla	San Diego, Calif.	John J. Cleary.
Thomas R. Shahady	Palm Beach, Fla.	Carl L. Campbell.
Kenneth P. Short	Seattle, Wash.	Robert Joseph Backstein.
William Carl Siegel	New Orleans, La.	Leonard A. Washofsky.
Dennis S. Silver	Sarasota, Fla.	Tobey Corwin Hockett.
William F. Simonet	Orlando, Fla.	Charles E. Davis.
Leonard Lewis Snaider	Las Vegas, Nev.	Cyril M. Saroyan.
Malaku Joseph Steen	Washington, D.C.	John Harold Fanning.
Robert C. Thompson	Milwaukee, Wis.	Donald E. Murphy.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Standish Fletcher Thompson	East Point, Ga.	William L. Dickinson.
Wesley L. Truscott, Jr.	New Orleans, La.	John W. Hatcher, Jr.
Charles Richard Volk	Pittsburgh, Pa.	Donald W. Ebbert.
Robert B. VanderNoor	Bakersfield, Calif.	Warren Wesley Shafer.
Charles Stanley Waggoner II	St. Thomas, V.I.	William W. Bailey.
Lawrence Dennis Wasko	Washington, D.C.	William J. Dixon.
Will Tom Wathen	Morganfield, Ky.	Joseph A. Yocum.
Anthony M. Wilhoit	Versailles, Ky.	Clyde Milton Richardson, Jr.
Roy Yaffe	Philadelphia, Pa.	A. Leon Higgin- botham, Jr.
Thomas Joseph Yeager	West Palm Beach, Fla.	J. Brian Brennan.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Roger Heyl Jones	Rockville, Md.	Solicitor General Erwin N. Griswold.
Robert Allen Rosenberg	Detroit, Mich.	Solicitor General Erwin N. Griswold.
Malcolm D. Katz	Seattle, Wash.	Solicitor General Erwin N. Griswold.
Wolfgang Drescher	Washington, D.C.	William B. Hanback.
David Andreas Peterson	Alexandria, Va.	Glen Richard Goodsell.
Chandler Lee Van Orman	Washington, D.C.	Edward Kandall Wheeler.
Sanford Jerrold	St. Louis, Mo.	Gene E. Godley.

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Amendment to the Federal Rules of Civil Procedure adopted pursuant to Title 28, United States Code, Section 2072.

## OPINIONS

No. 71-879. Heublein, Inc., appellant, *v.* South Carolina Tax Commission. Appeal from the Supreme Court of South Carolina. Judgment affirmed. Opinion by Mr. Justice Marshall. Statement by Mr. Justice Blackmun concurring in the result and in the judgment. Mr. Justice Stewart took no part in the consideration or decision of this case.

No. 71-678. Executive Jet Aviation, Inc., et al., petitioners, *v.* City of Cleveland, Ohio, et al. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment affirmed. Opinion by Mr. Justice Stewart.

The Chief Justice said:

“The Court is in Special Session this afternoon in memory of our late Brother, Mr. Justice James Francis Byrnes.

“At this time the Court recognizes the Solicitor General of the United States.”

Mr. Solicitor General Griswold addressed the Court as follows:

“Mr. Chief Justice, and may it please the Court:

“Earlier this afternoon a meeting of the Bar has been held to honor the memory of Justice James F. Byrnes. At that meeting resolutions were adopted which had been prepared by a Committee on Resolutions. I shall read the resolutions so adopted to the Court, and the Attorney General will then move that they be accepted by the Court and spread on the Court’s records.

“The resolutions unanimously adopted are as follows:

## RESOLUTIONS

On behalf of the Bar of the Supreme Court, we have met to record our respect for James Francis Byrnes, Justice of the Supreme Court of the United States from July 11, 1941 to October 3, 1942. His death on April 9, 1972, closed a career of unique public service. Many have paid their tributes.\*

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\*U.S. Congress, 92d Congress, Second Session, Memorial Addresses and Other Tributes in the Congress of the United States on the Life and Contributions of James F. Byrnes, Washington, D.C., U.S. Government Printing Office, 1972; Proceedings in the United States Senate, April 10, April 11, April 12, April 13, April 19, May 17, May 23, 1972; Proceedings in the U.S. House of Representatives, April 10 and April 13, 1972.

Mr. Justice Byrnes, who retired from active service on the Court October 3, 1942 (317 U.S. VII, VIII), died in Columbia, South Carolina, on April 9, 1972. Services were held at the State House and at Trinity Episcopal Church, Columbia, South Carolina, on April 12, 1972. Interment was in Trinity Episcopal Church Cemetery, Columbia, South Carolina, on April 12, 1972.

President Nixon: "No man in American history has held so many positions of responsibility in all branches of our Government with such distinction."

Senator Mansfield: "I wish to join in the remarks just made . . . at the passing of an old friend, . . . a man of many accomplishments, . . . a man of integrity, patriotism and deep understanding. Those of us who had the pleasure and the privilege of knowing him will miss him, and miss him greatly."

Senator Scott: "James F. Byrnes was an American's American. His distinguished career spanned five decades, it was capped off by unselfish service to the United Nations and subsequently to his fellow men throughout the world. Historians have placed the great accomplishments of James F. Byrnes high on their list of those who have labored to insure a world of peace."

Senator Thurmond: "His service to the Nation and to the State of South Carolina are hallmarks of great distinction. The scope of his long public career was broad, and he was recognized around the World for his achievements."

Senator Hollings: "His was the world of action—the arena of great events. Presidents, prime ministers, and kings eagerly sought his advice. But his wisdom was never exclusively reserved for statesmen and monarchs. It was given as openly and freely to anyone willing to listen."

Governor West: "The State of South Carolina has lost its most honored citizen; the Nation has lost a dedicated servant; and the world has lost a great leader."

General Lucius Clay: "He met with the great and with the humble, and was at home with both. His warm compassion, his deep and abiding loyalty, and his faith in America and its people were ever inspiring. There are only a few—a very few—in a world of many people who can by virtue of both character and achievement be called great. Justice Byrnes was such a man. But of the few who are recognized as great, there are an even smaller number who are both great and good. Justice Byrnes was also a good man."

James F. Byrnes was born in Charleston, South Carolina, May 2, 1879, in a simpler era, when America was about to make its great leap into modern times. The Nation in which he began his life was predominantly rural and overwhelmingly isolationist. But the Nation in which he ultimately rose to leadership was complex, highly industrialized and intimately involved in the affairs of the world. Few men have lived to witness as much history—as much profound transformation—as did Justice Byrnes.

Those who knew him marveled at the ease with which he moved through the passing years. There was ever present some tremendous

inner strength which helped him hold fast to his moorings amidst the changes he encountered. America's greatest men have seemed almost invariably to possess that quality. Through it all, they have retained their fundamental faith in their fellow man and their deep belief in the destiny and goodness of their native land. James F. Byrnes had that kind of character—that kind of greatness.

Those traits of character were nourished during his early years in Charleston. Jimmy Byrnes was the son of Irish immigrants. His father died before he was born. His mother faced the upbringing of two young children—a girl and a boy—having only about \$200. It took hard work and devotion to see the family through—but these were abundant assets in the Byrnes household. The young boy soon was peddling sea food and selling newspapers up and down the streets of Charleston, while his mother worked long hours as a dressmaker and took on the additional task of leading a local Catholic choir.

Jimmy attended St. James School, but the family resources allowed no additional formal education. High school was out of the question. By age 14, he was working for \$2.00 a week as office boy in one of Charleston's leading law firms—Mordecai, Gadsden, Rutledge and Hagood. It was Benjamin Rutledge of that firm who advised young Byrnes to seek an education by reading books in the Charleston Library. His following that advice led to his becoming one of the best informed and educated men of his generation, and his education never ended.

In 1900, when 20, he won a competitive examination for the position of Court Stenographer for the Second Judicial Circuit at Aiken, South Carolina, where, in his spare time, he read law under Judge James Aldrich. From 1903 until 1907 he was editor and publisher of *The Aiken Journal and Review*, a weekly newspaper. He was admitted to the Bar in 1904 and practiced law in Aiken from 1904 to 1908. On May 2, 1906, he married Miss Maude Busch, whom he, as a newcomer to Aiken, had met in the choir of the Episcopal Church there. In casting about for an explanation of the subsequent flowering of his remarkable life, it is easy to see that "Miss Maude" was at the heart of all he was and did. She was his inspiration—ever his charming, devoted and gracious helpmate.

Things moved quickly for this young couple. Soon the "public years"—over 50 years of dedicated service to his State and Nation—would begin. As was stated in the citation when he much later received the Doctor of Laws degree from Yale University: "He shattered the tradition that energy ends at the Mason and Dixon Line." In 1908 he was elected Solicitor for the Second Judicial Circuit of South Carolina. It was rumored that he did not enjoy prosecuting his fellow man. In any event, he, a Democrat, won a seat in Congress two years later and served in that office for 14 years. There he enjoyed warm and constructive associations with the political leaders of that time—

men like Joe Cannon and Champ Clark, Speakers of the House—Presidents Woodrow Wilson, Warren Harding and Calvin Coolidge—and Carter Glass, with whom he worked effectively for the adoption of the Federal Reserve Act, which is still our central banking law. In the House he was identified with many important legislative activities and was soon recognized as a master of the art of persuasion and conciliation. There, as a member of an Appropriations Subcommittee, he met and became a fast friend of young Franklin D. Roosevelt, then Assistant Secretary of the Navy.

At the end of seven terms in the House, he came home from Washington in 1924 determined to seek greater opportunities for public service offered in the Senate. The race that year marked his only loss of an election. Former Governor Cole L. Blease defeated him in a closely contested second primary.

At the invitation of Sam Nichols, with whom he had served in Congress, and Cecil Wyche, he moved to Spartanburg and successfully practiced law there for six years in the firm known as Nichols, Wyche and Byrnes. In 1930, he returned to politics, defeated Senator Blease, and thus commenced his service in the Senate on the eve of the first administration of President Franklin D. Roosevelt. He had supported Roosevelt for nomination as Vice President in 1920, and he supported him for President in 1932. President Roosevelt relied upon him to guide much of the sweeping and complicated New Deal legislation. It was a tribute to the talent and tact of Senator Byrnes that as a first term Senator he could play such an important role without offending the party leaders and committee chairmen. He was easily reelected to the Senate in 1936.

On visits to Japan in 1935 and to Germany in 1937, Senator Byrnes had been shocked by the mounting evidences of war preparations he observed. On his return from Germany he reported to President Roosevelt his deep concern and his feeling that immediate action was necessary to awaken the Congress and the people to the Nation's imperative need of increased appropriations for national defense. He found that the President fully shared his concern and welcomed his assistance. But it was a long, hard, up-hill struggle, and both the President and Senator Byrnes had to be careful not to get too far ahead of public opinion and the Congress. Then came Hitler's annexation of Austria in March 1938 and the Munich agreements in September. Despite the appeals of the President and Secretary Hull in the spring of 1939 for modification of the Neutrality Act, Byrnes was unable to obtain action by the Congress before adjournment. At the end of August Hitler invaded Poland.

The President then informed Senator Byrnes that he was calling a special session of the Congress for September 21 to take action on the repeal of the Arms Embargo. He asked Mr. Byrnes to come to Wash-

ington to discuss the situation with him, particularly the steps he contemplated taking to obtain bipartisan cooperation, both in the Executive Branch and in the Congress. Byrnes not only arranged to clear the way for the confirmation of the appointments of Henry Stimson as Secretary of War and Frank Knox as Secretary of the Navy, but at the President's request took over the management of the fight for the repeal of the arms embargo in the Senate.

In the summer of 1940 the President requested Mr. Byrnes to represent him on the Platform Committee at the Democratic National Convention in Chicago. Byrnes handled the delicate and bitterly contested war clauses with consummate skill, managing to add the saving words "except in case of attack" to the pledge "not to participate in foreign wars." In August after the fall of France, Byrnes was able to attach for General Marshall an amendment to a defense appropriation bill which would permit the promotion of officers of exceptional ability, like Eisenhower, Patton, Clark and Bradley over others with higher seniority. He was also able to expedite the passage of the highly controversial Selective Service Act on the eve of the election.

In January, 1941, the President called on Senator Byrnes to assume responsibility for piloting the Lend-Lease bill through the Congress. Byrnes was a member of both the Foreign Relations Committee and the Appropriations Committee. During the winter and spring Byrnes gave unstintingly of his time and energy to secure the passage of the Lend-Lease bill and the initial appropriation of seven billion dollars to implement its program.

On June 12, 1941, in the afterglow of their cooperation in the promotion of the needed legislation, President Roosevelt named Senator Byrnes to fill a vacancy on the Supreme Court. The nomination was confirmed by his fellow Senators the same day. He took office July 11, 1941, and sat for the first time October 6, 1941. The transition from the Senate to the quiet chambers of the Court was not altogether easy. But he attacked the new assignment with that lively curiosity, sensitivity, perceptiveness and practicality which were his trademarks. At a distance he had been an admirer of Chief Justice Stone. That admiration promptly flowered when they came together in a working relationship, and it was to the Chief Justice that Byrnes turned most often for counsel during his first weeks on the Court.

In the short span of a single term of Court, the new Justice's philosophy hardly had time to take shape, and its full profile is not easily discerned from the 15 opinions he wrote. His brief service on the bench revealed a dedication to the Constitution as written, a respect for the place of the judiciary, the Congress and the President, in our form of Government, and a true appreciation of the powers reserved to the States.

His initial opinion was in the important case of *Edwards v. California*, 314 U.S. 160 (1941), in which the Court unanimously held that a California statute making it a crime to knowingly bring a non-resident "indigent person" into that State violated the Constitution of the United States. Byrnes' majority opinion was that the California statute was unconstitutional because it erected a barrier to interstate commerce. Justice Douglas, in a concurring opinion in which Justices Black and Murphy joined, and Justice Jackson in a separate concurring opinion, were of the view that the invalidation of the California statute should be based upon the Privileges and Immunities Clause of the Fourteenth Amendment. The trio of opinions which ultimately emerged were eyed somewhat quizzically by the majority spokesman, fresh from long years in the legislative forum in which earthy compromises were the law of life.

In his maiden opinion, Justice Byrnes revealed that he was not an undeviating disciple of *Stare Decisis*. In 1837 the Supreme Court had said: "We think it as competent and as necessary for a state to provide precautionary measures against the moral pestilence of paupers, vagabonds, and possibly convicts, as it is to guard against the physical pestilence which may arise from infectious articles imported, or from a ship, the crew of which may be laboring under an infectious disease." *City of New York v. Miln*, 11 Pet. 102, at 142-143. Although he quoted from the *Miln* language and noted the casual repetition of similar language by the Court over the years, as recently as 1898, *Missouri K & T Ry. Co. v. Haber*, 169 U.S. 613, 629, he observed that times and attitudes change, and he rejected the notion that one without employment or funds is a "moral pestilence."

Following *Edwards*, Justice Byrnes wrote 14 opinions for the Court. They included three dealing with the priorities enjoyed by federal claims against insolvent or bankrupt debtors, *United States v. Emory*, 314 U.S. 423 (1941), *United States v. Texas*, 314 U.S. 480 (1941), and *United States v. New York*, 315 U.S. 510 (1942); two dealing with insurance for members of the Armed Forces, *Halliday v. United States*, 315 U.S. 94 (1942), and *United States v. Citizens Loan and Trust Company*, 316 U.S. 209 (1942); and one dealing with each of the following subjects: peonage, *Taylor v. Georgia*, 315 U.S. 25 (1942); an anti-racketeering statute, *United States v. Local 807*, 315 U.S. 521 (1942); a quantitative restriction on corporate land holding in Puerto Rico, *Puerto Rico v. Rubert Hermanos Company*, 315 U.S. 637 (1942); the Miller Act, *United States v. Irwin*, 316 U.S. 23 (1942); review of an order of the National Labor Relations Board, *Southern Steamship Company v. National Labor Relations Board*, 316 U.S. 31 (1942); Indian lands, *Sioux Tribe v. United States*, 316 U.S. 317 (1942); a coerced confession, *Ward v. Texas*, 316 U.S. 547 (1942); an antitrust



consent decree, *Chrysler Corporation v. United States*, 316 U.S. 556 (1942); and the Fair Labor Standards Act, *Walling v. Belo Corp.*, 316 U.S. 624 (1942).

Of these, *Taylor v. Georgia*, striking down a Georgia statute binding a workman to his private employment by the threat of imprisonment, and *Ward v. Texas*, reversing a state court criminal conviction based upon a confession obtained by coercion, are indicative of Justice Byrnes' reaction to oppression on economic or racial grounds, although the result in each case was clearly supported by earlier decisions of the Court. *Local 807* reflects a strong inclination to search for and to honor Congressional intention. And *Southern Steamship Company*, which involved conduct of seamen considered by the Court to be mutinous, reflects an abhorrence of such conduct so sharp as to require holding that the Labor Board has abused its discretion in ordering reinstatement of the strikers.

Although he wrote no dissents or concurring opinions, Justice Byrnes was in the minority in 12 cases, six times in the company of Justice Black, five in the company of Justice Frankfurter, and one in the company of neither.

It is not easy to speculate how Justice Byrnes' service as a member of the Court would have developed had he remained there for many of the 30 years of life which still lay before him. That was not to be.

Sixty-three days after he took his seat on the Court, Pearl Harbor brought the minds of all to the task of winning World War II. A greatly harassed President turned to Justice Byrnes for counsel in the formulation of military policy and the drafting of needed war legislation. Byrnes put the President at ease by assuring him that if he thought that in war-time because of his—Byrnes'—experience in the ways of the Congress and of the Government he could be of greater service elsewhere than on the Court, he hoped the President would call upon him. Within the week it was arranged that the Attorney General would confer with Byrnes on all the emergency war legislation and related executive orders. Early in January 1942, an omnibus bill known as the Second War Powers Act was submitted to the Congress and passed with record speed. Although the activities of Byrnes outside the Court became known, no public announcement was made, as both the President and Byrnes thought for the time being Byrnes could be more effective working quietly and unobtrusively.

In the summer of 1942 the inflationary situation was becoming tense. Legislation to establish ceilings on wages and prices was stalled in the Congress. The President's Council and others had recommended to the President that he issue an Executive Order establishing an Office of Economic Stabilization vested with power to control wages and prices, without awaiting action by the Congress. When consulted,

Byrnes advised strongly against that course on the ground that the controls were too sweeping and affected too many people to be attempted without Congressional approval. The President made another appeal to the Congress, and a fireside chat, and the legislation was approved by the Congress and became effective on October 2, 1942.

The following day Byrnes was summoned to the White House. The President asked him to take a leave of absence from the Court and become the Director of Economic Stabilization. The President also stated that there were other duties beyond those of the Director of Economic Stabilization that he would wish him to assume. Justice Byrnes replied that no one could grant a Justice of the Supreme Court a leave of absence and that the Justice alone was responsible for the discharge of his duties. He further stated that the regulation of wages and prices involved so many decisions with political implications that it would not be proper for him to assume such duties and remain on the Court. He then inquired about the "other duties." The President explained that he, himself, would not have time to devote to the prosecution of the war and the many related diplomatic problems and have any appreciable time left to supervise domestic affairs. He wanted Byrnes to relieve him of the problems on the home front and the jurisdictional disputes which increased with the creation of every new agency. In these disputes he wanted Byrnes to act as "judge" and he would let it be known that Byrnes' decision was his decision. For all practical purposes Byrnes would be Assistant President with offices in the White House. On October 3, 1942, Justice Byrnes promptly resigned from the Court and accepted appointment as head of the Office of Economic Stabilization. His fellow Justices expressed their deep sense of loss and their awareness that he had been moved by "a sense of duty to render a needed service of public importance in a time of great national emergency." He responded that it was indeed "only a sense of duty [which] impelled me to resign from the Court." (317 U.S. VII, VIII).

As Director of Economic Stabilization, Byrnes created no organization of his own. He had only four or five personal assistants. He conceived it to be his task to see that the various agencies involved in the stabilization efforts—OPA, Agriculture, War Labor Board, RFC, WPB, and the Treasury—cooperated and worked as a team. He gained the confidence, goodwill and respect of all those who looked to him for guidance—those representing labor as well as those representing management, and those representing agriculture as well as those representing industry. But inflation was already out of hand and the fight to curb the rise of wages and prices without hampering production was a tough one. From October 1942 to April 1943 the rise

in the cost of living index was held to 4.3 percent. Byrnes was not satisfied and prepared a stronger, more effective directive known as the Hold-the-Line order. At Byrnes' suggestion, the President asked Judge (later Chief Justice) Fred Vinson to take over as Director of Economic Stabilization in order that Byrnes could devote his energies to expediting the mobilization of our resources for the prosecution of the war. With the aid of Byrnes' Hold-the-Line order which he courageously administered, Judge Vinson was able to hold the rise in the cost of living index from April 1943 until his resignation in April 1945 to 3.2 percent.

Byrnes, on May 27, 1943, had become Director of the Office of War Mobilization under an order of the President which authorized him to originate policies and lay out programs that would coordinate the work of all war agencies and departments in any way connected with the production, procurement, transportation and distribution of civilian and military supplies. It probably constituted a greater delegation of authority than a President had ever previously made. Byrnes became in a very real sense Assistant President. With few exceptions, his authority was respected and welcomed. His first act as War Mobilizer was to call upon all agencies engaged in the war effort to review and report to him their procurement programs realistically and objectively. The President sought his counsel on the most delicate matters affecting his relations with the highest officials in the administration, and with Congressional leaders, and left the handling of the troublesome coal and railroad strikes, in large measure, to Byrnes.

In June 1944, the President suggested to Byrnes that he wished him to become the permanent chairman of the forthcoming Democratic National Convention in Chicago and a candidate for Vice President. Byrnes was prepared to proceed as the President wished. But when some opposition in labor circles was voiced to Byrnes, and it appeared that he could not have the exclusive support of the President, he withdrew his candidacy.

After the 1944 election, the President, in January 1945, invited Byrnes to accompany him to the Yalta Conference where postwar planning was to be considered. There Byrnes got a first taste of some of the difficult problems which would confront him later that year as Secretary of State. When Montgomery crossed the Rhine in March, 1945, everyone knew the end of the War was near. Mr. Byrnes saw that the great domestic job ahead was reconversion. His had been the task of mobilization. At his suggestion, Fred Vinson was appointed his successor. In early April Mr. Byrnes returned to his Spartanburg home for a well earned rest. That was not to be. President Roosevelt died April 12.

A few days after President Truman took office, he advised Byrnes that he wished to appoint him Secretary of State, but it was agreed that no announcement of the appointment would be made until the end of the United Nations Conference at San Francisco. In the meantime the President appointed him to the Interim Committee he had created to consider when and how the newly developed Atomic Bomb should be used. The Committee's recommendation for the use of the bomb, in the opinion of many at the time, saved hundreds of thousands of lives that would have been lost in the prolongation of the War. Mr. Byrnes took the oath of office as Secretary of State on July 3, 1945. One of his first official acts was to sign the protocol formally attesting that the Charter of the United Nations had come into being. He called the day "memorable—for all the peace loving peoples of all nations," but cautioned that peace depended on the will of the peoples rather than on documents.

When Byrnes became Secretary of State, World War II was coming to a close, but the struggle for peace was beginning. The United States and the Soviet Union—each after its fashion—had sought to suppress their differences and to cooperate in winning the war. The war-weary people throughout the world looked to them to cooperate in restoring peace. But with the defeat of their common enemies, the suppressed ideological differences of the two great Super-Powers were beginning to surface and to give rise to fears that the two great allies in war would become bitter and distrusting rivals in the making of the peace.

In this distressing situation Byrnes pleaded for patience and firmness on our part in the pursuit of peace—patience in not abandoning the pursuit and hope of world peace, firmness in resisting demands which did not advance the cause of peace. While eager to reach agreement where he could find common interest to sustain agreement, he was particularly firm in avoiding any agreement or understanding that would delay or hamper the restoration of conditions of peace and normal life in areas under our control.

Byrnes was a realist. If in negotiation he could not secure all he wished to secure, he would ask himself whether the cause he pleaded would fare better with no agreement than with such agreement as he could obtain. If he concluded that the agreement he could obtain was better than no agreement, he preferred a half loaf to no loaf. It was this realism of Secretary Byrnes which made possible the restoration of conditions of peace in Western Europe and which laid the foundation for the present strength of Western Europe.

It was Secretary Byrnes who arranged the reparations settlement at Potsdam which confined the Soviet claims for reparations from Germany to reparations from the Soviet zone, apart from only limited contributions from the Western zones. Byrnes foresaw that without

such a settlement the Russians would take as war booty or reparation whatever they wanted from the Soviet zone, and then in the absence of such settlement would make inflated claims against the Western Zones for additional reparations which would seriously hamper economic recovery.

At the meeting of the Council of Foreign Ministers in Paris on July 11, 1946, Byrnes was able to resolve an equally, if not more, significant controversy in a strikingly similar fashion. It had been agreed in principle at Potsdam that Germany should be treated as an economic unit and common economic policies should be applied in all zones. But the Allied Control Council could not agree on how Germany should be administered as an economic unit. The Soviet Union was dragging its feet and France also was procrastinating. In the meantime, the economic situation was deteriorating. Whereupon, in the Council of Foreign Ministers, Byrnes formally announced:

“Pending agreement among the four powers to implement the Potsdam agreement requiring the administration of Germany as an economic unit, the United States will join with any other occupying government or governments for the treatment of our respective zones as an economic unit. The continuation of the present situation will result in inflation and economic paralysis. It will result in increased costs to the occupying powers and unnecessary suffering to the German people. The United States is unwilling to share the responsibility for the continuance of such conditions.”

On September 6, 1946 Secretary Byrnes made his memorable speech at Stuttgart, formally setting forth the American policy towards Germany which charted the course that the Western Allies were to follow in restoring peace, prosperity, security and freedom within the allied zones.

The British promptly agreed to merge their zone, and the French did likewise a few months later. The Soviet Union held aloof, but could no longer hamper the slowly developing economic recovery in the West. The merger of the western zones, called Trizonia, made possible in due course the establishment of the democratically responsible West German Government equipped to play its part in the economic revival of Western Europe.

To shore up Germany against advancing Communism, Secretary Byrnes had made it clear at Stuttgart that America favored economic reconstruction in Germany. He had declared, “The American people want to return the Government of Germany to the German people. The American people want to help the German people win their way back to an honorable place among the free and peace-loving people of the world.” As General Clay said at the funeral of Secretary Byrnes, April

12, 1972, "I think this was his finest hour and the policy which he announced then is still our basic policy. We had taken a major step to accepting the leadership of the free world, later to result in the Marshall Plan, the North Atlantic Treaty Organization, and the establishment of the German Government." The German people still gratefully remember Secretary Byrnes' speech at Stuttgart. In 1956, they held there a Tenth Anniversary Celebration, including a great ovation to Secretary and Mrs. Byrnes who were in attendance as honor guests. A Twenty-Fifth Anniversary Celebration was held last year. Secretary Byrnes, then 91, was unable to attend.

In April-1946, Secretary Byrnes had informed President Truman that medical tests had revealed he had a heart problem and that the doctors had advised him to relax. He wished therefore to resign as soon as he had completed the peace treaties with the satellite enemy states. He had submitted his resignation effective July 1, 1946, and agreed with the President he would remain until the treaties were completed. A subsequent test by a different doctor showed no trace of heart trouble. But, being in doubt as to which test most truly reflected his condition, he did not inform the President of the subsequent test, and did not withdraw his resignation. When he had completed the treaties, he reminded the President of his resignation and asked to be released. The President said he had hoped Byrnes had forgotten the resignation. Byrnes' signing the treaties on January 20, 1947, was his last official act as Secretary of State.

After his retirement as Secretary of State on January 21, 1947, he divided his time for the next two years between his home in Spartanburg and law practice in the well-known Washington firm of Hogan and Hartson, which had been founded by his cousin, Frank Hogan. Soon finding himself relaxed and in good health, the world-renowned statesman, at the urging of many friends, consented to wind up his extraordinary political career by serving his beloved South Carolina as Governor from 1951 to 1955. His term as Governor was one of enlightenment and pointed the way for continuing progress in his State. In his inaugural address he had stated: "It is our duty to provide for the races substantial equality in school facilities. We should do it because it is right. For me that is sufficient reason. If any person wants additional reason, I say it is wise." This set the tone for his administration. His recommendations to the 1951 General Assembly resulted in the enactment of a vast school improvement program designed to furnish equal facilities for all children.

When he retired from public life, January 19, 1955, at the end of his four-year term as Governor, it was said that the school facilities for black children in South Carolina then were superior to those for white children. Two-thirds of the bond money had been spent to pro-

vide facilities for black children. When the 1954-1955 decisions of the Court dismantled the dual public school system, South Carolina accomplished the transition gracefully and without violence. During his administration, the State also provided substantial funds for better college and university education of both races, for the care of the mentally ill, and for other needed public improvements.

Mr. Byrnes' own education did not reach high school, but he was a self-taught scholar. His schooling never ended. In his later life he liked to say, "I am being educated by degrees." Starting in 1935, he received honorary doctorate degrees from the following colleges and universities:

- College of Charleston
- Presbyterian College of South Carolina
- John Marshall College of Jersey City
- University of North Carolina
- The Citadel
- University of South Carolina
- Columbia University
- Furman University
- Wofford College
- Washington and Lee University
- Yale University
- University of Pennsylvania

Having experienced adversity and hardship during his youth, Mr. Byrnes had compassion for all who were similarly situated. In 1948, with his competent and devoted secretary, Miss Cassie Connor, as Trustee, he established the James F. Byrnes Scholarship Foundation, to provide college educations for boys and girls who had lost their parents early in life. He funded it principally with the proceeds of his two books: "Speaking Frankly" (Harper and Brothers, 1947) and "All In One Lifetime" (Harper and Brothers, 1958), and with his retirement pay, and the proceeds of the sale of his "Isle of Palms" home. That private Foundation already has provided college educations for almost 400 "Byrnes Scholars." Since the deaths of Mr. Byrnes and Miss Connors, the fund for the Foundation continues to grow and work under the guidance of executives selected by them including now two of the former "Scholars." Many of the "Scholars" already have made good in life and are, in turn, making their financial contributions to the Foundation. Friends of Governor and Mrs. Byrnes are contributing, and much of his estate has been added to its usefulness. Approximately \$400,000 already has gone into this magnificent educational enterprise. Mrs. Byrnes early this year wrote: "The results have given us much pleasure and pride and, although we have no children of our own, we now have 380 Scholars who call us Mom and Pop."

In 1943, he was awarded, for his World War II service to our Country, the Distinguished Service Medal, he being one of only 14 civilians who have ever been awarded that honor.

In 1953, while he was Governor, he was appointed by President Eisenhower as United States Delegate to the United Nations General Assembly, where he served with distinction.

In 1941, he was elected Life Trustee of Clemson University, with which he maintained warm associations until his death. In 1966, he accepted Clemson's formal request, by unanimous resolution, to place the vast collection of personal papers, documents, historical memoranda, memorabilia and souvenirs of his remarkable life in the James F. Byrnes Room of its main Library, for permanent preservation. A competent custodian is on duty there to make these treasures accessible to researchers, historians and the millions of others who keep him in revered and grateful memory.

We do

RESOLVE that we, the Bar of the Supreme Court of the United States, express our profound sorrow at the death of Justice James Francis Byrnes, and our grateful appreciation for his long life of public service of the highest order in the Executive, Legislative and Judicial branches of his State and National Governments, giving his all to a search for light and truth and justice and the promotion of love, peace and freedom for all mankind:

**IT IS FURTHER RESOLVED**

That the Attorney General be asked to present these Resolutions to the Court and to ask that they be inscribed on its permanent records and that copies of these Resolutions be forwarded to Mrs. Byrnes in Columbia, South Carolina.

Robert R. Carpenter, Rockhill, S.C.  
 Benjamin V. Cohen, Washington, D.C.  
 J. Bratton Davis, Columbia, S.C.  
 James E. Doyle, Madison, Wis.  
 Nelson Hartson, Washington, D.C.  
 E. F. Hollings, Washington, D.C.  
 W. F. Prioleau, Jr., Columbia, S.C.  
 David W. Robinson, Columbia, S.C.  
 T. Frank Watkins, Anderson, S.C.  
 C. G. Wyche, Greenville, S.C.  
 E. Smythe Gambrell, Atlanta, Ga., *Chairman*

The Chief Justice said:

"Thank you, Mr. Solicitor General. Mr. Attorney General."

Mr. Attorney General Kleindienst addressed the Court as follows:

"Mr. Chief Justice, and may it please the Court:



"The Bar of this Court met today to honor the memory of James Francis Byrnes, whose brief tenure as Associate Justice of this Court was characteristic of a lifetime of exceptional service to his Nation. A man of action and of experience, James F. Byrnes is among the very few Americans who have served in all three branches of the Government at the highest levels and with great distinction. His accomplishments, especially during the war and early post-war years, when as 'assistant president' he directed the crucial efforts on the home front—and as Secretary of State—laid the foundation of our post-war foreign policy, will surely endure for the life of this Nation.

"It is not difficult to see why James F. Byrnes had so important an impact on the history of our country, for he combined to a rare degree the qualities that make for leadership and influence: a good mind, good judgment, character, and energy. These were, of course, rooted in his childhood. Raised by a widowed mother in Charleston, South Carolina, young 'Jimmy' Byrnes learned by example the value of perseverance and thrift. The necessities of life meant the end of formal schooling at the age of 14, but not the end of self-education. His discipline in pursuing a course of reading in the Charleston library prepared him well for the study of law in Judge Aldrich's chambers while acting as court stenographer in Aiken.

"It was not long after James Byrnes passed the bar, at the age of 24, that he began his career in public service—first as prosecuting attorney, then for 14 years as Congressman and 10 years as Senator. After one term as Associate Justice of this Court, he served as Director of Economic Stabilization and later as Director of the Office of War Mobilization, Secretary of State, and finally Governor of his beloved State of South Carolina.

"Quite early in his remarkable career, James Byrnes had begun to learn, as he later observed, that 'in all relationships in life success and happiness can be achieved only by a willingness to make concessions.' This lesson served him particularly well in the Congress where, in his words, 'the art of legislating is the art of intelligent compromise.' Those who knew him as a legislator recognized him as a master of this art. But compromise for James Byrnes was never the surrender of principles; it was rather the temporary retreat from one desired objective in order to attain another.

"As Congressman and Senator, Justice Byrnes commanded the respect and admiration of his colleagues of both parties. As he later observed, a legislator can achieve distinction if he possesses unusual ability or unusual personality. Justice Byrnes had both, and to these qualities he added, characteristically, unusual diligence and unusual

civility. He never let political differences disrune his personal relations; and he knew well that today's opponent may be tomorrow's ally.

"Once, after a hard-fought battle over the Administrative Reorganization Act of 1939, in which Senator Byrnes was successful, the leader of the opposition, Harry Byrd of Virginia, was among the first to congratulate Byrnes. 'That,' he later remarked of Byrd, 'is one of the reasons he is respected and loved.' And so it was with Byrnes himself.

"Even before he had served in all three branches of the Government, James Byrnes had developed a strong sense of the importance of separation of powers, which he regarded as the principal safeguard against dictatorship. It was on this ground that he advised against and resisted President Roosevelt's ill-fated effort to purge the Senate in the 1938 primaries.

"When in July of 1941 Byrnes was appointed to fill the seat of retiring Justice James McReynolds, he brought with him his commitment to separation of powers, which, had his tenure been a longer one, would surely have been reflected in his decisions.

"His fifteen opinions for the Court could not, of course, do more than suggest the new Justice's developing judicial philosophy. He could later say, however, that the 'supreme test of judicial statesmanship,' in his view, was 'to preserve the balance between the powers of the Federal Government and the powers of the State.' He strongly believed that the role of the court is to interpret the laws and not to make them, and that it should resolve ambiguities by consulting the legislative history in an effort to understand the intent of the legislature.

"His colleagues on the court quickly recognized the new justice's special abilities and personal qualities. On a draft of one opinion, a colleague wrote: 'Neat and complete. I verily believe that you say more by saying less—and what you say is truly good.'

"Like Holmes, Justice Byrnes believed a dissenting opinion should not be written unless a Justice felt strongly on the subject. He did not find it necessary to write a dissent during his one term, although his opinion for the court in *Walling v. Belo Corporation*, 316 U.S. 624, involving a difficult question under the Fair Labor Standards Act, was drafted as a dissent and was issued as the majority opinion only after it persuaded Justice Jackson to change his vote."

"Later, when the President called upon him in a time of national emergency, Justice Byrnes saw that he would have to resign. He has said: 'It was not easy to leave the Court, with its opportunity for service, its prestige and security—the work I liked and the Associates for whom I had a genuine affection. 'But in time of war my duty was plain.' And his responsibilities were awesome.

“As Director of the Office of War Mobilization, Justice Byrnes was given greater authority than any President had previously delegated, with full responsibility for all Federal efforts connected with the production and distribution of civilian and military supplies. When Byrnes resigned from that position several years later, President Roosevelt said he would reappoint him to the Supreme Court when the next vacancy occurred. Byrnes, the political realist, demurred, however, saying that his reappointment would lead to false and damaging speculation that there had been a secret understanding between them.

“As President Truman’s Secretary of State and later as Governor of South Carolina, James Byrnes completed one of the most diverse and extraordinary public careers in our country’s history. In January 1955 he left the Governor’s office and public life with an understandable sense of fulfillment. His own words are an especially fitting expression of that sentiment :

“Within me was the satisfaction that comes from the consciousness that through the years I had faithfully tried to discharge my duty. I knew I had made mistakes, because I am human. I knew I had made political enemies because I had taken positions on controversial issues and fought to sustain those convictions. But there was compensation in the knowledge that I had made countless friends whose understanding and sympathy had enriched my life.

“As I thought of the past, overriding all thoughts of personal relations was my realization that this country is truly the land of opportunity.

“Now as I think of the future, my hope is that my experiences may encourage others to dedicate their talents and energies to public service, for I believe with Tolstoi that “The sole meaning of life is to serve humanity.”

“May it please this Honorable Court: In the name of the lawyers of this Nation, and particularly of the Bar of this Court, I respectfully request that the resolution presented to you in memory of the late Justice James F. Byrnes be accepted by you, and that it, together with the chronicle of these proceedings, be ordered kept for all time in the records of this Court.”

The Chief Justice said :

“Your motion is granted, Mr. Attorney General, and we thank you for your statement and tributes of the Supreme Court Bar to our late Brother, James Francis Byrnes.

“At the time of this Memorial today, only Justice Douglas of the present Court served on the Court when Justice Byrnes was here, and Justice Douglas has asked me to express his very deep regret that a

commitment made before the date was fixed for this memorial service prevents his being here today. In visiting with Justice Douglas about Justice Byrnes, I learned that he and Byrnes had been friends from the time Justice Douglas first came to Washington as a member of the Securities and Exchange Commission more than 35 years ago.

"As others have done, Justice Douglas recalled particularly the warm human qualities that have been spoken of so eloquently in the Memorial today. He said few men he had known could concentrate on important governmental problems of the highest order for long hours and yet, when the work was finished at the end of the day, turn to the rich pleasures of congenial friends at dinner. He recalled that a favorite pastime of Justice Byrnes was to participate in singing folk songs and ballads of the South and of America in his rich tenor voice.

"When Justice Byrnes came to this Court it was after an enormously active career as a leader in public life, and he found the change to the isolated life of a Justice of this Court not easy to make. But nothing in his opinions while he was on the Court would give any indication of any difficulties in the transition.

"Justice Byrnes had a remarkable capacity to adjust to new responsibilities and new situations. When *Taylor v. Georgia* was unanimously decided in 1942, Chief Justice Stone assigned the writing of the opinion to Justice Byrnes for the very sound reason that an opinion by a leading figure from the South gave added force to a holding that the Georgia statute violated Federal prohibitions against peonage. From yet another point of view, the opinion in that case reflects the broad national outlook he was prepared to take once he came to this Court and was free to lay aside sectional or regional interests and attitudes.

"I had the honor to attend the services for Justice Byrnes in Columbia and heard the eloquent eulogy to him delivered by General Lucius Clay. When Justice Byrnes was drafted from the Court in 1944 to become Director of War Mobilization, General Clay was appointed his Deputy, and later they were intimately associated in Europe following our occupation of Germany. General Clay described very graphically the breadth of vision and the great skill of Justice Byrnes in the representation of American interests in Europe while he was Secretary of State. This, of course, was one of the crucial periods in the development of American foreign policy, and his handling of these problems took into account the natural tendency of every country to turn inward after a war.

"Justice Byrnes, as Secretary of State and as a leading political figure in the country, was determined that the United States should not turn its back on the world after the enormous sacrifices that had brought victory. His remarkable talents as a conciliator and a negotia-

tor that had developed through his many years in legislative work enabled him to deal with some of the most difficult and trying problems ever to confront an American statesman or diplomat. His exposition of American policy relating to post-war Europe and the pledge on behalf of the United States that we would support Western civilization and the restoration of Europe stands out as one of the high points in his remarkable career.

“General Clay, who shared some of the most trying hours in Europe in the work of Justice Byrnes as Secretary of State, recalls the same warm human qualities that so many others remember. General Clay told me that these qualities helped to sustain the Justice while he was representing the interests of our country in those difficult times.

“In Europe, as in the days when Justice Byrnes sat on this Court, he would renew and refresh himself, after long hours of negotiation and intense dealing with the representatives of Russia, by laying work aside and spending an evening with friends singing the songs that are a common heritage for all Americans. The historians and biographers will chronicle the unique career of Justice Byrnes in the highest levels of all three branches of Government, but his friends will remember him for his humanity and his love of life and people.

“Mr. Attorney General, Mr. Solicitor General, on behalf of the Court I thank you for your presentations here today in memory of James Byrnes. We ask you to convey to the Chairman and the Committee on Resolutions our appreciation for their efforts. The resolutions will be made part of the permanent records of this Court.”

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Adjourned until Monday, January 8, 1973, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## OPINION PER CURIAM

No. 17, **Original**. State of Nebraska, plaintiff, *v.* State of Iowa. Decree entered. Opinion *per curiam*.

## APPEALS—SUMMARY DISPOSITION

No. 71-1577. Harry Virgil Rexrode, appellant, *v.* Virginia. Appeal from the Supreme Court of Virginia. The appeal is dismissed for want of a substantial federal question.

No. 72-695. Vivien Kellems et al., appellants, *v.* F. George Brown et al. Appeal from the Supreme Court of Connecticut. The appeal is dismissed for want of a substantial federal question.

No. 72-179. Robert J. Wilkinson, appellant, *v.* Alice C. Wilkinson. Appeal from the Supreme Judicial Court of Massachusetts. Motion to dispense with printing jurisdictional statement and motion of appellee for leave to proceed *in forma pauperis* granted. The appeal is dismissed for want of a substantial federal question.

No. 72-579. Missouri Pacific Railroad Company, appellant, *v.* United States et al. Appeal from the United States District Court for the Eastern District of Missouri. Judgment affirmed. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

No. 72-581. The Kansas City Southern Railway Company et al., appellants, *v.* United States et al. Appeal from the United States District Court for the Western District of Missouri. Judgment affirmed.

No. 72-632. National Motor Freight Traffic Association, Inc., et al., appellants, *v.* United States et al. Appeal from the United States District Court for the District of Columbia. Judgment affirmed.

No. 72-660. Pauline Davis, next of friend of Charles Davis and Jerry Davis, et al., appellants, *v.* Edwin W. Edwards et al. Appeal

from the United States District Court for the Eastern District of Louisiana. Judgment affirmed.

No. 72-621. Betty Wells, appellant, *v.* Edwin Edwards et al. Appeal from the United States District Court for the Middle District of Louisiana. Judgment affirmed. Dissenting opinion by Mr. Justice White with whom Mr. Justice Douglas and Mr. Justice Marshall join.

No. 72-622. John Cutrone, appellant, *v.* Paul Kelly, Administrative Judge of the County Court of Nassau County, et al. Appeal from the Appellate Division of the Supreme Court of New York, Second Judicial Department. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-670. McLean Trucking Company, appellant, *v.* County of Forsyth and the City of Winston-Salem. Appeal from the Supreme Court of North Carolina. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-640. Oregon State Elks Association et al., appellants, *v.* Michael Falkenstein et al. Appeal from the United States District Court for the District of Oregon. The appeal is dismissed for want of jurisdiction.

No. 72-723. United States, appellant, *v.* State Corporation Commission of the Commonwealth of Virginia et al. Appeal from the United States District Court for the Eastern District of Virginia. Judgment affirmed. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument. Mr. Justice Powell took no part in the consideration or decision of this appeal.

No. 72-5468. Millard D. Carr, appellant, *v.* Texas. Appeal from the Court of Criminal Appeals of Texas. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

#### CERTIORARI—SUMMARY DISPOSITION

No. 72-308. C. J. Fitzharris, petitioner, *v.* Michael L. Love. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals with directions to dismiss case as moot. Mr. Justice Stewart and Mr. Justice Marshall would deny certiorari.

## ORDERS IN PENDING CASES

**No. A-557.** Richard D. Enders, as District Attorney of Oneida County, New York, et al., applicants, *v.* Esquire Theaters of America, Inc. The application for stay of execution of judgment of the United States District Court for the Northern District of New York in case No. 72-CV-450 presented to the Chief Justice, and by him referred to the Court, is granted pending disposition of the case in the United States Court of Appeals for the Second Circuit.

**No. A-605.** Robert E. Hampton, Chairman of the United States Civil Service Commission, et al., applicants, *v.* A. Ernest Fitzgerald et al. The motion of the Solicitor General to dissolve the stay is granted.

**No. A-665.** Allan R. Kingston et al., applicants, *v.* Walter H. McLaughlin et al. The application for stay of judgment of the United States District Court for the District of Massachusetts presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

**No. D-1.** In Matter of Disbarment of Frances Kahn. It having been reported to this Court that Frances Kahn of New York, New York, has been disbarred from the practice of law in all of the courts of the State of New York, and this Court by order of November 6, 1972, having suspended the said Frances Kahn from the practice of law in this Court and directed that a rule issue requiring her to show cause why she should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent and that the time within which to file a return has expired;

It is ordered that the said Frances Kahn be, and she is hereby, disbarred from the practice of law in this Court and that her name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

**No. D-2.** In Matter of Disbarment of Hyman Abrams. It having been reported to this Court that Hyman Abrams of New York, New York, has been disbarred from the practice of law in all of the courts of the State of New York, and this Court by order of November 6, 1972, having suspended the said Hyman Abrams from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent and that the time within which to file a return has expired;

It is ordered that the said Hyman Abrams be, and he is hereby, disbarred from the practice of law in this Court and that his name be



stricken from the roll of attorneys admitted to practice before the Bar of this Court.

**No. D-4.** In Matter of Disbarment of Samuel B. Brouner. It having been reported to this Court that Samuel B. Brouner of New York, New York, has been disbarred from the practice of law in all of the courts of the State of New York, and this Court by order of November 6, 1972, having suspended the said Samuel B. Brouner from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was issued and served upon the respondent and that the time within which to file a return has expired;

It is ordered that the said Samuel B. Brouner be, and he is hereby, disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

**No. D-8.** In Matter of Disbarment of Emanuel H. Pavsner. It having been reported to this Court that Emanuel H. Pavsner of New York, New York has been suspended from the practice of law by the Supreme Court of New York, Appellate Division, First Judicial Department, for a period of three years effective March 27, 1972, and until further order of that court, and such order was duly entered March 30, 1972, and this Court by order of November 6, 1972, having suspended the said Emanuel H. Pavsner from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent, and that a response has been filed,

It is ordered that the said Emanuel H. Pavsner be, and he is hereby, disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

**No. 27, Original.** State of Ohio, plaintiff, *v.* State of Kentucky. The motion of Ed W. Hancock, Attorney General of the Commonwealth of Kentucky, for leave to permit John M. Famularo, Esquire, to argue, *pro hac vice*, is granted.

**No. 50, Original.** State of Vermont, plaintiff, *v.* State of New York et al. The motion of the United States for leave to intervene is referred to the Special Master.

**No. 71-685.** Robert J. Lehnhausen, petitioner, *v.* Lake Shore Auto Parts Co., et al.; and

**No. 71-691.** Edward J. Barrett, County Clerk of Cook County, Illinois, et al., petitioners, *v.* Clemens K. Shapiro et al. The motion of

Proviso Township High School District No. 209 et al., for reconsideration of their motion for leave to participate in oral argument, as *amici curiae*, is denied.

No. 71-1021. Employees of the Department of Public Health & Welfare, State of Missouri, et al., petitioners, *v.* Department of Public Health & Welfare, State of Missouri, et al. The motion of the Solicitor General for leave to participate in oral argument, as *amicus curiae*, in support of petitioners is granted, and fifteen minutes are allotted for that purpose. The respondents are allotted fifteen additional minutes for oral argument.

No. 71-1069. Associated Enterprises, Inc. and Johnston Fuel Liners, appellants, *v.* Toltec Watershed Improvement District; and

No. 71-1456. Salyer Land Company et al., appellants, *v.* Tulare Lake Basin Water Storage District. The motion of the American Civil Liberties Union et al., for leave to file a brief, as *amici curiae*, is granted.

No. 71-1192. Donald Goldstein, Ruth Koven and Donald Koven, petitioners, *v.* California. The motion of respondent for leave to file a supplemental brief, after argument, is granted.

No. 71-1598. James D. Hodgson, Secretary of Labor, petitioner, *v.* Arnheim and Neely, Inc., et al. The motion of The Institute of Real Estate Management for leave to participate in oral argument is granted and five minutes of respondents' time is allotted for that purpose.

No. 71-1637. City of Burbank et al., appellants, *v.* Lockheed Air Terminal Inc., et al. The motion of the Solicitor General for leave to participate in oral argument, as *amicus curiae*, in support of appellants is granted and fifteen minutes are allotted for that purpose. The appellees are allotted fifteen additional minutes for oral argument.

No. 71-6078. Linda R. S., et al., appellants, *v.* Richard D. and Texas et al. The motion of appellants for appointment of counsel is granted, and it is ordered that Windle Turley, Esquire, of Dallas, Texas, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the appellants in this case.

No. 72-146. Bill R. Hunter, dba The Courier, petitioner, *v.* United States. The respondent is requested to file a response to the motion for leave to file a petition for rehearing within thirty days.

No. 72-552. Robert Satiacum, petitioner, *v.* Washington; and

No. 72-671. Cecilia Espinoza and Rudolfo Espinoza, petitioners, *v.* Farah Manufacturing Company, Inc. The Solicitor General is invited to file a brief expressing the views of the United States in each of these cases.

No. 72-679. United Mine Workers of America et al., petitioners, *v.* Kenneth J. Yablonski et al. The motion of Paul R. Connolly, Esquire, and Earl C. Dudley, Jr., Esquire, of Washington, D.C., members of the Bar of this Court, for leave to withdraw as counsel for petitioners is granted.

APPEAL—JURISDICTION NOTED

No. 72-658. City of Kenosha, Wisconsin, et al., appellants, *v.* Peter G. Bruno et al. Appeal from the United States District Court for the Eastern District of Wisconsin. In this case probable jurisdiction noted.

CERTIORARI GRANTED

No. 72-656. Orval C. Logue et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 72-394. Elliot Richardson, Secretary of Health, Education and Welfare, et al., petitioners, *v.* Hynson, Westcott and Dunning, Incorporated;

No. 72-414. Hynson, Westcott and Dunning, Incorporated, petitioner, *v.* Elliot Richardson, Secretary of Health, Education and Welfare, et al.;

No. 72-528. Ciba Corporation, petitioner, *v.* Elliot L. Richardson, Secretary of Health, Education and Welfare, et al.;

No. 72-555. Elliot L. Richardson, Secretary of Health, Education and Welfare, et al., petitioners, *v.* Bentex Pharmaceuticals, Inc., et al.; and

No. 72-666. USV Pharmaceutical Corporation, petitioner, *v.* Elliot L. Richardson, Secretary of Health, Education and Welfare, et al. Motion of the American Public Health Association et al., for leave to file a brief, as *amici curiae*, in No. 72-394, granted. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit in Nos. 72-394, 72-414, 72-555, and 72-666, and petition for writ of certiorari to the United States Court of Appeals for the Third Circuit in No. 72-528 granted. Cases consolidated and a total of three hours allotted for oral argument.

No. 72-5521. Clarence Eugene Strunk, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* and petition for writ to certiorari to the United States Court of Appeals for the Seventh Circuit granted.

CERTIORARI DENIED

No. 71-1528. Lea Spears, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 71-6449. James G. Ellingburg, petitioner, *v.* John W. Goodson et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 71-6300. Robert L. D'Ambra, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 72-292. Marrero Land and Improvement Association, Limited, petitioner, *v.* Jefferson Parish School Board. Petition for writ of certiorari to the Supreme Court of Louisiana denied.

No. 72-338. Robert Carroll and Western Surety Company, petitioners, *v.* Steven Ray McDaniel, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-348. John A. Hutter et al., petitioners, *v.* John Tanck et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-351. Susan Maraman, petitioner, *v.* Grady Hardister et al. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 72-366. Village of Walthill, Nebraska, et al., petitioners, *v.* Omaha Tribe of Nebraska et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-392. Richard Cramer et ux., petitioners, *v.* Director of Revenue. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 72-393. United Transportation Union, petitioner, *v.* United States and St. Louis-San Francisco Railway Company. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-444. Missouri Pacific Railroad Company, petitioner, *v.* William A. Smith Contracting Company, Inc. Petition for writ of certiorari to the Court of Appeals of Missouri, Kansas City District, denied.

No. 72-448. Billy West Dasher, petitioner, *v.* John A. Blackmon, Commissioner, Georgia Department of Revenue, et al. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 72-474. Mary Ellen Schattman, petitioner, *v.* Texas Employment Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-483. Francis R. Salazar, petitioner, *v.* United States;

No. 72-485. George I. Norman, Jr., petitioner, *v.* United States;

No. 72-525. Donald S. Cooper, petitioner, *v.* United States;

No. 72-5454. Delmar E. Cooper, petitioner, *v.* United States; and  
No. 72-5563. Paul E. Cooper, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-595. Frank E. Mott and Mary R. Williams, etc., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 72-609. Angelo Kokas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-628. James G. Moore and Judson E. Tomlin, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-636. Carmine Lombardozzi, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-642. Mayhue's Super Liquor Stores, Inc., et al., petitioners, *v.* James D. Hodgson, Secretary of Labor, United States Department of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-645. Joseph Briola, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-646. James D. Oree, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-657. Local Union No. 103, International Association of Bridge, Structural and Ornamental Iron Workers, AFL-CIO, et al., petitioners, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-661. James Ledes, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 72-662. Jan T. Bata, etc., petitioner, *v.* Thomas J. Bata et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 72-663. Turnpike Realty Company, Inc., petitioner, *v.* Town of Dedham, Massachusetts. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 72-664. David Galvin Becker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-672. Marti Pogue, petitioner, *v.* Retail Credit Company, Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-674. Baldwin-Lima-Hamilton Corporation, petitioner, *v.* The Aetna Casualty & Surety Co., et al. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 72-678. Sherman Ford, Jr., dba Ford Records, petitioner, *v.* Ford Motor Company. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 72-697. Jemco, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-706. E. A. McQuade Tours, Inc., petitioner, *v.* Consolidated Air Tour Manual Committee et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-709. Rialto Theatre Company and Richard F. Lewis, Jr., petitioners, *v.* City of Wilmington et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-711. Rudolph J. Gerneth and Henrica J. Gerneth, petitioners, *v.* City of Detroit. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-714. California, petitioner, *v.* Municipal Court for the Sacramento Municipal Court District of Sacramento County, California, et al. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 72-728. August K. Bergenthal, petitioner, *v.* Elmer Cady, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-732. Mazie Lancaster, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 72-735. Filtrol Corporation and Texaco, Inc., petitioners, *v.* Robert J. Kelleher, United States District Judge. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-762. Alvarez Reyes, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 72-5126. E. Robert Hyde, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5226. Robert Baskerville, petitioner, *v.* Robert J. Henderson, Superintendent, Auburn Correctional Facility. Petition for writ

of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5257. Harry Shank, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5303. Alex Birnbaum, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Middlesex County Court of New Jersey denied.

No. 72-5310. George C. Matthews, petitioner, *v.* David L. Smith, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5320. Robert Newton Gardner, Jr., petitioner, *v.* D. J. McCarthy, Superintendent, California Men's Colony, San Luis Obispo. Petition for writ of certiorari to the Supreme Court of California denied.

No. 72-5349. Robert Cevera Valdivia, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 72-5359. Earl Lee Parker, petitioner, *v.* Wisconsin. Petition for writ of certiorari to the Supreme Court of Wisconsin denied.

No. 72-5390. Johnny Herrera, petitioner, *v.* New Mexico. Petition for writ of certiorari to the Court of Appeals of New Mexico denied.

No. 72-5520. Laurence H. Frommhagen, petitioner, *v.* James D. Hodgson, Secretary of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5536. James R. Janosko, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-5541. A. D. Allison, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5552. David L. Jones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5553. Wallace Jerome Moore, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5557. Phillip Zweig, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5558. John Herbert Wilson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5561. Bernard William Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5562. Balbino Medina, petitioner, *v.* P. G. Smith, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5564. Willis D. Smith, petitioner, *v.* Saline County District Court, Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 72-5569. George Albert Schneider, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5570. John Cleveland Tripp, petitioner, *v.* A. E. Slayton, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5571. Joseph M. Russek, petitioner, *v.* Governor of Maryland et al. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 72-5573. Robert Edwin Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5574. Billie A. Bryant, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-5575. James E. Hester, petitioner, *v.* Joseph R. Brierley. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5578. William Vitoratos, petitioner, *v.* Harold J. Cardwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5580. Edward Lawrence O'Brien, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5583. Noel Tancred Escofil, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5584. In the Matter of Kirksey McCord Nix, Jr., petitioner. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5585. Robert A. Laswell, Jr., petitioner, *v.* United States; and



No. 72-5598. Leonard David Brown, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5586. Ronald L. Casson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-5588. Milton McCray, petitioner, *v.* Warden of Maryland Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5589. Lionel Kelly, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5590. David Roberto Alvarez, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5594. William Toomey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-5595. Refugio L. Chavez, petitioner, *v.* Earle J. Gibbons et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5599. Alvis Cleo Wrenn, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5601. Thomas Miner, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Western Division, denied.

No. 72-5602. Saxon K. Ross, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5603. Robert Preston McCoy, petitioner, *v.* Charles E. Egeler, Acting Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5606. Robert R. Ochoa, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5608. Carol Jean Heindl, petitioner, *v.* Washington Terminal Company. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 72-5610. Thomas William Taylor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5611. Steve Minor, petitioner, *v.* Hoyt C. Cupp, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5613. Jerryl L. Keane, petitioner, *v.* Philip Hawley Smith. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 72-5614. Beulah Voisin Champagne et al., petitioners, *v.* Penrod Drilling Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5615. Christopher Michael Houser, petitioner, *v.* James Geary, Sheriff of Santa Clara County, California, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5616. Anthony Chiodi, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-5619. Robert Beech, petitioner, *v.* D. J. Melancon and P. J. Gallo. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5620. Felecia Celeste Bailey, an Infant, by her next Friend and Mother, Annie E. Woods, petitioner, *v.* Lucille Todd. Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 72-5621. Alvin Lucas, petitioner, *v.* Wisconsin Electric Power Company, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5623. Sterling Bright, petitioner, *v.* New Jersey. Petition for writ or certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5628. Herman Bernstein, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5631. Willie Clay Means, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-5633. Glenn Allan Reilly, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5635. Charles Anegus X. Allen, petitioner, *v.* Basil A. Thomas, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5637. Alfred Szabo, petitioner, *v.* Westmoreland County Authorities et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **72-5638**. In the Matter of Frederick Steven Swope, Bankrupt, petitioner. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **72-5646**. David H. Dabney, petitioner, *v.* District of Columbia. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. **72-5647**. Chiles Oliver Penn Evans, petitioner, *v.* A. E. Slayton, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **72-5649**. James C. Milstead and Rose Marie Milstead, petitioners, *v.* California et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. **72-5650**. Leavy Campbell, petitioner, *v.* W. J. Estelle, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-5653**. Otha Taylor, petitioner, *v.* A. E. Slayton, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **72-5663**. James Ausby, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. **72-5667**. Emerson Russell Jones, petitioner *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. **72-5675**. Richard H. Davis, petitioner, *v.* A. E. Gomes, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-5690**. Wayland Bryant, petitioner, *v.* Mel Bailey. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-5696**. George J. Platsis, petitioner, *v.* Michigan et al. Petition for writ of certiorari to the Court of Appeals of Michigan denied.

No. **72-5700**. Frank Lott, petitioner, *v.* New York. Petition for writ of certiorari to the Supreme Court of New York, New York County, denied.

No. **71-1510**. David Ross, Administrative Judge of the Criminal Court of the City of New York, et al., petitioners, *v.* Stephen Radich. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas took no part in the consideration or decision of this petition.

No. 72-1. Leonard D. Baskin and Meyer A. Baskin, etc., petitioners, *v.* City of Miami Beach, Florida. Petition for writ of certiorari to the Circuit Court of the 11th Judicial Circuit of Florida, Dade County, denied. Mr. Justice Douglas would grant certiorari.

No. 72-298. Alex Cooley et al., petitioners, *v.* William Baer Endictor, Assistant Solicitor of the Criminal Court of Fulton County, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-364. Director General of the India Supply Mission, etc., petitioner, *v.* S. S. Maru, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-451. Patricia Lou Kennedy et al., petitioners, *v.* Bureau of Narcotics and Dangerous Drugs, etc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-580. American Civil Liberties Union et al., petitioners, *v.* Melvin R. Laird, Secretary of Defense, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-584. Peter J. Martino and Warren Luke Martino, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-601. Barbara Corey, petitioner, *v.* Avco-Lycoming Division, Avco Corporation. Petition for writ of certiorari to the Supreme Court of Connecticut denied. Mr. Justice Douglas would grant certiorari.

No. 72-715. United States, petitioner, *v.* St. Louis-San Francisco Railway Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-716. John Wilbanks, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied. Mr. Justice Douglas would grant certiorari.

No. 72-5184. Kevin Joseph Lynch, petitioner, *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied. Mr. Justice Douglas would grant certiorari.

No. 72-5244. Melvin Houston Rigdon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5279. Otto Hillen, petitioner, *v.* Superintendent of the Hawaii State Prison. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5389. James Edward Johnson, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied. Mr. Justice Douglas would grant certiorari.

No. 72-5526. Matthew Massimo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5540. Willis G. Kyle, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5560. Leonard Mendez-Ruiz, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5567. William J. Henderson, petitioner, *v.* James F. Maroney, Superintendent, et al. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied. Mr. Justice Douglas would grant certiorari.

No. 72-5654. Lee Henry Dotson, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied. Mr. Justice Douglas would grant certiorari.

No. 72-5664. Robert Murray, petitioner, *v.* Chester D. Owens, Superintendent, Elmira Reception Center, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-243. Clean Air Coordinating Committee, petitioner, *v.* Roth Adam Fuel Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas and Mr. Justice Stewart would grant certiorari.

No. 72-250. Robert L. Goldsberry et al., petitioners, *v.* Raymond C. Hieber, Judge. Motion to dispense with printing petition and motion of respondent to dispense with printing brief granted. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 72-598. Joseph John Fournier, petitioner, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-665. Hackensack Meadowlands Development Commission, petitioner, *v.* Transcontinental Gas Pipe Line Corporation. Petition

for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 72-684. Stephens, Inc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 72-698. William H. House, petitioner, *v.* Betty Lou House. Motion of respondent to dispense with printing brief granted. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied. Mr. Justice Douglas would grant certiorari.

No. 72-5604. Jessie D. McDonald, petitioner, *v.* Metro Traffic and Parking Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit and for other relief denied.

#### LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 72-5655. Johnnie Lee Hill, petitioner, *v.* C. Murray Henderson, Warden. Motion for leave to file petition for writ of habeas corpus denied.

#### LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 72-5304. Donald B. Bradley, petitioner, *v.* Supreme Court of Indiana;

No. 72-5568. Major Davis, Jr., petitioner, *v.* Edward R. Neaher, United States District Judge, etc., et al.;

No. 72-5671. Osborn Olden, petitioner, *v.* Richard H. Chambers et al.; and

No. 72-5672. Robert George Muncaster, petitioner, *v.* United States. Motions for leave to file petitions for writs of mandamus denied.

#### REHEARINGS DENIED

No. 71-1509. United States, appellant, *v.* James Jim et al.; and

No. 71-1612. Utah et al., appellants, *v.* James Jim et al.;

No. 71-6690. Robert Gene Keeny, petitioner, *v.* Harold R. Swenson, Warden;

No. 71-6751. E. Christman Dawn, etc., petitioner, *v.* Sterling Drug, Inc., et al.;

No. 72-246. Interstate Commerce Commission, appellant, *v.* IML Seatransit Ltd., et al.;

- No. **72-266** Daisy B. Stone, petitioner, *v.* Edley Craighill Nicholas Stone et al.;
- No. **72-299**. Pilgrim Equipment Company of Houston, petitioner, *v.* Texas et al.;
- No. **72-337**. Michael S. Ross, petitioner, *v.* United States et al.;
- No. **72-365**. Lucy Marie Reilley, appellant, *v.* Bernard J. Reilley;
- No. **72-370**. Arnold Marcus et al., petitioners, *v.* New York;
- No. **72-373**. Texas Eastern Transmission Corporation, appellant, *v.* Thomas Benson, Commissioner of Revenue;
- No. **72-374**. Russell L. Swarthout, petitioner, *v.* Erika Olund;
- No. **72-381**. Basyap, Inc., et al., petitioners, *v.* District of Columbia Redevelopment Land Agency et al.;
- No. **72-447**. John A. Hutter et ux., petitioners, *v.* City of Chicago;
- No. **72-5064**. Matthew O. Reilly, petitioner, *v.* Cauldwell-Wingate Company, Inc., et al.;
- No. **72-5097**. Rowan Gordon Richerson, petitioner, *v.* United States;
- No. **72-5337**. Kirksey McCord Nix, Jr., petitioner, *v.* United States;
- No. **72-5342**. Jewel A. Houp, petitioner, *v.* United States; and
- No. **72-5394**. Ben Hitchcock, petitioner, *v.* A. E. Gomes, Warden. Petitions for rehearing denied.
- No. **71-1235**. Clifton M. Craig et al., appellants, *v.* Beaty Mae Gilliard et al.;
- No. **71-6719**. Linda Sue Brown, petitioner, *v.* United States;
- No. **72-55**. Frank F. Murch et al., petitioners, *v.* Robert H. Mott-ram; and
- No. **72-5043**. Frances O. Warriner, petitioner, *v.* Marshall C. Wiseheart et al. Motions for leave to file petitions for rehearing denied.

#### ASSIGNMENT ORDERS

An order of the Chief Justice designating and assigning Mr. Justice Clark (Retired) to perform judicial duties in the United States Court of Appeals for the Second Circuit beginning April 16, 1973, and ending April 20, 1973, and for such further time as may be required to complete unfinished business, pursuant to 28 U.S.C. § 294 (a), is ordered entered on the minutes of this Court, pursuant to 28 U.S.C. § 295.

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An order of the Chief Justice designating and assigning Mr. Justice Clark (Retired) to perform judicial duties in the United

States Court of Appeals for the Eighth Circuit beginning June 11, 1973, and ending June 15, 1973, and for such further time as may be required to complete unfinished business, pursuant to 28 U.S.C. § 294 (a), is ordered entered on the minutes of this Court, pursuant to 28 U.S.C. § 295.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Peter Andrew Arntson	Arlington, Va.	Justice Tom C. Clark.
Everett John Athens	Tulsa, Okla.	James R. Ryan.
Frank Bacon	Los Angeles, Calif.	Gilbert C. Caton.
Earl Middleton Barker, Jr.	Jacksonville, Fla.	John Willis Ball.
George Chester Batcheler, Sr.	Birmingham, Ala.	John Paul DeCarlo.
Sandra Shank Beckwith (Miss).	Harrison, Ohio	Marvin Nathan Kolstein.
Martin William Bercovici	Washington, D.C.	Jerome H. Heckman.
Richard A. Bieder	Stamford, Conn.	Jacob D. Zeldes.
Kenith David Bloom	Tenafly, N.J.	J. Emmet Cassidy.
Robert Alan Blum	Washington, D.C.	Lincoln Arnold.
David Boerner	Seattle, Wash.	Christopher Tappan Bayley.
F. Wesley Bowers	Evansville, Ind.	William D. Powell.
Kenneth Allan Bravo	Pittsburgh, Pa.	Sol. Gen. Erwin N. Griswold.
Michael J. Brillhart	York, Pa.	Robert H. Griffith.
Richard John Briskey	Denver, Colo.	Richard Daniel Turelli.
Kennon Walford Bryan	Fairfax, Va.	Ronald W. Tydings.
Gilbert Stephen Buffington	Edina, Minn.	Arthur Roland Petersen.
Arnold F. Bunge, Jr.	Toledo, Ohio	James F. Kennedy, Jr.
Ralph Wm. Bushnell	Madison, Wis.	Richard William Austin.
William Lawrence Christiansen.	San Francisco, Calif.	Earl Joseph Carroll.
Lillian Zeisel Cohen (Miss)	New York, N.Y.	Joel Lewittes.
Stuart Allen Cohen	Seattle, Wash.	Christopher Tappan Bayley.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles E. Commander III	Jacksonville, Fla.	William H. Adams III.
Kenneth E. Conklin	Wheaton, Md.	Walter H. Madden.
Desmond Doyle Connall	Portland, Oreg.	Jean L. Lewis.
Douglas Clinton Conroy	Los Angeles, Calif.	Robert Gerhart Lane.
Robert Charles Cowan	San Antonio, Tex.	Harold D. Putman.
Daniel W. Crowe	Visalia, Calif.	John T. Ronan III.
Robert H. Culp	Washington, D.C.	Charles Sylvanus Rhyne.
Douglas Dalton	Long Beach, Calif.	Clark Heggeness.
Roland Bernard Darby	Houston, Tex.	Lee Ducoff.
Arrie Wilson Davis	Baltimore, Md.	Edward Francis Borgerding.
Charles Henry Deadrich	San Leandro, Calif.	Russell Lee Hillard.
Charles John Delaurenti II	Seattle, Wash.	Christopher Tappan Bayler.
William J. Egan	New Haven, Conn.	John David Fassett.
William J. Eggers III	Honoulu, Hawaii	Samuel P. King.
James R. Fogerty, Jr.	Stamford, Conn.	James W. Kambas.
Harry James Fox	Chicago, Ill.	Arthur K. Young.
John Mitchell Gallagher, Jr.	Upper Darby, Pa.	Howard Richard.
William A. Garrigle	Camben, N.J.	Neil F. Deighan, Jr.
Stephen Arthur Gerst	Phoenix, Ariz.	Philip M. Haggerty.
Gerald Howard Glanzman	Winchester, Mass.	Homer O. Blair.
William B. Gore	Akron, Ohio	Ralph J. Dalessio.
Edward J. Gorman, Jr.	Washington, D.C.	John W. Ahern.
John Francis Grady	Waukegan, Ill.	Donald M. Lonchar, Jr.
Ronald Michael Green	New York, N.Y.	Richard F. Shurbert.
Richard O. Greenfield	Chicago, Ill.	Lester Asher.
Richard Lloyd Greenlund	Metairie, La.	Randolph Herbert Parro.
Benny R. Greer	Darlington, S.C.	David W. Robinson II.
James Coplen Hall	Albuquerque, N. Mex.	James R. Toulouse.
Christopher Agnew Hansen	Baltimore, Md.	Jesse Slingluff, Jr.
Patricia Gowen Harber (Mrs.)	Seattle, Wash.	Christopher Tappan Bayler.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
C. Blaine Harstad	Minneapolis, Minn.	Stephen M. Goldfarb.
Philip Richard Herzig	Salina, Kans.	James B. Pearson.
Wilmer B. Hill	Washington, D.C.	Harry C. Ames, Jr.
Verne Antonio Hodge	St. Thomas, V.I.	John Lawrence Maduro.
Howard Thomas Hogan, Jr.	Locust Valley, N. Y.	Howard Thomas Hogan.
Martin Griffin Holleran	South Orange, N.J.	Harrison A. Williams, Jr.
Henry B. Hoppe, Jr.	Harahan, La	William V. Dunne.
Samuel L. Jones, Jr.	Corpus Christi, Tex.	Jack Sparks.
Charles E. Keller	Detroit, Mich.	Thomas H. Schwarze.
Kenneth Lloyd King	El Paso, Tex.	Robert H. Hoy, Jr.
Charles Harris Kirkman	Fayetteville, N.C.	Harry Binder Stein.
Ralph Irving Knowles, Jr.	Tuscaloosa, Ala.	Charles Morgan, Jr.
John G. Kressel	Minneapolis, Minn.	George L. Mikan.
Fred H. Kumpf	Trenton, N.J.	Stephen L. Skillman.
Miles A. Lance	North Tana- wanda, N. Y.	Henry P. Smith III.
Kenneth E. Lanier	Houston, Tex.	Young Frank Jungman.
O. Bradley Latham	Reading, Mass.	Douglas B. Auer.
John P. Leemhuis	Erie, Pa	Donald C. Buseck.
Samuel I. Leff	Miami, Fla.	Phillip W. Knight.
William W. Lessley	Bozeman, Mont.	Cale J. Crowley.
Charles Frederick Lettow	Iowa Falls, Iowa	Timothy B. Atkeson.
Richard Andrew Levine	Washington, D.C.	Miss Beatrice Rosenberg.
Andrew H. Levy	Washington, D.C.	Harry M. Plotkin.
James Edwin Lewis	Monroe, La.	Thomas W. Leigh.
Peter Richard Lewis	Worcester, Vt.	James M. Jeffords.
Alan N. Linder	Pittsburgh, Pa.	Daniel H. Shertzer.
John S. Lloyd	Miami, Fla.	Frank Howard Weston.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gerald Michael Lorentson	Seattle, Wash.	Christopher Tappan Bayley.
George Albert Luscombe II.	Clinton, Ill.	Lee H. Henkle, Jr.
Robert Richard Lux	Los Angeles, Calif.	Jerome A. Reiner.
Gary Howard Manulkin	Los Angeles, Calif.	Daniel L. Stewart.
John J. Marchi	Staten Island, N. Y.	Joseph J. Holzka.
Thomas J. McKey	Seattle, Wash.	M. Bayard Crutcher.
P. B. McLaughlin, Jr.	Ozark, Ala.	William Louis Dickinson.
Jack Howard McPherson, Jr.	Kingston, Tenn.	Floyd E. Hutcherson.
Robert L. Meade	Washington, D.C.	Milton Welsh Schober.
James R. Miller	Seattle, Wash.	Christopher Tappan Bayley.
Robert D. Monnin	Cleveland, Ohio	Robert F. Maskey.
Joseph Arthur Montoya	Los Angeles, Calif.	William Hosmer Peterson.
William H. Morris	Rochester, N. Y.	G. Robert Witmer, Jr.
Arthur Moskoff	New City, N. Y.	Julien Martin Cornell.
Alton G. Murchison III	Charlotte, N.C.	Francis Morris Pinckney.
Thomas L. Nadeau	Bridgeport, Conn.	Theodore I. Koskoff.
James Rupert Nance	Fayetteville, N.C.	Harry Binder Stein.
James Rupert Nance, Jr.	Fayetteville, N.C.	Harry Binder Stein.
Hendley Varner Napier	Macon, Ga.	Cubbedge Snot.
Will A. Nason	West Palm Beach, Fla.	J. Brian Brennan.
John Willarn Nelson	Phoenix, Ariz.	John P. Frank.
Thomas M. Niland	El Paso, Tex.	Richard C. White.
William C. Oldaker	Washington, D.C.	William H. Brown III.
Xhafer Orhan	Grosse Pointe Woods, Mich.	Rockwell T. Gust.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David Young Parker	Nashville, Tenn.	James W. Chamberlain.
Richard Burges Perrenot	El Paso, Tex.	James F. Hulse.
Steven P. Perskie	Atlantic City, N.J.	Harry Miller.
Walter S. Pesetsky	North Miami Beach, Fla.	Phillip W. Knight.
William J. Pfeiffer	Aberdeen, S. Dak.	Murray Ogborn.
Fred M. Phelan, Jr.	Englewood, N.J.	Arthur H. Reeve.
Jane M. Picker (Mrs.)	Cleveland, Ohio	Sidney B. Jacoby.
Douglas R. Rainbow	Minneapolis, Minn.	Stephen M. Goldfarb.
John Robert Rankin	Charlotte, N.C.	P. Bowers Beachum, Jr.
John Shifflett Ransom	Washington, D.C.	C. Madison Brewer.
William Earl Ray, Jr.	Chicago, Ill.	Stephen Jurco.
Joseph Remcho	San Francisco, Calif.	Charles Rothwell Nesson.
Michael William Roman	Berkeley, Calif.	Richard Weil.
R. Jackson Rose	Nashville, Tenn.	C. Hayes Cooney.
Michael P. Ruark	Seattle, Wash.	Christopher Tappan Bayley.
Edwin R. Rubin	Philadelphia, Pa.	James Joseph Orlow.
Arnold H. Rutkin	Bridgeport, Conn.	Jacob D. Zeldes.
Roger D. Schell	Bottineau, N. Dak.	Quentin N. Burdick.
Frederick A. O. Schwarz, Jr.	New York, N.Y.	Thomas D. Barr.
Carl H. Seeliger, Jr.	Denver, Colo.	Richard Waldron Bryans.
Morris Allan Seeskin	Chicago, Ill.	Donald S. Carnow.
Charles Langdale Shank	Harrison, Ohio	Marvin Nathan Kolstein.
Kenneth W. Sharaga	Seattle, Wash.	Christopher Tappan Bayley.
Hugh T. Shelton, Jr.	Columbia, Tenn.	Lon P. MacFarland.
Paul R. Shlemon	Washington, D.C.	Orris S. Heistand, Jr.
Rudolph Grantley Singleton, Jr.	Fayetteville, N.C.	Harry Binder Stein.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gary C. Smallridge	Miami, Fla.	Thurman A. Kelly.
Archie Leak Smith, Jr.	Asheboro, N.C.	L. Richardson Preyer.
Gene Charles Smith	Oklahoma City, Okla.	Marian P. Opala.
Jerome David Smith	Montgomery, Ala.	William Louis Dickinson.
Charles M. Stapleton	Macon, Ga.	Cubbedge Snow.
George J. Strange	Milwaukee, Wis.	Steven E. Keane.
Charles E. Sykes	Lincoln, Nebr.	William A. Harding.
Samuel L. Tavano	Niagara Falls, N. Y.	Henry P. Smith III.
Anthony J. Theodore	Madison, Wis.	Percy L. Julian, Jr.
R. Raymond Twohig, Jr.	Columbus, Ohio	Michael E. Geltner.
James D. Voorhees, Jr.	Denver, Colo.	Arthur Thad Smith.
Knox W. Walker	Gulfport, Miss.	Peter M. Stockett, Jr.
George V. Warren	Lansing, Mich.	Fred C. Newman.
James Hal Warren	Fulton, Ky.	Charles A. Williams.
John Quentin Wesley	Morganfield, Ky.	Joseph Albert Yocum.
Ben Scott Whaley	Charleston, S.C.	Ernest F. Hollings.
Frederick Lavillon Yeatts	Seattle, Wash.	Christopher Tappan Bayley.
Elliott Noel Zack	Miami, Fla.	Phillip W. Knight.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William P. Dixon	Phoenix, Ariz.	Solicitor General Erwin N. Gris- wold.
Paul F. Ware, Jr.	Boston, Mass.	Solicitor General Erwin N. Gris- wold.

## ORAL ARGUMENT

No. 71-1304. Charles B. Bradley, Jr., et al., petitioners, *v.* United States. Argued by Mr. William P. Homans, Jr., for the petitioners and by Mr. Philip A. Lacovara for the respondent.

No. 71-1069. Associated Enterprises, Inc., and Johnston Fuel Liners, appellants, *v.* Toltec Watershed Improvement District. Argued by Mr. Henry A. Burgess for the appellants and by Mr. Fred W. Phifer for the appellee.

No. 71-1456. Salyer Land Company et al., appellants, *v.* Tulare Lake Basin Water Storage District. Argued by Mr. Thomas Keister Greer for the appellants and by Mr. Robert M. Newell for the appellee.

No. 71-1222. Jule M. Sugarman, etc., et al., appellants, *v.* Patrick McL. Dougall et al. Argued by Mr. Samuel A. Hirshowitz for the appellants and by Mr. Lester Evens for the appellees.

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Adjourned until tomorrow at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## OPINIONS

No. 71-889. Lillian V. Couch, petitioner, *v.* United States and Edward F. Jennings, etc. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment affirmed. Opinion by Mr. Justice Powell. Concurring opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Marshall.

No. 71-858. Thomas Ricci, petitioner, *v.* Chicago Mercantile Exchange et al. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment affirmed. Opinion by Mr. Justice White. Concurring opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Douglas, Mr. Justice Stewart, and Mr. Justice Powell join.

## ORAL ARGUMENT

No. 71-1336. In re Application of Fre Le Poole Griffiths for Admission to the Bar, appellant. Argued by Mr. R. David Broiles for the appellant and by Mr. George R. Tiernan for the appellee.

No. 71-6060. Anthony Louis Tacon, petitioner, *v.* Arizona. Argued by Mr. Robert J. Hirsh for the petitioner and by Mr. William P. Dixon for the respondent.

No. 71-1225. John R. Gagnon, Warden, petitioner, *v.* Gerald H. Scarpelli. Argued by Mr. William A. Platz for the petitioner and by Mr. William M. Coffey for the respondent.

No. 71-1369. Russell G. Oswald, Commissioner of Correctional Services, et al., petitioners, *v.* Eugene Rodriguez et al. Argued by Mrs. Lillian Z. Cohen for the petitioners and by Mr. Herman Schwartz for the respondents.

No. 71-653. Thomas S. Gibson et al., appellants, *v.* L. M. Berryhill et al. Argument commenced by Mr. Richard A. Billups, Jr., for the appellants.

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Adjourned until tomorrow at 10 o'clock.

SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## OPINIONS

**No. 71-749.** United States, appellant, *v.* Robert William Kras. Appeal from the United States District Court for the Eastern District of New York. Judgment reversed and case remanded to the United States District Court for the Eastern District of New York for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Blackmun. Concurring opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Douglas, Mr. Justice Brennan and Mr. Justice Marshall join. Dissenting opinion by Mr. Justice Douglas and Mr. Justice Brennan. Dissenting opinion by Mr. Justice Marshall.

**No. 71-564.** District of Columbia, petitioner, *v.* Melvin Carter. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brennan.

**No. 71-827.** Hughes Tool Company et al., petitioners, *v.* Trans World Airlines, Inc.; and

**No. 71-830.** Trans World Airlines, Inc., petitioner, *v.* Hughes Tool Company et al. On writs of certiorari to the United States Court of Appeals for the Second Circuit. Judgment in 71-827 reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Writ dismissed in No. 71-830. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Chief Justice Burger with whom Mr. Justice Blackmun joins. Mr. Justice Marshall took no part in the consideration or decision of these cases.

**No. 71-5656.** Doris Philpott and William Wilkes, petitioners, *v.* Essex County Welfare Board. On writ of certiorari to the Supreme Court of New Jersey. Judgment reversed and case remanded to the Supreme Court of New Jersey for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Douglas.

**No. 71-1011.** Samuel Bronston, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed and case remanded to the Court of Appeals



for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Burger.

ORAL ARGUMENT

No. 71-653. Thomas S. Gibson et al., appellants, *v.* L. M. Berryhill et al. Argument continued by Mr. Richard A. Billups, Jr., for the appellants and concluded by Mr. Harry Cole for the appellees.

No. 71-6042. Ronald Dale Wardius, petitioner, *v.* Oregon. Argued by Mr. J. Marvin Kuhn for the petitioner and by Mr. W. Michael Gillette for the respondent.

No. 27, **Original**. State of Ohio, plaintiff, *v.* State of Kentucky. Argued by Mr. Joseph M. Howard for the plaintiff and by Mr. John M. Famularo for the defendant, *pro hac vice*, by special leave of Court.

No. 71-1255. United States, petitioner, *v.* Charles J. Ash, Jr. Argued by Mr. Edward R. Korman for the petitioner and by Mr. Sherman L. Cohn for the respondent.

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Adjourned until Monday, January 15, 1973, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## OPINIONS PER CURIAM

No. 72-603. Elliot L. Richardson, Secretary of Health, Education and Welfare, appellant, *v.* Deborah Morris et al. Appeal from the United States District Court for the Northern District of Georgia. Motion of appellees for leave to proceed *in forma pauperis* granted. Judgment vacated and case remanded to the United States District Court for the Northern District of Georgia for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*.

No. 72-691. American Trial Lawyers Association, New Jersey Branch, et al. appellants, *v.* New Jersey Supreme Court. Appeal from the United States District Court for the District of New Jersey. Judgment vacated and case remanded to the United States District Court for the District of New Jersey for further proceedings in conformity with the opinion of this court. Opinion *per curiam*.

## APPEALS—SUMMARY DISPOSITION

No. 72-446. Franz Joseph Tomasino, appellant, *v.* California. Appeal from the Court of Appeal of California, Second Appellate District. The appeal is dismissed for want of jurisdiction. Treating the papers whereupon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-833. William E. Goetz & Sons et al., appellants, *v.* Board of Regents, State Senior Colleges, et al. Appeal from the United States Court of Appeals for the Fifth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-5612. Karen Bodisco, etc., appellant, *v.* Richard Nixon, President of the United States, et al. Appeal from the United States Court of Appeals for the Ninth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-537. Raymond D. Georges et al., appellants, *v.* Eva M. McClellan and Berta Phillips. Appeal from the United States District Court for the District of Rhode Island. Motion of appellees for leave to proceed *in forma pauperis* granted. Motion of Rhode Island Consumers' Council for leave to file a brief, as *amicus curiae*, granted. Judgments affirmed.

No. 72-669. Smith's Transfer Corporation, appellant, *v.* United States et al. Appeal from the United States District Court for the Western District of Virginia. Judgment affirmed. Mr. Justice Douglas and Mr. Justice Rehnquist would note probable jurisdiction and set case for oral argument.

No. 72-687. McLean Trucking Company, appellant, *v.* United States et al. Appeal from the United States District Court for the Middle District of North Carolina. Judgment affirmed. Mr. Justice Douglas and Mr. Justice Rehnquist would note probable jurisdiction and set case for oral argument.

No. 72-749. Sunset Amusement Co. et al., appellants, *v.* Board of Police Commissioners of the City of Los Angeles. Appeal from the Supreme Court of California. The appeal is dismissed for want of a substantial federal question.

No. 72-5471. Lawrence Fuchs, appellant, *v.* Dorn Silvester. Appeal from the Court of Appeals of New York. The appeal is dismissed for want of a substantial federal question.

#### CERTIORARI—SUMMARY DISPOSITION

No. 72-5293. Albert H. Carter, petitioner, *v.* United States Court of Appeals for the Fifth Circuit. Motion for leave to file petition for writ of mandamus denied. Motion for leave to proceed *in forma pauperis* granted. Treating the papers submitted as a petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit, certiorari granted and case remanded to the Court of Appeals for further consideration in light of the memorandum for respondent filed by the Solicitor General in this Court on December 19, 1972.

No. 72-5391. D. W. Jackson, petitioner, *v.* Georgia. On petition for writ of certiorari to the Supreme Court of Georgia. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated, insofar as it leaves undisturbed the death penalty imposed, and case remanded to the Supreme Court of Georgia for further consideration in light of *Stewart v. Massachusetts*, 408 U.S. 845 (1972).

## ORDERS IN PENDING CASES

No. 40, **Original**. Commonwealth of Pennsylvania, plaintiff, *v.* State of New York, et al. The supplemental report of the Special Master is received and ordered filed. Exceptions, with supporting briefs, may be filed within thirty days.

No. 70-35. T. Edward Austin, etc., et al., appellants, *v.* Russ Meyer et al. The motion of appellants to reinstate the stay heretofore vacated by order of this Court on June 26, 1972, is denied. Mr. Justice Douglas took no part in the consideration or decision of this motion.

No. 71-1031. Leonard Tonasket, appellant, *v.* Washington et al. The motion of appellant for order requiring briefs upon the issue of jurisdiction is denied.

No. 71-1553. John J. Gilligan, Governor of Ohio, et al., petitioners, *v.* Craig Morgan et al. The motion of the Law Revision Center for leave to file a brief, as *amicus curiae*, is granted.

No. 71-1694. Sharron A. Frontiero and Joseph Frontiero, appellants, *v.* Melvin R. Laird, Secretary of Defense, et al. The motion of appellants to divide oral argument is granted.

No. 71-6732. James Chaffin, petitioner, *v.* LeRoy Stynchcombe, Sheriff of Fulton County. The motion of petitioner for the appointment of counsel is granted, and it is ordered that Glenn Zell, Esquire, of Atlanta, Georgia, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

No. 72-5410. Richard Black, petitioner, *v.* United States. The respondent is requested to file a response to the motion for leave to file petition for rehearing within thirty days.

## APPEALS—JURISDICTION NOTED

No. 72-792. New York State Department of Social Services et al., appellants, *v.* Dolores Dublino et al., and

No. 72-802. Onondaga County Department of Social Services et al., appellants, *v.* Dolores Dublino et al. Appeals from the United States District Court for the Western District of New York. Motion of appellees for leave to proceed *in forma pauperis* granted. In these cases further consideration of the question of jurisdiction postponed to the hearing of the cases on the merits. Cases consolidated and a total of one hour allotted for oral argument.

## CERTIORARI GRANTED

No. 71-1182. Raymond Mattz, petitioner, *v.* G. Raymond Arnett, etc. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, granted.

No. 72-549. School Board of the City of Richmond, Virginia, et al., petitioners, *v.* State Board of Education of the Commonwealth of Virginia et al.; and

No. 72-550. Carolyn Bradley et al., petitioners, *v.* State Board of Education of the Commonwealth of Virginia et al. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit granted. Case consolidated and a total of one hour allotted for oral argument. Mr. Justice Powell took no part in the consideration or decision of these petitions.

No. 72-606. Oklahoma, petitioner, *v.* Archie L. Mason and Margaret R. Mason, etc., et al.; and

No. 72-654. United States, petitioner, *v.* Archie L. Mason et al. Petitions for writs of certiorari to the United States Court of Claims granted. Cases consolidated and a total of one hour allotted for oral argument.

No. 72-804. William D. Ruckelshaus, Administrator of the Environmental Protection Agency, petitioner, *v.* Sierra Club et al. Motion of Utah Power & Light Company for leave to file a brief, as *amicus curiae*, granted. Motion of the Chamber of Commerce of the United States for leave to file a brief, as *amicus curiae*, granted. Motion of The American Mining Congress for leave to file a brief, as *amicus curiae*, granted. Motion of the State of Arizona et al., for leave to file a brief, as *amici curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

#### CERTIORARI DENIED

No. 72-560. First National Bank of Fairbanks, petitioner, *v.* William B. Camp, Comptroller of the Currency of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-627. Brezina Construction Co., Inc. and Nielsen Scott Co., Inc., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-641. Western International Hotels Company, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-673. Getty Oil Company (Eastern Operations), Inc., petitioner, *v.* William D. Ruckelshaus, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **72-685**. John Patrick Flannery, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-696**. Kenneth T. Bosley et ux., petitioners, *v.* Atlantic Seaboard Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **72-712**. John Paul Jones and Ruth J. Rubel Jones, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **72-727**. Alfonso J. Cervantes, petitioner, *v.* Time, Inc. and Denny Walsh. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **72-729**. Esther S. Frankel, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. **72-733**. Michigan National Bank, petitioner, *v.* Superior Court of California, County of Contra Costa. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. **72-742**. First National Bank at Lubbock, Trustee, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-754**. Curtis B. Danning, etc., et al., petitioners, *v.* Brunswick Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-760**. Joseph F. Knoll et al., petitioners, *v.* Phoenix Steel Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **72-765**. Byron Morton Miller, petitioner, *v.* Board of Law Examiners, State of Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Middle Division, denied.

No. **72-778**. Kathleen K. Wilkin, petitioner, *v.* Sunbeam Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **72-5195**. Bailey M. Smith, petitioner, *v.* Supreme Court of Oklahoma. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **72-5283**. Lee Holden Parker, petitioner, *v.* Harold R. Swenson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5311. Joseph Carl Brown, petitioner, *v.* James Wymard et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5322. Angel Ramos Hinojos, petitioner, *v.* William G. Black, Superintendent, California Conservation Center. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5371. John Wiley, petitioner, *v.* Walter T. Stone, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5426. Robert Edson Kahinu, petitioner, *v.* Hawaii. Petition for writ of certiorari to the Supreme Court of Hawaii denied.

No. 72-5441. Tommy English Bryant, petitioner, *v.* Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5470. Gabriel Castaneda, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 72-5501. Billy Gwinn Burkheart, petitioner, *v.* A. E. Gomes, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5582. James Albert Driver, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5597. Billie Shups Pollard et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5605. Horace Durant, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 72-5624. John D. Bauguess, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5626. Alfred Leftwich, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5627. Harry Kelly, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5634. Philip Michael Ayala, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5636. Thomas Franklin Boyd, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5644. John Charles Sidman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5651. Ralph Borelli, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5656. Eugene Michael Peters, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5658. Moises Cantu, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5660. Robert C. Kochel, petitioner, *v.* Theodore R. McKeldin, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5666. Matthew Ottomano, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-5674. R. W. Agnew, petitioner, *v.* L. Pearl Damner. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 72-5678. Norman N. Ferrell, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5679. Jimmy Lee Jackson, petitioner, *v.* W. J. Estelle, Director, Texas Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5680. Lorenzo Quinones-Alvarado, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5701. Harry Broussard, petitioner, *v.* C. Murray Henderson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5710. Peggy Sanders et al., petitioners, *v.* George K. Wyman et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.



No. **72-5716**. John C. Bennett, petitioner, *v.* United States Director of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **72-5722**. Lawrence Lee Carter, petitioner, *v.* A. E. Slayton, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **72-5723**. Richard Ford, petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. **72-5731**. Princess E. L. Lingham, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **72-5735**. Juergen Stengel, petitioner, *v.* City of Anaheim, County of Orange, et al. Petition for writ of certiorari to the Court of Appeals of California, Fourth Appellate District, denied.

No. **72-5736**. Billy Barnes Smith, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. **71-6893**. J. D. Gilson, petitioner, *v.* Marvin Macklin, Sheriff. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-410**. Timothy Craig Brooks, petitioner, *v.* Georgia. Petition for writ of certiorari to the Court of Appeals of Georgia denied. Mr. Justice Douglas would grant certiorari.

No. **72-737**. Paul Weiss, petitioner, *v.* Michael Walsh et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-5467**. Roger Jay Kleir, petitioner, *v.* Louie L. Wainwright, Director, Division of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-5617**. Ronald W. Jordan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-5643**. Willie D. Wren, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-5669**. Eddie Willie Taylor, petitioner, *v.* Arizona et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5694. Fransetta Graham, mother and natural guardian of Sharon Kay Graham, et al., petitioners, *v.* Bert W. Jones et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5743. Charles W. Hale and Jack B. Tisdale, petitioners, *v.* South Dakota. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5746. Rendell Noel Mabey, Jr., and Edward P. Dutton, petitioners, *v.* Ronald Reagan et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-386. Wilburn Jerome Gerberding, petitioner, *v.* Harold R. Swenson, Warden. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-699. S. I. Hayakawa, etc., et al., petitioners, *v.* Mason Wong et al. Motion of respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-790. Alabama and W. S. Furlow, Warden, petitioners, *v.* William G. Brinks. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-703. Showkat Hay et vir., petitioners *v.* Charles Hollis et al. Motion to dispense with printing petition and motion of respondent Hollis to dispense with printing brief granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5099. Jerrel Earl DuBose, petitioner, *v.* Walter E. Craven, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Stewart would grant certiorari, vacate judgment and remand to the United States District Court for the Southern District of California to hold a hearing on petitioner's claim.

No. 72-5724. Paul E. Rhodes, petitioner, *v.* Nebraska, etc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

## LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 72-5372. Glenn Lucas, petitioner, *v.* Wyoming et al. Motion for leave to file petition for writ of habeas corpus denied.

## REHEARINGS DENIED

No. 72-239. Harriott H. Childs, petitioner, *v.* United States;

No. 72-5020. John R. Gay, petitioner, *v.* License Branch, Real Estate Commission of the District of Columbia;

No. 72-5082. Bernard G. Woche, petitioner, *v.* Los Angeles City School District, etc.;

No. 72-5350. Johnny B. Dapper, petitioner, *v.* J. Robert O'Connor et al.;

No. 72-5415. Donald C. Wilson, petitioner, *v.* Burton A. Scott, Kenosha County District Attorney, et al.; and

No. 72-5495. John Columbus Dalton, Jr., petitioner, *v.* United States. Petitions for rehearing denied.

No. 71-1478. Arthur Falkner et ux., appellants, *v.* Wilfred Pas-trano et ux.; and

No. 72-463. Maurice L. Silver, petitioner, *v.* Castle Memorial Hos-pital et al. Motions to dispense with printing petitions granted. Peti-tions for rehearing denied.

## ASSIGNMENT ORDER

An order of the Chief Justice designating and assigning Mr. Justice Clark (Retired) to perform judicial duties in the United States Court of Customs and Patent Appeals for the period January 8 and 9, 1973, and for such further time as may be required to complete unfinished business, pursuant to 28 U.S.C. § 294 (a), is ordered entered on the minutes of this Court, pursuant to 28 U.S.C. § 295.

## RECESS ORDER

The Court will take a recess from Monday, January 22, 1973, until Tuesday February 20, 1973.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movan</u>
Donald B. Allen	New York, N.Y.	Benjamin E. Haller.
William Henry Allyn, Jr.	Columbus, Ohio	John Scott Phillips.
Alexander Anolik	San Francisco, Calif.	Nathan Cohn.
Barry Asness	New York, N.Y.	Albert J. Krieger.
Charles Frank Bagley III	Huntington, W. Va.	Ellis Irvin Kahn.
Victor Terrazas Barrera	Los Angeles, Calif.	Francis B. Toler, Jr.
Richard T. Bennett	Clinton, Miss.	William S. Henley.
Jesse Berman	New York, N.Y.	Lewis M. Steel.
Helene Zogg Boetticher (Mrs.)	Rockville, Md.	William Warfield Ross.
David Breitbart	New York, N.Y.	Albert J. Krieger.
James Ross Brindell	Tallahassee, Fla.	Kenneth Frank Hoffman.
Julian Albert Bryant, Jr.	Richmond, Va.	Ellis Irvin Kahn.
Anthony J. Capritto	New Orleans, La.	Howard W. Lenfant.
Philip Thomas Carter	Lansing, Mich.	Lawrence B. Lindemer.
Charles M. Chaney	Mayfield, Ky.	Farland Robbins.
Joel J. Cohen	New York, N.Y.	Henry L. King.
John J. Corcoran	Washington, D.C.	William G. Malone.
William F. Cottrell	Chicago, Ill.	Richard M. Freeman.
Joe Fred Crabb	Houston, Tex.	Thomas H. Routt.
James Landon Crowder	Lawrenceburg, Tenn.	William Edward Higgins.
John J. Cummings III	New Orleans, La.	Samuel C. Gainsburgh.
Edward Dwight David	Newport News, Va.	Franklin O. Blechman.
Edward H. Duggan, Jr.	New York, N.Y.	Eli Ellis.
Dwight F. Fanton	Bridgeport, Conn.	Dion W. Moore.
Alexander R. Field	Meadville, Pa.	John S. Wellington.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard B. Foster	Lansing, Mich.	Lawrence B. Lindemer.
Joseph V. Gartlan, Jr. David Gelband	Washington, D.C. New Providence, N.J.	Lipman Redman. Jerrold D. Goldstein.
Judith A. Gordon (Mrs.) Martin L. Gross	New York, N.Y. Concord, N.H.	Max H. Margolis. Irving Henry Soden.
Thomas J. Gundlach	San Francisco, Calif.	John P. Frank.
Bertram S. Halberstadt	Wilmington, Del.	William J. Wier, Jr.
Robert Edwin Harrison	Fort Knox, Ky.	Leonard Stanley Chauvin, Jr.
Sheldon Joseph Hauck John L. Hiller	Washington, D.C. Mineola, N.Y.	Wesley G. Hall. Robert C. Alexander.
John Robert Hillis M. Blaine Hofeling	Logansport, Ind. Salt Lake City, Utah	Robert S. Justice. Sidney G. Baucom.
Philip Hoffman	Beverly Hills, Calif.	Mrs. Gilda Cohen.
Allen Bruce Hoppe	Greenville, S.C.	Harold W. Gardner.
David Lewis Jackson	Helena, Mont.	Forrest H. Anderson.
Lowell Douglass Johnston	San Francisco, Calif.	Jack Greenberg.
Samuel R. Jones	Waco, Tex.	Charles A. Youts.
G. Robert Kane	San Mateo, Calif.	Ramon Seraphin Lelli.
Paul J. Kaufman	Charleston, W. Va.	Gerald M. Stern.
John W. Kearns	Miami, Fla.	Parker Davidson Thomson.
Patrick A. Keenan	Chicago, Ill.	Melvin Bert Goldberg.
Stanley W. W. Kesselman	Beverly Hills, Calif.	Jay G. Foonberg.
Lewis Stephen Kimler	Miami, Fla.	Edward D. Cowart.
Gerald K. Kita	Washington, D.C.	William J. Keating.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Paul F. Kortepeter	Indianapolis, Ind.	Robert William Geddes.
William Cleaton Lewis, Jr.	Miami, Fla.	William C. Lewis.
Thomas Alan Lifland	New York, N.Y.	Robert D. Joyce.
Larry Wayne Lindeen	Houston, Tex.	Sol. Gen. Erwin N. Griswold.
Evelyn Marlin Lord (Mrs.)	Louisville, Ky.	Leonard Stanley Chauvin, Jr.
William Watkins Merriman III	Raleigh, N.C.	Wade M. Smith.
Edward B. Miller	Washington, D.C.	Peter G. Nash.
Benjamin Clark McMinn	Little Rock, Ark.	Donald Pat Moran.
Lawrence B. Mink	Newark, N.J.	William L. Greenbaum.
Stewart Alan Mintzer	Los Angeles, Calif.	Gerald Goldman.
Mitchell David Moore	Osceola, Ark.	James E. Hyatt, Jr.
John Steven Moraites	Cincinnati, Ohio	George L. Buttafoco.
Thomas R. Moran	Atlanta, Ga.	Daniel Duke.
Michael Arthur Moriarty	Houston, Tex.	George E. Pletcher.
Ronald John Mulcare	Burlingame, Calif.	Jess Stonestreet Jackson, Jr.
John Stephen Narmont	Springfield, Ill.	Alfred F. Newkirk.
Edward Squier Neal	Indianapolis, Ind.	Theodore Lorraine Sendak.
Ronald G. Neubauer	Seattle, Wash.	Thomas H. S. Brucker.
Susan Guggenheim Oakes (Miss.)	New York, N.Y.	John J. Graubard.
Jan J. Piper	St. Petersburg, Fla.	Frank M. Harris.
Joe M. Ragland	Philadelphia, Miss.	Robert Edwin Kendrick.
Jordon Brian Reich	Milwaukee, Wis.	Warren J. Kenney.
Gerald Decatur Robertson	Newport News, Va.	Franklin O. Blechman.
James Henry Robinson	Fairfield, Calif.	Robert L. Leggett.
R. Clark Robinson	St. Petersburg, Fla.	Frank M. Harris.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert St. John Roper	Washington, D.C.	William Walbridge Greenhalgh.
Bill E. Ross	Blytheville, Ark.	James W. Steinsiek.
Charles W. Rowland, Jr.	Dallas, Tex.	Harold M. Slaughter.
James H. Russell, Jr.	Santa Fe, N. Mex.	David L. Norvell.
Lawrence Sager	Pottstown, Pa.	Abraham E. Freedman.
Howard Fredrick Scott	Miami, Fla.	John Burns Hausner.
Conway Howard Shield III	Newport News, Va.	Franklin O. Blechman.
James McLelland Smith	New York, N.Y.	John F. Cannon.
Norman Douglas Smith	Lakewood, N.J.	Charles E. Starkey.
Joe Pate Smyer	San Antonio, Tex.	Paul H. Smith.
Martin S. Snitow	New York, N.Y.	Benjamin S. Rosenthal.
M. David Stirling	La Habra, Calif.	Alexander Downie Thomson.
Raymond Harvey Suttle	Newport News, Va.	Franklin O. Blechman.
Ronald Tanet	New Orleans, La.	John R. Martzell.
Marty Wayne Kendall Taylor	Foster City, Calif.	Ramon Seraphin Lelli.
Alvin Sheldon Tobias	Inglewood, Calif.	C. David Serena.
Paul H. Tobias	Cincinnati, Ohio	Jerome Goldman.
William Joseph Turner	Burlingame, Calif.	Jess Stonestreet Jackson, Jr.
Michael R. Walsh	Orlando, Fla.	Thomas R. Allen.
E. John Wherry, Jr.	Trenton, N.J.	Peter Fless, Jr.
John H. Witmer, Jr.	Washington, D.C.	Richard J. Flynn.
James W. Zion	Barkhamsted, Conn.	Dwight Owen Schweitzer.

## ADMISSION TO THE BAR ON ORAL MOTION

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Jacob Rhodes III	Mesa, Ariz.	John J. Rhodes.

## ORAL ARGUMENT

No. 71-685. Robert J. Lehnhausen, petitioner, *v.* Lake Shore Auto Parts Co. et al.; and

No. 71-691. Edward J. Barrett, County Clerk of Cook County, Illinois, et al., petitioners, *v.* Clemens K. Shapiro et al. Argued by Mr. William J. Scott for the petitioner in No. 71-685 and by Mr. Aubrey F. Kaplan for the petitioners in No. 71-691, by Mr. Arnold M. Flamm for the respondents in No. 71-685 and by Mr. Louis L. Biro for the respondents in No. 71-691.

No. 71-1021. Employees of the Department of Public Health & Welfare, State of Missouri, et al., petitioners, *v.* Department of Public Health & Welfare, State of Missouri, et al. One and one half hours allowed for oral argument. Argued by Mr. A. L. Zwerdling for the petitioners, by Mr. Lawrence G. Wallace for the United States, as *amicus curiae*, by special leave of Court, and by Mr. Charles Allen Blackmar for the respondents.

No. 71-1428. Kirby J. Hensley, petitioner, *v.* Municipal Court, San Jose-Milpitas Judicial District, Santa Clara County, State of California. Argued by Mr. Stanley A. Bass for the petitioner and by Mr. Dennis Alan Lempert for the respondent.

No. 71-1459. United States, petitioner, *v.* Little Lake Misere Land Company, Inc., et al. Argument commenced by Mr. William Bradford Reynolds for the petitioner and continued by Mr. Austin W. Lewis for the respondents.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

Applicant	City and State	Movant
Eric Bruce Marcy	Washington, D.C.	Judge Leonard P. Walsh.
Robert P. Lawry	Pittsburgh, Pa.	Frank L. Seamans.

### OPINIONS

No. 71-559. United States, petitioner, *v.* Chester Fuller et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rehnquist. Dissenting opinion by Mr. Justice Powell with whom Mr. Justice Douglas, Mr. Justice Brennan, and Mr. Justice Marshall join.

No. 71-6272. Samuel Ed Robinson, petitioner, *v.* William S. Neil, Warden. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment vacated and case remanded to the Court of Appeals so that respondent may have an opportunity to present this issue there or in the District Court. Opinion by Mr. Justice Rehnquist. Concurring opinion by Mr. Justice Brennan with whom Mr. Justice Douglas and Mr. Justice Marshall join.

No. 71-951. Almota Farmers Elevator and Warehouse Company, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Concurring opinion by Mr. Justice Powell. Dissenting opinion by Mr. Justice Rehnquist with whom Mr. Chief Justice Burger, Mr. Justice White and Mr. Justice Blackmun join.

## ORAL ARGUMENT

No. 71-1459. United States, petitioner, *v.* Little Lake Misere Land Company, Inc., et al. Argument continued by Mr. Austin W. Lewis for the respondents and concluded by Mr. William Bradford Reynolds for the petitioner.

No. 71-1598. James D. Hodgson, Secretary of Labor, petitioner, *v.* Arnheim and Neely, Inc., et al. Argued by Mr. Andrew L. Frey for the petitioner, by Mr. Eugene B. Strassburger, Jr., for the respondent Arnheim and Neely, Inc., and by Mr. Frank L. Seamans for the respondent Institute of Real Estate Management.

No. 71-1665. United States, petitioner, *v.* Douglas B. Cartwright, as Executor of the Estate of Ethel B. Bennett. Argued by Mr. Solicitor General Erwin N. Griswold for the petitioner and by Mr. Ralph J. Gregg for the respondent.

No. 71-1698. United States, petitioner, *v.* Cecil J. Bishop, Argued by Mr. Richard B. Stone for the petitioner and by Mr. J. Richard Johnston for the respondent.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## OPINIONS

No. 71-5139. Gene Ham, petitioner, *v.* South Carolina. On writ of certiorari to the Supreme Court of South Carolina. Judgment reversed and case remanded to the Supreme Court of South Carolina for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Rehnquist. Opinion by Mr. Justice Douglas concurring in part and dissenting in part. Opinion by Mr. Justice Marshall concurring in part and dissenting in part.

No. 71-6316. Andrew C. Goosby et al., petitioners, *v.* Maurice Osser et al. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brennan.

No. 71-575. Linda Gomez, individually and as next friend of Zoraida Gomez, appellant, *v.* Francisco Ocasio Perez. Appeal from the Court of Civil Appeals of Texas, Fourth Supreme Judicial District. Judgment reversed and case remanded to the Court of Civil Appeals of Texas, Fourth Supreme Judicial District, for further proceedings not inconsistent with the opinion of this Court. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Rehnquist joins. Opinion *per curiam* announced by Mr. Chief Justice Burger.

No. 71-1119. Indiana Employment Security Division et al., appellants, *v.* Essie D. Burney. Appeal from the United States District Court for the Northern District of Indiana. Judgment vacated and case remanded to the United States District Court for the Northern District of Indiana to consider whether the case has become moot. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Brennan joins. Opinion *per curiam* announced by Mr. Chief Justice Burger.

## ORAL ARGUMENT

No. 71-1442. Roland V. Colgrove, petitioner, *v.* James F. Battin, United States District Judge for the District of Montana. Argued by Mr. Lloyd J. Skedd for the petitioner and by Mr. Gale Crowley for the respondent.

No. 71-6698. Marion P. Morris, on behalf of Linda Morris, petitioner, *v.* Elliot L. Richardson, Secretary of Health, Education, and Welfare. Argued by Mr. E. R. McClelland for the petitioner and by Mr. Walter H. Fleischer for the respondent.

No. 71-6742. Felipe Juarez Hurtado et al., petitioners, *v.* United States. Argued by Mr. Albert Armendariz, Sr., for the petitioners and by Mr. Solicitor General Erwin N. Griswold for the respondent.

No. 71-1694. Sharron A. Frontiero and Joseph Frontiero, appellants, *v.* Melvin R. Laird, Secretary of Defense, et al. Argued by Mr. Joseph J. Levin, Jr., for the appellants and Mrs. Ruth B. Ginsburg for the American Civil Liberties Union, as *amicus curiae*, by special leave of Court, and by Mr. Samuel Huntington for the appellees.

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Adjourned until Saturday, January 20, 1973, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

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The Court convened and the Chief Justice announced that the Court will take a recess to attend the inauguration of the President of the United States.

The oath of office was administered to the Honorable Richard Milhous Nixon as President of the United States by the Chief Justice.

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The Clerk adjourned the Court until Monday, January 22, 1973, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## OPINION PER CURIAM

No. 72-438. United States, petitioner, *v.* Edward G. Chandler and Esther F. Born, etc. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Petition for writ of certiorari granted, judgment reversed, and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*.

## APPEALS—SUMMARY DISPOSITION

No. 72-524. Maryland People's Party et al., appellants, *v.* Marvin Mandel, Governor of the State of Maryland, et al. Appeal from the United States District Court for the District of Maryland. Judgment affirmed. Mr. Justice Brennan would dismiss the appeal as moot.

No. 72-638. Lake Charles American Press, appellant, *v.* Earnest Francis. Appeal from the Supreme Court of Louisiana. The appeal is dismissed for want of a substantial federal question. Mr. Justice Douglas would postpone the question of jurisdiction to a hearing of the case on the merits. Mr. Justice Brennan would dismiss the appeal for want of jurisdiction being of the view that the decision of the Louisiana Supreme Court was based on an adequate state ground.

## CERTIORARI—SUMMARY DISPOSITION

No. 72-5119. James Ross, Jr., petitioner, *v.* Massachusetts. On petition for writ of certiorari to the Supreme Judicial Court of Massachusetts. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Supreme Judicial Court of Massachusetts for further consideration in light of *Ham v. South Carolina*, — U.S. — (1973).

## ORDERS IN PENDING CASES

**No. 59, Original.** United States of America, plaintiff, *v.* States of Nevada and California. The motion of Association on American Indian Affairs, Inc., for leave to file a brief, as *amicus curiae*, in support of the motion for leave to file bill of complaint, is granted. The motion for leave to file a bill of complaint is set for oral argument in due course.

**No. A-570.** Carl Wayne Fuller, applicant, *v.* Michigan; and

**No. A-634.** Michael Marion et al., applicants, *v.* United States. The applications for bail presented to Mr. Justice Douglas and by him referred to the Court, are denied.

**No. A-674.** B.P.O.E. Lodge No. 2043 of Brunswick et al., applicants *v.* Keith Ingraham et al. The application for a stay of the mandate of the Supreme Judicial Court of Maine presented to Mr. Justice Rehnquist, and by him referred to the Court, is granted.

**No. A-740.** James Grit et al., applicants, *v.* Benson A. Wolman et al. The application for a stay of the judgment of the United States District Court for the Southern District of Ohio presented to Mr. Justice Stewart, and by him referred to the Court, is denied.

**No. A-762.** Maurice Sigler, Chairman of the Board of Parole, United States Department of Justice, et al., applicants, *v.* Phillip Berrigan et al. The application for stay, presented to the Chief Justice, and by him referred to the Court, is granted. Dissenting opinion by Mr. Justice Douglas.

**No. 71-224.** Harold R. Swenson, Warden, petitioner, *v.* James William Stidham. The motion of the respondent to modify this Court's opinion is hereby granted. The penultimate paragraph of the opinion is amended by striking the sentence reading—"Neither the District Court nor the Court of Appeals reached this issue." and substituting therefor the following: "The Court of Appeals did not reach this issue."

**No. 72-147.** Bob Bullock et al., appellants, *v.* Diana Register et al. The motion of appellees for additional time and for permission for more than one counsel to argue is granted. Fifteen additional minutes are allotted to both the appellees and the appellants for that purpose.

**No. 72-214.** The Atchison, Topeka and Santa Fe Railway Company, et al., appellants, *v.* The Wichita Board of Trade et al.; and

**No. 72-433.** Interstate Commerce Commission, appellant, *v.* Wichita Board of Trade. The motion of appellants for additional time for oral argument and for two counsel to argue is granted. Five additional minutes are allotted to both the appellants and the appellees for that purpose.

No. 72-434. Robert M. Byrn, guardian ad litem for infant Roe, etc., appellant, *v.* New York City Health & Hospitals Corporation et al. The application for a temporary restraining order presented to the Chief Justice, and by him referred to the Court, is denied.

No. 72-630. Paul Hall, etc., et al., petitioners, *v.* John Cole. The motion to dismiss the writ as improvidently granted is denied. Mr. Justice Marshall took no part in the consideration or decision of this motion.

No. 72-917. Saul Turnof, petitioner, *v.* United States. The application for a stay of the judgment of conviction of the United States District Court for the Southern District of New York presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. 72-977. Hulan E. Jack, petitioner, *v.* United States. The application for a stay of the judgment of the United States Court of Appeals for the Second Circuit presented to Mr. Justice Blackmun and by him referred to the Court, is denied. Mr. Justice Marshall took no part in the consideration or decision of this application.

No. 72-5323. Francis A. Keeble, petitioner, *v.* United States. The motion of William J. Janklow, Esquire, to permit Mark V. Meierhenry, Esquire, to argue, *pro hac vice*, on behalf of the petitioner, is granted.

No. D-3. In Matter of the Disbarment of Sidney Konigsberg. It having been reported to this Court that Sidney Konigsberg of New York, New York, has been disbarred from the practice of law in all the Courts of the State of New York, and this Court by order of November 6, 1972, having suspended the said Sidney Konigsberg from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent and that the time within which to file a return has expired;

It is ordered that the said Sidney Konigsberg be, and he is hereby, disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

No. D-6. In Matter of the Disbarment of Daniel D. Yudow. It having been reported to this Court that Daniel D. Yudow of New York, New York, has been disbarred from the practice of law in all of the Courts of the State of New York and this Court by order of November 6, 1972, having suspended the said Daniel D. Yudow from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;



And it appearing that the said rule was duly issued and served upon the respondent and that the time within which to file a return has expired;

It is ordered that the said Daniel D. Yudow be, and he is hereby, disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

**No. D-7.** In Matter of the Disbarment of Benjamin B. Scherman. It having been reported to this Court that Benjamin B. Scherman of New York, New York, has been disbarred from the practice of law in all of the Courts of the State of New York and this Court by order of November 6, 1972, having suspended the said Benjamin B. Scherman from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred;

And it appearing that the said rule was duly issued and served upon the respondent and that the time within which to file a return has expired;

It is ordered that the said Benjamin B. Scherman be, and he is hereby, disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

#### APPEALS—JURISDICTION NOTED

**No. 72-459.** Grace Sloan, as State Treasurer of the Commonwealth of Pennsylvania, et al., appellants, *v.* Alton J. Lemon et al.; and

**No. 72-620.** Henry E. Crouter, appellant, *v.* Alton J. Lemon et al. Appeals from the United States District Court for the Eastern District of Pennsylvania. In these cases probable jurisdiction noted. Cases consolidated and a total of one hour allotted for oral argument, and to be argued immediately following consolidated cases Nos. 72-694, 72-753, 72-791 and 72-929.

**No. 72-694.** Committee for Public Education and Religious Liberty et al., appellants, *v.* Ewald B. Nyquist, as Commissioner of Education of the State of New York, et al.;

**No. 72-753.** Warren M. Anderson, as Majority Leader and President Pro Tem of the New York State Senate, appellant, *v.* Committee for Public Education and Religious Liberty et al.;

**No. 72-791.** Ewald B. Nyquist, as Commissioner of Education of the State of New York, et al., appellants, *v.* Committee for Public Education and Religious Liberty, et al.; and

**No. 72-929.** Priscilla L. Cherry et al., appellants, *v.* Committee for Public Education and Religious Liberty et al. Appeals from the United States District Court for the Southern District of New York.

In these cases probable jurisdiction noted. Cases consolidated and a total of two hours allotted for oral argument.

#### CERTIORARI GRANTED

No. 72-312. Merrill Lynch, Pierce, Fenner & Smith, Inc., petitioner, *v.* David Ware et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, granted.

No. 72-822. The Renegotiation Board, petitioner, *v.* Bannercraft Clothing Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 72-397. Bonelli Cattle Company et al., petitioners, *v.* Arizona et al. Petition for writ of certiorari to the Supreme Court of Arizona granted. Mr. Justice Rehnquist took no part in the consideration or decision of this petition.

#### CERTIORARI DENIED

No. 71-1097. George S. Yumich and Philip Steven Shear, etc., petitioners, *v.* City of Chicago; and

No. 71-1098. City of Chicago, petitioner, *v.* George S. Yumich and Philip Steven Shear, etc. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 71-5991. Cleveland Louis Sellers, Jr., petitioner, *v.* South Carolina. Petition for writ of certiorari to the Supreme Court of South Carolina denied.

No. 72-480. Lawrence A. Ridgeway, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Montgomery County, denied.

No. 72-511. California, petitioner, *v.* Edgar A. Hills, Jr. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of San Francisco, denied.

No. 72-647. California, petitioner, *v.* Leslie Foreman. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Los Angeles, denied.

No. 72-675. Alton R. Brown, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-681. Henry Ernst, petitioner, *v.* United States. Petitioner for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-692. William Vito Dentamaro and Phillip Waggenheim, petitioners, *v.* United States;

No. 72-693. David Robert Iacovetti, petitioner, *v.* United States; and

No. 72-5659. Robert Cardillo, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-701. Capers G. Barr, Jr., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-704. James Arthur Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-705. First State Bank of Crossett, Arkansas, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-708. Manuel Noa and Rene A. Rosquette, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-710. Citizens of Indianapolis for Quality Schools, Inc., et al., petitioners *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-717. Joseph Charles Bonanno, Jr. and Salvatore Vincent Bonanno, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-720. William H. Blackwell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-721. Luis Disla, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-726. Local 1291, International Longshoremen's Association, petitioner, *v.* James Hodgson, Secretary of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-736. Jack Miller, aka Charles Muller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-741. My Store, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-755. Jack W. Tripp, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-756. Bernard Screen Printing Corporation, petitioner, *v.* Universal Terminal & Stevedoring Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-767. Buddies Supermarkets, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-771. Phoenix Mutual Life Insurance Company, petitioner, *v.* David N. Montague, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-799. Jesse Alexander Eller et al., petitioners, *v.* Board of Education of Prince George's County et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-821. Diane Peacock, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 72-834. Roy Hubbard, et al., petitioners, *v.* Jim Ammerman, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5218. Mayo M. Goff, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Term of the Supreme Court of New York, Second and Eleventh Judicial Districts, denied.

No. 72-5368. Melvin Leroy Tyler, petitioner, *v.* Alphonzo Lark, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5381. Frederick D. Horsley, Jr., petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 72-5434. Sidney Hinton, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 72-5453. Samuel Nick Moore, petitioner, *v.* V. Lee Bounds, Commissioner of Corrections, etc. Petition for writ or certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5464. Lorenzo Richardson, petitioner, *v.* Alfred T. Rundle, Superintendent, State Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5469. James Raymond Peterson, petitioner, *v.* A. E. Slayton, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5542. Glafiro C. Santellanes, petitioner, *v.* United States; and

No. 72-5657. Juan Lionel Tellez, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5622. Samuel E. Nichols, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5630. Willie McIntyre and Clifton Franklin, petitioners *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5639. Salvador Mazatini, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5652. Ruben Melendez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5668. Carroll Garwin McFadden, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5673. William B. Trigg, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5682. Marlyn Lee Jones, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5683. Gerald Glen Boyden, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5684. Theodore Alexander Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5686. Carl Eugene DeTienne, petitioner, *v.* United States; and

No. 72-5812. Charles Henry Askins, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5692. Alfred Eugene Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5699. Charles Edward Payne, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5703. Harry Lee Dodd, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5708. Albert David O'Day, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-5714**. Keith X. Farries, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **72-5742**. Ottis Mayo Jones, petitioner, *v.* Robert L. Taylor, United States District Judge. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **72-5748**. Marlow A. Henderson, petitioner, *v.* Eastern Freightways, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **72-5749**. Samuel Young Washington, petitioner, *v.* Vincent R. Mancusi, Superintendent, Attica Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **72-5750**. William Gene Merritt, petitioner, *v.* Neil D. Fanning, et al. Petition for writ of certiorari to the United States Court of Appeals for the United States Court of Appeals for the Eighth Circuit denied.

No. **72-5755**. R. W. Agnew, petitioner, *v.* Superior Court of California, County of Riverside, et al. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. **72-5778**. Ervin Hohensee, petitioner, *v.* Commonwealth of Pennsylvania, Department of Highways. Petition for writ of certiorari to the Commonwealth Court of Pennsylvania denied.

No. **72-5782**. Ervin Hohensee, petitioner, *v.* Pennsylvania Public Utility Commission et al. Petition for writ of certiorari to the Commonwealth Court of Pennsylvania denied.

No. **72-5811**. Richard Givens Large, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Lucas County, denied.

No. **72-5823**. Alejandro Daneff, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. **72-408**. Vincent Malavarco, petitioner, *v.* United States; and

No. **72-566**. Eugene Curico, petitioner, *v.* United States. Motion to dispense with printing petition in **No. 72-566**, granted. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **72-623**. Kenneth Tierney et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting opinion by Mr. Justice Douglas.

No. 72-689. William Marvin Acree, petitioner, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-744. Joe Fierro-Soza, petitioner, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-718. Frederick Kirshnit, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-725. Robbins Tire and Rubber Company, Inc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-769. Robert M. Knuth et al., petitioners, *v.* Erie-Crawford Dairy Cooperative Association et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5538. Joaquin Castro-Castro, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5547. Percy Kills Plenty, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5645. Edward P. Sewar, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5662. Ben Hitchcock, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5665. James Wright petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5693. James Loray Johnson, petitioner *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5839. Richard Allen Johnson, petitioner, *v.* Board of Public Instruction of Dade County, Florida, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-758. United Transportation Union, petitioner *v.* Chicago & North Western Railway Company; and

No. 72-789. United Transportation Union, petitioner, *v.* Chicago & North Western Railway Company. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas and Mr. Justice Brennan would grant certiorari.

No. 72-5773. Harvey A. Marcelin, petitioner. *v.* Vincent R. Mancusi, Superintendent, Attica Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari because on reading the record and Judge Kaufman's dissent in the Court of Appeals, 462 F.2d 16, he believes a substantial question is raised whether petitioner had effective assistance of counsel in the trial for murder. *Cf. Ellis v. United States*, 356 U.S. 674, 675.

#### LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 72-5460. Candelario Palacios, petitioner, *v.* S. J. Britton, Warden; and

No. 72-5629. Irby Sprouse, Jr., petitioner, *v.* United States. Motions for leave to file petitions for writs of habeas corpus denied.

#### LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 72-5705. Jessie D. McDonald, petitioner, *v.* Chief of Police Hugh Mott et al. Motion for leave to file petition for writ of mandamus denied.

No. 72-5768. Thomas A. Penna, petitioner, *v.* Richard M. Nixon et al. Motion for leave to file petition for writ of mandamus and for other relief denied.

#### REHEARINGS DENIED

No. 71-1465. J. B. Rosenthal, petitioner, *v.* Arkansas Louisiana Finance Corporation;

No. 72-484. David E. Felland, appellant, *v.* Charlotte S. Schaefer et al.;

No. 72-589. Arthur Krause, Administrator of the Estate of Allison Krause, appellant, *v.* Ohio;

No. 72-5301. William Nugent, petitioner, *v.* United States;

No. 72-5313. Charles S. Dunk and Bella M. Dunk, petitioners, *v.* The Manufacturers Light and Heat Company;

No. 72-5408. Kenneth Jackson, petitioner, *v.* George H. Bohlinger;



No. 72-5420. Osborn Olden, petitioner, *v.* Lawrence E. Wilson, Ex-Warden, et al.; and

No. 72-5515. Hudson D. Harmon, petitioner, *v.* Elliot L. Richardson, Secretary of Health, Education, and Welfare, ~~et al.~~. Petitions for rehearing denied.

No. 71-1497. Loretta Fay Beck, petitioner, *v.* Connecticut General Life Insurance Company; and

No. 71-6873. Robert Summers Neely, Jr., petitioner, *v.* John A. Field, Jr. etc., et al. Motions for leave to file second petitions for rehearing denied.

No. 72-553. In re Terrell Schwarz, petitioner. Motion to dispense with printing petition for rehearing granted. Petition for rehearing denied.

No. 72-5223. Fred O'Clair, petitioner, *v.* United States. Motion for leave to file petition for rehearing denied.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Stanley L. Amberg	New York, N.Y.	Richard Whiting.
John A. Beaver	Phoenix, Ariz.	Charles M. Brewer.
Jack Sinclair Bender III	Topeka, Kans.	Kent Frizzell.
G. Kenneth Bernhard	Eastchester, N.Y.	Joseph Michael Grines.
Bernard Botein	New York, N.Y.	Milton Klein.
Joseph Harris Briley	Gray, Ga.	Cubbege Snow.
Cody Hamilton Brooks	Scranton, Pa.	Walter L. Hill, Jr.
Thomas B. Bryant, Jr.	Orangeburg, S.C.	Robert Mc- Cormick Figg, Jr.
Chester B. Chance	Gainesville, Fla.	William Grier Carver.
R. Benjamin Cohen	Cedar Grove, N.J.	Joseph P. Lordi.
J. Thos. Crowe	Visalia, Calif.	Daniel W. Crowe.
Dock Heard Davis	Atlanta, Ga.	William L. Harper.
Stephen Dombrink	Alameda, Calif.	Lane C. Fridell.
Ray M. Druley	Washington, D.C.	William Paul Rogers, Jr.
David Francis Dunn	Allentown, Pa.	Edward J. Zamborsky.
Homer Lee Elliott	Washington, D.C.	Matthew Joel Zinn.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David J. Erwin	Indio, Calif.	Gary Clyde Scherotter.
Jared Y. Evans	Shreveport, La.	Robert G. Pugh.
Toby Golick	New York, N.Y.	Telford Taylor.
Harold Gondelman	Pittsburgh, Pa.	Edward T. Tait.
Richard D. Grand	Tucson, Ariz.	William Leonard Berlat.
Orin Gene Grossman	Las Vegas, Nev.	Oscar Baylin Goodman.
George Grove, Jr.	Beverly Hills, Calif.	Robert Carter McDaniel.
James T. Harper	Knoxville, Tenn.	Thomas W. Phillips.
William Otto Heaton	Houston, Tex.	Wayne I. McClaskey.
James Allen Hemstreet	Easton, Pa.	Franklin Stuart Van Antwerpen.
Norris Bruce Hinsey, Jr.	San Antonio, Tex.	Earl W. Tracy, Jr.
Jack A. Hobbs	West Monroe, La.	Gilbert T. Brown, Jr.
Cyril Hochberg	Boston, Mass.	Joseph Landis.
Tany S. Hong	Wahiawa, Hawaii	Johnson H. Wong.
John C. Hoyt	Great Falls, Mont.	Charles C. Lovell.
George Douglass Humphreys	San Francisco, Calif.	Owen Jasper Ramsey III.
Thomas DeWitt Ireland	Charlotte Amalie, St. Thomas, V.I.	Charles Stanley Waggoner II.
Samuel C. Jackson	Topeka, Kans.	Charles S. Scott.
Lewis Franklin Jolly	Harrisonburg, Va.	W. W. Wharton.
Brian M. Kilgallon	Chicago, Ill.	Richard L. Curry.
Thomas Barry Kingham	New York, N.Y.	Kenneth J. Hodson.
Neal Emanuel Krucoff	Washington, D.C.	Joseph H. Sharlitt.
Daniel Irving Labowitz	Syracuse, N.Y.	Daniel Wayne Shimek.
Steven Richard Lapidus	New York, N.Y.	Jack Newton Lerner.
Joseph I. Lauer	Brooklyn, N.Y.	Joseph Halpern.
Leslie Libman	Miami, Fla.	Claude Pepper.
Ronald E. Lipetz	Riverhead, N.Y.	John Marshall Lockwood.
Donald P. Magnuson	San Diego, Calif.	Ollen Duane Woods.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Naji Philip Maloof	Upper Marlboro, Md.	Graydon S. McKee, III.
Ted R. Manry, III	Tampa, Fla.	David C. G. Kerr.
Marshall G. Martin	Albuquerque, N. Mex.	Eric D. Lanphere.
Michael D. Martin	Norman, Okla.	Larry Derryberry.
Marilyn R. Mauskopf (Mrs.)	Philadelphia, Pa.	Peter Hearn.
K. Scott McArthur	Monmouth, Oreg.	Steve Anderson.
Barbara Etelka McCluer (Miss)	San Antonio, Tex.	Robert E. Puter- baugh.
D. Biard MacGuineas	Washington, D.C.	Bennett Boskey.
John Kevin McInerney	Redwood City, Calif.	Gerald E. Ragan.
Craig A. Miller	Kalamazoo, Mich.	Bernard J. Moser.
Thomas B. Mimms, Jr.	Tampa, Fla.	David C. G. Kerr.
Paull Mines	Albuquerque, N. Mex.	Eric D. Lanphere.
Thomas E. Mooney	Lima, Ohio	Frederick D. Greco.
John Thomas Moran, Jr.	Chicago, Ill.	James J. Doherty.
Theodore Holmes Morrison	Sacramento, Calif.	Owen Jasper Ramsey III.
Douglas B. Myers	Dodge City, Kans.	James B. Pearson.
Richard Joseph Ney	Washington, D.C.	Jess Larson.
Walter Joseph O'Brien II	Chicago, Ill.	Keith F. Bode.
Stewart E. Parsons	Tallahassee, Fla.	Jon David Caminez.
John Francis Pitcher	Sarasota, Fla.	Robert P. Rosin.
Ronnie Posey	Amarillo, Tex.	Thomas James Fotheringham.
Florentino Ramirez, Jr.	Dallas, Tex.	Joe M. Kilgore.
Stephen H. Reynolds	Tampa, Fla.	R. Beavan Woodward, Jr.
Robert H. Richards III	Wilmington, Del.	Louis J. Finger.
Robert F. Rickerl	Los Angeles, Calif.	Frank De Marco, Jr.
Calvin Edward Robinson	Lincoln, Nebr.	Melvin Kent Kammerlohr.
Jonathan Samuel Rocker	Cleveland, Ohio	Niki Z. Schwartz.
Joe S. Rolston III	Oklahoma City, Okla.	Howard K. Berry, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Arthur P. Roy	Fort Collins, Colo.	John E. Bush.
Herbert B. Sachs	Pittsburgh, Pa.	Edward T. Tait.
Dieter Jurgen Schrader	Huntsville, Ala.	Robert P. Schwenn
Stephen Schwarz	Washington, D.C.	Sol. Gen. Erwin N. Griswold.
Robert Douglas Scott	Milwaukee, Wis.	Edward A. Dudek.
Harold W. Scovill	Sarasota, Fla.	Robert P. Rosin.
Edmund P. Sedivy, Jr.	Bozeman, Mont.	Cale Crowley.
Arthur John Seifert	St. Louis Park, Minn.	Warren A. Sturm.
Wayne C. Shehan	Detroit, Mich.	Charles Campbell.
Harris Sluyter	Van Nuys, Calif.	Harold Jack Ackerman.
Charles Slack Smith	Easton, Pa.	Franklin Stuart Van Antwerpen..
Michael H. Stieber	Verona, N.J.	Joseph P. Lordi.
David Jerome Taylor	Washington, D.C.	Judge Edward A. Tamm.
William Andrew Tenwick	New York, N.Y.	William R. Schroeder.
John W. Terpstra	Columbia Heights, Minn.	Charles L. Langer..
Frederic K. Upton	Concord, N.H.	Irving Henry Soden.
Kenneth Henry Vait	Washington, D.C.	William A. Imhof..
Robert Louis Van Wagoner	Reno, Nev.	Frank Cassas.
John Winfred Walker	Little Rock, Ark.	Wiley A. Branton..
Michael Manning Weeks	Los Angeles, Calif.	Lawrence Teplin.
Alan E. Weinstein	Miami, Fla.	Miss Ellen James Morphonios.
Vivian D. Wilson (Mrs.)	Hayward, Calif.	Peter E. Sitkin.
Larry David Woods	Nashville, Tenn.	Harold D. Hardin..
Thomas Gorsuch Young	Baltimore, Md.	Henry Robbins Lord.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
George O. Murray	Preston, Minn.	Solicitor General Erwin N. Griswold.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Joseph James Vetrick, Jr.	Cleveland, Ohio	Solicitor General Erwin N. Griswold.
George Miller O'Brien	Joliet, Ill.	John N. Erlen- born.
James E. Garrison	Joliet, Ill.	John N. Erlen- born.
Ernest Bernard Wintroub	Omaha, Nebr.	Alan D. McArthur.
Rolf Marcus Bondelie	San Jose, Calif.	St. John Barrett.
James Patrick Nichol	Nashville, Tenn.	Frank Calvin Ingraham.
William Donnell Young, Jr.	Nashville, Tenn.	Frank Calvin Ingraham.
Warren Lee Corbett	Nashville, Tenn.	Frank Calvin Ingraham.
E. David Doane III	Alexandria, Va.	Robert M. Mangan.
Burton Neil	West Chester, Pa.	Michael Anthony Brodie.
Joseph Vincent Aprile	Louisville, Ky.	Peter Malcolm Davenport.
John David Lanoue	North Adams, Mass.	Peter Malcolm Davenport.
Michael S. Lottman	Montgomery, Ala.	Wilmot R. Hastings.
Gary Lee Yingling	Gaithersburg, Md.	Wilmot R. Hastings.
James Paul Weissenborn	Falls Church, Va.	Wilmot R. Hast- ings.
Robert B. Lanman	Sterling, Va.	Wilmot R. Hast- ings.
Ronald B. Guttmann	Rockville, Md.	Wilmot R. Hast- ings.
David Downing White	Bowie, Md.	Wilmot R. Hast- ings.
Richard S. Silverman	Potomac, Md.	Wilmot R. Hast- ings.
Wesley W. Collins	Washington, D.C.	Wilmot R. Hast- ings.
Charles Brian McDonald	Alexandria, Va.	Wilmot R. Hast- ings.

## OPINIONS

No. 70-279. United States et al., appellants, *v.* Florida East Coast Railway Company et al. Appeal from the United States District Court for the Middle District of Florida. Judgment reversed and case remanded to the United States District Court for the Middle District of Florida so that it may consider those contentions of the parties which are not disposed of by the opinion of this Court. Opinion by Mr. Justice Rehnquist. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Stewart concurs. Mr. Justice Powell took no part in the consideration or decision of this case.

No. 70-18. Jane Roe et al., appellants, *v.* Henry Wade. Appeal from the United States District Court for the Northern District of Texas. Judgment affirmed in part and reversed in part, and case remanded to the United States District Court for the Northern District of Texas for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Blackmun. Concurring opinion by Mr. Chief Justice Burger in this case and in No. 70-40, *post*. Concurring opinion by Mr. Justice Douglas in this case and in No. 70-40, *post*. Concurring opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice White with whom Mr. Justice Rehnquist joins in this case and in No. 70-40, *post*. Dissenting opinion by Mr. Justice Rehnquist.

No. 70-40. Mary Doe et al., appellants, *v.* Arthur K. Bolton, as Attorney General of the State of Georgia, et al. Appeal from the United States District Court for the Northern District of Georgia. Judgment modified and as modified, affirmed. Opinion by Mr. Justice Blackmun. Concurring opinion by Mr. Chief Justice Burger in this case and in No. 70-18, *ante*. Concurring opinion by Mr. Justice Douglas in this case and in No. 70-18, *ante*. Dissenting opinion by Mr. Justice White with whom Mr. Justice Rehnquist joins in this case and in No. 70-18, *ante*. Dissenting opinion by Mr. Justice Rehnquist.

No. 71-666. United States, appellant, *v.* Glaxo Group Limited et al. Appeal from the United States District Court for the District of Columbia. Judgment reversed and case remanded to the United States District Court for the District of Columbia for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Rehnquist with whom Mr. Justice Stewart and Mr. Justice Blackmun concur.

No. 71-909. Environmental Protection Agency et al., petitioners, *v.* Patsy T. Mink et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment

reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Concurring opinion by Mr. Justice Stewart. Opinion by Mr. Justice Brennan with whom Mr. Justice Marshall joins concurring in part and dissenting in part. Dissenting opinion by Mr. Justice Douglas. Mr. Justice Rehnquist took no part in the consideration or decision of this case.

No. **71-229**. United States, petitioner, *v.* Antonio Dionisio. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Opinion by Mr. Justice Brennan concurring in part and dissenting in part in this case and in No. **71-850**, *post*. Dissenting opinion by Mr. Justice Douglas in this case and in No. **71-850**, *post*. Dissenting opinion by Mr. Justice Marshall in this case and in No. **71-850**, *post*.

No. **71-850**. United States, petitioner, *v.* Richard J. Mara, aka Richard J. Marasovich. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Opinion by Mr. Justice Brennan concurring in part and dissenting in part in this case and in No. **71-229**, *ante*. Dissenting opinion by Mr. Justice Douglas in this case and in No. **71-229**, *ante*. Dissenting opinion by Mr. Justice Marshall in this case and in No. **71-229**, *ante*.

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Adjourned until Tuesday, February 20, 1973, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, and Mr. Justice Rehnquist.

## ORDERS IN PENDING CASES

No. A-789. Sylvester J. Vaughns, Jr., et al., applicants, *v.* Board of Education of Prince Georges County, Maryland, et al.; and

No. A-790. Sylvester J. Vaughns, Jr., et al., applicants, *v.* Board of Education of Prince Georges County, Maryland, et al. The applications for stays presented to the Chief Justice, and by him referred to the Court, are denied. Mr. Justice Brennan, Mr. Justice Blackmun, and Mr. Justice Powell took no part in the consideration or decision of these applications.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## APPEALS—SUMMARY DISPOSITION

No. **71-6836**. Paul B. Gladden, appellant, *v.* Louisiana. Appeal from the Supreme Court of Louisiana. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. **72-5642**. Homer A. Tillman, appellant, *v.* Maryland. Appeal from the United States District Court for the District of Maryland. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. **72-719**. Non-Resident Taxpayers Association of Pennsylvania and New Jersey et al., appellants, *v.* Charles Murray, Sheriff of Philadelphia County, et al. Appeal from the United States District Court for the Eastern District of Pennsylvania. Judgment affirmed.

No. **72-886**. Charles Prigmore et al., appellants, *v.* Hugh Renfro et al. Appeal from the United States District Court for the Northern District of Alabama. Judgment affirmed.

No. **72-889**. Norman Tolpo et al., appellants, *v.* Bob Bullock, Secretary of State of Texas. Appeal from the United States District Court for the Eastern District of Texas. Judgment affirmed.

No. **72-808**. Roscoe L. Anderson, appellant, *v.* Oregon. Appeal from the Court of Appeals of Oregon. Motion to dispense with printing jurisdictional statement granted. The appeal is dismissed for want of a substantial federal question.

No. **72-811**. North Carolina Utilities Commission et al., appellants, *v.* Interstate Commerce Commission et al. Appeal from the United States District Court for the Eastern District of North Carolina. Judgment affirmed. Mr. Justice Powell took no part in the consideration or decision of this case.

No. 72-823. Ralph Nader et al., appellants, *v.* United States et al. Appeal from the United States District Court for the District of Connecticut. Judgment affirmed. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument on the issue of right of intervention.

No. 72-829. Robert D. Leggett dba Investigations, Ltd., appellant, *v.* State of Ohio Department of Commerce, Division of Licensing. Appeal from the Court of Appeals of Ohio. Hamilton County. The appeal is dismissed for want of a substantial federal question.

No. 72-902. Chester Wojtycha, appellant, *v.* New Jersey. Appeal from the Superior Court of New Jersey, Appellate Division. The appeal is dismissed for want of a substantial federal question.

No. 72-931. Paul R. Handlery et al., appellants, *v.* State of California Franchise Tax Board. Appeal from the Court of Appeal of California, First Appellate District. The appeal is dismissed for want of a substantial federal question.

No. 72-897. David Hoffman et al., appellants, *v.* City of Cincinnati. Appeal from the Supreme Court of Ohio. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument on the issue of systematic exclusion of voters between the ages of 18 and 21 from the jury.

No. 72-5789. Larry Warner and Ray Slaseman, etc., appellants, *v.* J. A. Trombetta, Director, Pennsylvania Bureau of Traffic Safety, et al. Appeal from the United States District Court for the Middle District of Pennsylvania. Judgment affirmed. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

#### ORDERS IN PENDING CASES

No. A-811. Lydia Aguayo et al., applicants, *v.* Caspar W. Weinberger, Secretary of Health, Education, and Welfare, et al. The application for a stay or writ of injunction presented to Mr. Justice Marshall, and by him referred to the Court, is denied.

No. D-9. In the Matter of the Disbarment of Seymour R. Thaler. It is ordered that Seymour R. Thaler of New York, New York, be suspended from the practice of law in this Court and that a rule issue returnable within forty days requiring him to show cause why he should not be disbarred from the practice of law in this Court.

No. 59, **Original**. United States of America, plaintiff, *v.* States of Nevada and California. The motion of Pyramid Lake Paiute Tribe of Indians for leave to participate in oral argument, as *amicus curiae*, is denied.

No. 71-1442. Roland V. Colgrove, petitioner, *v.* James F. Battin, United States District Judge for the District of Montana. The motion of California Trial Lawyers Association for leave to file a brief, as *amicus curiae*, in support of petitioner, is granted.

No. 71-1553. John J. Gilligan, Governor of Ohio, et al., petitioners, *v.* Craig Morgan et al. The motion of the petitioners to restrict the issues is denied inasmuch as the issues upon which certiorari is granted cannot be expanded by an *amicus curiae*. See Rule 23(1)(c).

No. 71-1623. Bob Bullock, etc., appellant, *v.* Dan Weiser et al. The motion of the appellees to divide oral argument is denied.

No. 72-178. Susan R. Struck, petitioner, *v.* Secretary of Defense et al. The motion for double costs is denied.

No. 72-212. Hoyt C. Cupp, Superintendent, Oregon State Penitentiary, petitioner, *v.* Daniel P. Murphy. The motion of Americans for Effective Law Enforcement, Inc., et al., for leave to file a brief, as *amici curiae*, is granted.

No. 72-535. United States and Interstate Commerce Commission, appellants, *v.* Students Challenging Regulatory Agency Procedures (S.C.R.A.P.), et al.; and

No. 72-562. Aberdeen and Rockfish Railroad Company et al., appellants, *v.* Students Challenging Regulatory Agency Procedures (S.C.R.A.P.), et al. The motion of appellee Students Challenging Regulatory Agency Procedures (S.C.R.A.P.) for leave to dispense with printing brief is granted. The motion of appellants for additional time for oral argument is granted and fifteen additional minutes are allotted for that purpose. The appellees are likewise granted fifteen additional minutes for oral argument. The motion of John F. Banzhaf, III, Esquire, to permit Peter H. Meyers, Esquire, to argue *pro hac vice* on behalf of appellee S.C.R.A.P. is granted. The motion of Philip Elman, Esquire, to permit John F. Dienelt, Esquire, to argue *pro hac vice* on behalf of appellees Environmental Defense Fund et al. is granted.

No. 72-846. B. Dale Ball, Director of the Department of Agriculture of Michigan, et al., petitioners, *v.* Armour and Company et al.;

No. 72-851. The Oneida Indian Nation of New York State et al., petitioners, *v.* The County of Oneida, New York, et al.; and

No. 72-943. Dean Fisher et al., appellants, *v.* Martin Graves et al. The Solicitor General is invited to file a brief in each of these cases expressing the views of the United States.

No. 72-770. Commissioner of Social Services of the State of New York et al. appellants, *v.* Elizabeth Linda Klein et al.; and

No. 72-803. Nassau County Medical Center et al., appellants, *v.* Elizabeth Linda Klein et al. The Solicitor General is invited to file a brief expressing the views of the United States on the statutory issue.

No. 72-1026. William S. Durham, Jr., etc., appellant, *v.* Daniel R. McLeod, as Attorney General of the State of South Carolina, et al. The motion to expedite consideration is denied.

No. 72-1126. Cleve M. Hattersley, petitioner, *v.* Texas. The application for a stay and/or recall of the mandate of the Court of Criminal Appeals of Texas presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. 72-5401. William Cason, appellant, *v.* City of Columbus, Ohio. The appellee is directed to file a response to the petition for rehearing and to the motion for leave to supplement the petition for rehearing within thirty days.

#### APPEALS—JURISDICTION NOTED

No. 72-331. Louis J. Lefkowitz et al., appellants, *v.* M. Russell Turley et al. Appeal from the United States District Court for the Western District of New York. In this case probable jurisdiction is noted.

No. 72-848. United States Department of Agriculture et al., appellants, *v.* Lula Mae Murry et al. Appeal from the United States District Court for the District of Columbia. Motion of appellees for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted.

#### CERTIORARI GRANTED

No. 72-617. Elmer Gertz, petitioner, *v.* Robert Welch, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 72-734. United States, petitioner, *v.* John P. Calandra. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

No. 72-888. H. Keith Zahn et al., petitioners, *v.* International Paper Company. Motion of National Council of Senior Citizens et al., for leave to file a brief, as *amici curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 72-5794. Joshaway Davis, petitioner, *v.* Alaska. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of Alaska granted limited to Question 1 presented by the petition which reads as follows:

"1. Did the trial court err in not permitting cross examination of chief identification witness Green concerning the nature of his juvenile record to bring before the jury the fact that Green was himself on probation for burglary at the time of the identification, thereby denying petitioner his Sixth Amendment right to confrontation?"

No. 72-5847. Harrell Alexander, Sr., petitioner, *v.* Gardner-Denver Company. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit granted.

#### CERTIORARI DENIED

No. 71-5510. William Irving, petitioner, *v.* J. Leland Casscles, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-137. K. C. Wu, petitioner, *v.* National Endowment for the Humanities et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-425. Daryl L. McDonald, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 72-643. Frank Rappa, petitioner, *v.* United States; and

No. 72-5756. Lorenzo D'Aloisio, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-677. Board of Education of the Memphis City Schools et al., petitioners, *v.* Deborah A. Northross et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-682. Local Union No. 749, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers & Helpers, AFL-CIO, petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-724. Bradley Sisson Barham, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-731. John David Lindstrom, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-740. J. P. Stevens & Co., Inc., et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-743. Anthony Tortorello, petitioner, *v.* United States;  
No. 72-766. Joseph Calabro, petitioner, *v.* United States;  
No. 72-5730. John Conforti, petitioner, *v.* United States;  
No. 72-5733. Leonard Conforti, petitioner, *v.* United States; and  
No. 72-5909. Anthony Picciano, Richard Pasqua, John Roche and Marc Moskowitz, petitioners *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-751. John P. Rubeo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-757. Friedy B. Heisler and Francis Heisler, petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-763. Joseph Lipton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-764. James Grady Waller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-772. Robert J. Strawn, Jr., petitioner, *v.* Securities and Exchange Commission. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-774. John F. Cooper, petitioner, *v.* The Florida State Board of Dentistry. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 72-776. City Welding & Manufacturing Company, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-783. Frank Eugene Seeley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-788. Joseph Gernie, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-793. Housing Authority of the City of Omaha, Nebraska et al., petitioners, *v.* United States Housing Authority et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-796. Michael Stephen McCormick, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-797. Jesse Frank Bowers and Ben T. Phillips, petitioners, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-798. George E. Stripling et al., petitioners, *v. Jefferson County Board of Education et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-800. Philip Joseph Maita and John McRae, petitioners, *v. Alcoholic Beverage Control Appeals Board of the State of California*. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 72-807. John E. Romeo et ux., petitioners, *v. United States et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-809. Charles Permisohn and Enrique Monier, petitioners, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-810. R. L. Graves et al., petitioners, *v. Commissioner of Internal Revenue*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-813. Armando Caponigro, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-814. Mid-Continent Spring Company of Kentucky, petitioner, *v. Jane Mitchell*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-820. Charles Cassino and Michael Roman, petitioners, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-825. University of Southern California, petitioner, *v. Cost of Living Council et al.* Petition for writ of certiorari to the Temporary Emergency Court of Appeals of the United States denied.

No. 72-827. The Detroit Bank & Trust Company, Executor of the Estate of Fred W. Ritter, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-830. John W. Lewis, individually and as Secretary of State of the State of Illinois, petitioner, *v. Illinois State Employees Union, Council 34, American Federation of State, County and Municipal Employees, AFL-CIO, et al.* Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-831. Unarco Industries, Inc., et al., petitioners, *v.* Kelley Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-832. Ahto Walter et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-833. Edward A. Greer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-840. Byron Lind, Guardian ad litem of Jay S. Rogers, Incompetent, petitioner, *v.* Robert F. Hale. Petition for writ of certiorari to the District Court of Appeal of Florida, Second District, denied.

No. 72-841. Eclipse Fuel Engineering Co., petitioner, *v.* Maxon Premix Burner Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-845. Adolph Coors Company, petitioner, *v.* Equal Employment Opportunity Commission. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-854. Vale Do Ri Doce Navegacai, S.A., petitioner, *v.* Joseph Henry Kyzar. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-856. The Pecos County State Bank, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-858. Bland Calvin Gatewood, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 72-861. Adolph J. Waitkus, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-862. Ernest E. Potter, petitioner, *v.* Mouldings, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-866. John F. Cooper, petitioner, *v.* The Florida State Board of Dentistry. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 72-867. Rotek, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-868. Glenn W. Bricker, petitioner, *v.* Henry D. Crane, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.



No. 72-882. Diana Kearny Powell, petitioner, *v.* South Jersey National Bank et al. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 72-~~883~~<sup>881</sup>. Anna Mae Bryant, Administratrix, etc., et al., petitioners, *v.* International Union, United Mine Workers of America, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-892. Louis Ender, Inc., petitioner, *v.* General Foods Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-903. Aalco Wrecking Company, Inc., petitioner, *v.* Fireman's Fund Insurance Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-904. Mark Kroll, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 72-906. Lawrence W. Bailey, etc., et al., petitioners, *v.* Consolidation Coal Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-909. J. M. Wood Manufacturing Company, Inc., petitioner, *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-910. Stanley C. Burger, petitioner, *v.* Forrest H. Anderson, Governor of Montana, et al. Petition for writ of certiorari to the Supreme Court of Montana denied.

No. 72-913. Harrison J. Cheramie, Jr., petitioner, *v.* Louisiana. Petition for writ of certiorari to the Court of Appeal of Louisiana, First Circuit, denied.

No. 72-919. Olympic Insurance Company, petitioner, *v.* H. D. Harrison, Inc., dba Harrison's Insurance Service. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-921. Newport Associates, Inc., petitioner, *v.* Sheldon H. Solow. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 72-928. Joseph J. Drobnick et al., petitioners, *v.* Vera Andruelis, etc. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 72-934. Gerald Gordon, as Receiver of the Rights and Assets of Louis Porter, petitioner, *v.* Nationwide Mutual Insurance Company. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 72-935. Township of Freehold, New Jersey, petitioner, *v.* Frank Schere et al. Petition for writ of certiorari to the Superior Court of New Jersey. Appellate Division, denied.

No. 72-939. William Fred Dowell, petitioner, *v.* Aetna Life Insurance Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-945. Woodrow Scott, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 72-947. Neil W. Gillies, petitioner, *v.* Aeronaves de Mexico, S.A. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-949. The Fort Worth National Bank, etc., et al., petitioners, *v.* David Martin Cogdell, Jr., et al. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Eleventh Supreme Judicial District, denied.

No. 72-950. Clyde W. Reed, petitioner, *v.* Jean Moore Reed. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 72-987. Encarnacion Solis, Jr., and Armando Rodriguez Alainis, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5312. Frank Thompson, petitioner, *v.* John L. Zelker, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5319. James Wains Jones, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 72-5343. Daniel Ross, petitioner, *v.* North Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5358. Norcott Corby, petitioner, *v.* Leon J. Vincent, Superintendent, Green Haven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5413. Roderick L. Jefferies, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fifth District, denied.

No. 72-5472. James W. Grace, petitioner, *v.* J. Edwin LaVallee, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5477. L. S. Bittaker, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-5509. George B. LeFebre, petitioner, *v.* Elmer O. Cady, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5546. Joseph Anthony Goncalves, petitioner, *v.* Harold J. Cardwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5591. David J. White, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5618. Phillip Allen LeBrun, petitioner, *v.* H. C. Cupp, Superintendent, Oregon State Penitentiary. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 72-5648. Ernest Vivallava Pineda, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5661. Gerald D. Peterson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5670. Frank Lee, petitioner, *v.* United States; and

No. 72-5676. Freddie Armstrong and Rebecca Jordan, petitioners, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5677. Clarence John Hessel, petitioner, *v.* Arizona et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5687. Leonard J. Scalia, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5688. Willie Houston, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5689. Douglas Watson Heavlow, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5711. Charles Grider, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5712. Donald W. Higginbotham, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5713. Walton I. Froniabarger, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5715. James H. Brown, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5721. Raymond R. Gonzalez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5726. Jeannine Furgerson, petitioner, *v.* W. C. Casper. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 72-5727. Jack Lee Webster, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5728. Gerald Alan Borkenhagen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5729. Richard Lee Blankenship, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5737. James Delmore Deaton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5738. Anderson Jeff Goliday, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5739. Jack Lynott, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5740. Ricardo Gasca Perez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-5741. Esther Muncaster, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5747. Clinton Thompson, petitioner, *v.* Coy E. Brewer et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5751. William Morgan Archer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5753. Vernon LaVern Adler, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 72-5754. Jose Francisco San Martin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5757. Charles David Gurley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5759. Burton R. Signer, petitioner, *v.* Cincinnati Bar Association. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 72-5760. Lonzo Nutter, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5761. James Deck Warford, petitioner, *v.* Minnesota. Petition for writ of certiorari to the Supreme Court of Minnesota denied.

No. 72-5762. Leslie Eugene Allen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5763. Ollie Juanita Miller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5764. Edward Lee Thomas et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5767. James O'Neal Pelton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5769. Willie D. Wren, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5771. Joseph Jakalski, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5772. Shumann Noble, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 72-5775. Charles Jason Quinn, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5777. Jon Patrick Donell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5779. David Jackson, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5780. James Jefferson, petitioner, *v.* A. E. Slayton, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5781. Nathaniel A. Denman et al., petitioners, *v.* Barnard Berkman. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5784. James Johnson, petitioner, *v.* Robert J. Henderson, Superintendent, Auburn Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5786. Donald W. Tarzwell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5787. Haywood Roundtree, petitioner, *v.* Joseph R. Brierley, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5790. Charles Anegus Allen, petitioner, *v.* Dulaney Foster, Chief Justice, Supreme Bench of Baltimore City. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5795. Wilbert Carl Williams, petitioner, *v.* W. J. Estelle, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5798. Rick Davis Cole, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5803. Edward McCray, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5804. Donald Wallace Fedder, petitioner, *v.* Louis S. Nelson, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 72-5805. Ronald Leon Fuselier, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5806. Philip Edward Ervin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5807. Otis Lee Marshall, petitioner, *v.* C. Murray Henderson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5810. Melvin Meller, petitioner, *v.* Harold R. Swenson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5814. Eileen Anderson, petitioner, *v.* Ralph F. Schoeny et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-5816. Zarrell D. Cummins, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Logan County, denied.

No. 72-5817. James R. Burroughs, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-5818. David L. Acres, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Supreme Court of Tennessee, Eastern Division, denied.

No. 72-5821. William Arthur Perondi et al., petitioners, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 72-5822. Stuart Vort, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5825. Ruchell Magee, petitioner, *v.* Morton Clovin, Judge, Superior Court of San Francisco County, et al. Petition for writ of certiorari to the Supreme Court of California denied.

No. 72-5826. Thomas Farrow, Jr., petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied.

No. 72-5827. William Alexander, petitioner, *v.* Raymond K. Procnier et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5832. James E. Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5834. Walter Harling, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5836. William Daddano, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5837. Paul Guzman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5840. Wilma Prezzi, petitioner, *v.* Irving B. Cooper, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5843. William Wright, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5844. Gerald D. Peterson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5846. Gary A. Wilson, petitioner, *v.* A. E. Slayton, Jr., Superintendent of Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5848. Howard William Goynes et ux., petitioners, *v.* Ernest James Burns et al. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 72-5850. Joel J. Terrell, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 72-5853. Walter Olie Noorlander, petitioner, *v.* United States Attorney General et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5855. Thomas Louis Bringhurst, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5856. Michael A. Tanzella, petitioner, *v.* August H. Devos. Petition for writ of certiorari to the Court of Appeals of Maryland denied.

No. 72-5858. Vernander Harvey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5863. Aaron Michael Bittinger, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.



No. 72-5864. Sylvia S. Fishman, petitioner, *v.* Newton H. Fishman. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 72-5867. George Camillo Jacquillon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5870. Luther Hill, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5871. Eugene Hairston, petitioner, *v.* Elza Brantley, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5872. Homer L. Thomas and Willie Watson, petitioners, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 72-5873. Russell Eugene Briddle, John Russell Brown and William E. Mourey, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5874. Emmett J. Stebbins, petitioner, *v.* State Farm Mutual Automobile Insurance Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5878. Nathaniel Denman et al., petitioners, *v.* Estate of Robert C. Goodrich. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5879. Francisco Carrasco Salas, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 72-5882. Kenneth H. Walker, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 72-5883. Anthony Pisciotta, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5884. Harry Augustus Young, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5885. Calvin Sellars, petitioner, *v.* W. J. Estelle, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5890. Elmo C. Tatum, petitioner, *v.* Waymon B. Hawkins and Leonard Kacznski. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5894. Michael Williams, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 72-5900. Arthur Dewitt League, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 72-5905. Emmett J. Stebbins, petitioner, *v.* Nationwide Mutual Insurance Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5907. Robert Frank Russo, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 72-5914. James T. Anderson, petitioner, *v.* Edward Froderman et al. Petition for writ of certiorari to the Supreme Judicial Court of Massachusetts denied.

No. 72-5923. Troy Eugene Holcomb, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 72-5926. Willard Waggoner, petitioner, *v.* Fred B. Cramer et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5927. Edward Hinton, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 72-5937. Oliver Oden, Jr., petitioner, *v.* Weldon W. Cox, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5941. Dwight Williams, petitioner, *v.* Pennsylvania et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5944. Albert H. Carter, petitioner, *v.* Paul Ferguson, Judge, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5949. Robert Virgil Yarnal, petitioner, *v.* Joseph Brierley, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5952. Dwayne Voss, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois denied. FIRST DISTRICT

No. 72-5954. Sherman Lightle, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 72-5955. Ebb Glenn et al., petitioners, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 72-5962. Donald Frisco, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First Judicial District, denied.

No. 72-5965. June E. Cunningham, Administratrix of the Estate of John D. Cunningham, petitioner, *v.* Columbia Union Conference of Seventh Day Adventists, Inc., etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-5976. William Scott, etc., petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 72-5983. Clarence L. Jenkins, petitioner, *v.* Henry E. Cowan, Superintendent, Kentucky State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5991. James P. DeVito, petitioner, *v.* Leon J. Vincent, Superintendent, Green Haven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6019. Richard Lee Cothrum, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 71-6522. Cynthia B. Schwartz, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 71-6763. Clarence Walker, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Douglas would grant certiorari.

No. 72-407. Philip Joseph Maita, petitioner, *v.* Superior Court of California, County of San Mateo, et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied. Mr. Justice Douglas would grant certiorari.

No. 72-738. Louis Parisi, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-773. Verlon Hilburn et al., petitioners, *v.* Earl L. Butz, Secretary of Agriculture, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-775. Paul Warren Bates, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied. Mr. Justice Douglas would grant certiorari.

No. 72-816. Nicholas Rattenni, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-826. Ignatius J. Broussard, Jr., petitioner, *v.* Roderick R. Patton, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-839. Rosebud Williams, petitioner, *v.* Mississippi Export Railroad. Petition for writ of certiorari to the Supreme Court of Mississippi denied. Mr. Justice Douglas would grant certiorari.

No. 72-852. Steven Zatsky, petitioner, *v.* United States; and

No. 72-933. Scott Leisner, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-855. Allegheny Airlines, Inc., petitioner, *v.* Pennsylvania Public Utility Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-869. Bootstrap Trading Co., Inc., petitioner, *v.* Phoenix Tallow Company and Maricopa By-Products, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-880. Brenda Brush, petitioner, *v.* San Francisco Newspaper Printing Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-896. Illinois State Employees Union, Council 34. American Federation of State, County, and Municipal Employees, AFL-CIO, et al., petitioners, *v.* John W. Lewis, etc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-900. Floyd E. McDowell, petitioner, *v.* Texas Board of Mental Health and Mental Retardation et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-920. Samuel Zorn, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Douglas would grant certiorari.

No. 72-926. James Horelick, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Douglas would grant certiorari.

No. 72-5414. Lee Daniels, petitioner, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Mr. Justice Douglas would grant certiorari.

No. 72-5475. Arthur E. Martin, petitioner, *v.* Joseph R. Brierley, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5494. Donald Gardner and John David Rankin, petitioners, *v.* J. F. Thompkins, Warden, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5503. Jerome Sharp, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Mr. Justice Douglas would grant certiorari.

No. 72-5504. Alfred Ray Bryan and Jimmy Hendrix, petitioners, *v.* California et al. Petition for writ of certiorari to the Supreme Court of California denied. Mr. Justice Douglas would grant certiorari.

No. 72-5512. Harold Lee Jones, petitioner, *v.* Superintendent, Virginia State Farm. Petition for writ of certiorari to the United State Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5525. Virgil Reynolds, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Western Division, denied. Mr. Justice Douglas would grant certiorari.

No. 72-5576. Patrick Perez, petitioner, *v.* John W. Turner, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5720. Ramon Torres, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5765. Francisco Tafoya, petitioner, *v.* State of Alaska. Petition for writ of certiorari to the Supreme Court of Alaska denied. Mr. Justice Douglas would grant certiorari.

No. 72-5785. Louis Anthony Inzerillo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5796. Frank Petillo, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Supreme Court of New Jersey denied. Mr. Justice Douglas would grant certiorari.

No. 72-5799. Albany Welfare Rights Organization Day Care Center, Inc., et al., petitioners, *v.* Francis Schreck, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5809. Victor Joubert, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5819. Rex Johnson, Jr., petitioner, *v.* W. J. Estelle, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5857. Michael Velasquez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5861. Alfred Richard Sosa, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5868. Jose Vasquez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5880. Clovis Carl Green, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5948. Albert Curtis, petitioner, *v.* John Zelker, Superintendent, Green Haven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5979. Donnie B. McManus and Ralph Jones, petitioners, *v.* Louisiana. Petition for writ of certiorari to the Supreme Court of Louisiana denied. Mr. Justice Douglas would grant certiorari.

No. 71-1672. T. W. Guthrie et al., petitioners, *v.* Alabama By-Products Company et al. Motion of The Environmental Defense Fund for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas, Mr. Justice Brennan, and Mr. Justice White would grant certiorari.

No. 72-245. Charles T. Scarborough, Jr., petitioner, *v.* Mississippi. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 72-690. William John Hyland, petitioner, *v.* Parole and Community Services Division, California Department of Corrections. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-784. Carmine J. Persico, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 72-850. Virginia Manning et al., petitioners, *v.* General Motors Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas would grant certiorari. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 72-881. Louie L. Wainwright, Director, Division of Corrections, State of Florida, petitioner, *v.* Harvey D. Arrant. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5607. Sirhan Bishara Sirhan, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied. Mr. Justice Douglas and Mr. Justice White took no part in the consideration or decision of this petition.

#### LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 72-5766. Wilbur O. Morton, petitioner, *v.* United States et al.;

No. 72-5774. George T. Johnson, petitioner, *v.* Lenard F. Meacham, et al.;

No. 72-5820. Hugh Howard Polk, petitioner, *v.* J. D. Henderson, Warden;

No. 72-5901. George A. Simms, petitioner, *v.* Wyoming et al.;

No. 72-5916. Claude Theriault, petitioner, *v.* Ralph Lamb, Sheriff, Clark County, Nevada; and

No. 72-5932. Howard Lewis Sanders, petitioner, *v.* Louis S. Nelson, Warden. Motions for leave to file petitions for writs of habeas corpus denied.

## LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 72-5565. George A. Bruton, petitioner, *v.* M. C. Matthes, etc., et al.; and

No. 72-5841. David Roberto Alvarez, petitioner, *v.* United States District Court for the Southern District of Florida et al. Motions for leave to file petitions for writs of mandamus denied.

No. 72-510. Arthur Falkner et ux., petitioners, *v.* John R. Brown, Chief Judge, United States Court of Appeals for the Fifth Circuit. Motion to dispense with printing petition for writ of mandamus granted. Motion to dispense with printing respondent's brief granted. Motion for leave to file petition for writ of mandamus denied.

No. 72-5854. L. G. Ruderer, petitioner, *v.* William H. Webster, Judge. Motion for leave to file petition for writ of mandamus denied. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

## LEAVE TO FILE PETITION FOR WRIT OF PROHIBITION DENIED

No. 72-5788. Ruchell Magee, petitioner, *v.* Robert D. Carrow, Attorney, et al. Motion for leave to file petition for writ of prohibition denied.

## REHEARINGS DENIED

No. 71-36. California et al., appellants, *v.* Robert LaRue et al.;

No. 71-6449. James G. Ellingburg, petitioner, *v.* John W. Goodson et al.;

No. 72-388. Betty L. Gerace et vir, petitioners, *v.* County of Los Angeles et al.;

No. 72-602. Harsh Building Co., et al., petitioners, *v.* Sam Bialac et al.;

No. 72-5170. Geneva H. Sayles, appellant, *v.* Nicholas S. Nunzio, etc., et al.;

No. 72-5244. Melvin Houston Rigdon, petitioner, *v.* United States;

No. 72-5468. Millard D. Carr, appellant, *v.* Texas;

No. 72-5497. Wayne B. Clizer, petitioner, *v.* United States;

No. 72-5527. Victor Frank Szijarto, petitioner, *v.* Louis S. Nelson, Warden;

No. 72-5530. Leonard M. Arnold, petitioner, *v.* W. Wayne Oliver, Judge, etc.;

No. 72-5583. Noel Tancred Escofil, petitioner, *v.* Commissioner of Internal Revenue;



No. 72-5587. Mrs. Tom L. Ritch et al., petitioners, *v.* Tarrant County Hospital District;

No. 72-5614. Beulah Voisin Champagne et al., petitioners, *v.* Penrod Drilling Company; and

No. 72-5666. Matthew Ottomano, petitioner, *v.* United States. Petitions for rehearing denied.

No. 70-5260. Walter F. Harper, petitioner, *v.* P. J. Ciccone, Director, United States Medical Center for Federal Prisoners;

No. 71-1648. Richard A. Napolitano, petitioner, *v.* Daniel P. Ward, Justice of the Illinois Supreme Court, et al.;

No. 71-6759. William Curtis Hutchinson, petitioner, *v.* Walter E. Craven, Warden;

No. 72-590. D. B. Anders, petitioner, *v.* United States; and

No. 72-5430. James Morris Fletcher, petitioner, *v.* Joseph R. Brierley, Superintendent, State Correctional Institution. Motions for leave to file petitions for rehearing denied.

No. 72-564. Board of Education of Central District No. 1 of the Towns of Addison, etc., et al., petitioners, *v.* Charles James. Motion of Commissioner of Education for leave to file a brief, as *amicus curiae*, in support of rehearing granted. Motion for leave to file petition for rehearing denied.

No. 72-5513. Samuel Corrado, appellant, *v.* Providence Redevelopment Agency; and

No. 72-5514. Samuel Corrado, petitioner, *v.* Providence Redevelopment Agency. Motion for leave to file petitions for rehearing now and a later date denied.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Joseph Aberbach	Wilmington, Del.	Richard Adams Rosan.
Joseph D. Abkin	Washington, D.C.	Harris W. Seed.
Irwin Acker	Houston, Tex.	John M. O'Quinn.
James Ralph Adams	Cincinnati, Ohio	Donald McGregor Rose.
William E. Albrecht	St. Louis, Mo.	Hugh D. Campbell.
Joseph Michaelangelo Alioto	San Francisco, Calif.	Richard Saveri.
Joseph C. Amberg	Paterson, N.J.	Carl Gelman.
Hugh Anderson	Lubbock, Tex.	Miss Joyce Hill.
Sidney M. Aronovitz	Miami, Fla.	Fuller Warren.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Isham Auler	Champaign, Ill.	William Lawrence Hatch.
Harry Samuel Bachstein, Jr.	Tucson, Ariz.	Morris King Udall.
Frank Balletta	Syosset, N.Y.	Ernest F. W. Wildermuth.
William Arthur Barber, Jr.	Grand Prairie, Tex.	John Wright.
Paul H. Baris	New York, N.Y.	Charles Solis Corben.
Leonard Barrack	Philadelphia, Pa.	David Berger.
Kenneth Jack Beeby	St. Louis, Mo.	Charles B. Thies.
Barry S. Berger	Baltimore, Md.	Richard Anthony Buddeke.
Claude L. Biddle, Jr.	Sacramento, Calif.	Ryan Mark Polstra.
Cull Bivens, Jr.	Tulsa, Okla.	Harley W. Van Cleave.
Richard Marvin Blake, Sr.	San Clemente, Calif.	Richard L. Riemer.
Lloyd Mitchell Bleecker	New York, N.Y.	Daniel J. Sullivan.
David Solomon Bloomfield	Columbus, Ohio	William Joseph Melvin.
Allan Blumstein	New York, N.Y.	Jay H. Topkis.
William A. Bradford, Jr.	Washington, D.C.	Frank Flournoy Roberson.
Thomas Patrick Brennan	Los Angeles, Calif.	Robert Pusey Hastings.
Donald B. Brown	Los Angeles, Calif.	Louis Burg.
Larry E. Buchanan	Stuart, Fla.	Walter M. Meginniss.
Robert R. Buck	Oklahoma City, Okla.	Jack Turner Crabtree.
John C. Buckingham	Oklahoma City, Okla.	Charles Rudolph Nesbitt.
John O. Burgess	Seattle, Wash.	Kenneth P. Short.
Richard G. Busby	Memphis, Tenn.	Charles M. Murphy.
John E. Busch	Elkins, W. Va.	Robert Mason Harvey.
James Fielding Cain	Elkins, W. Va.	Robert Masōn Harvey.
Robert I. Cammer	New York, N.Y.	Stanley D. Halperin.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Acheson H. Callaghan, Jr. Michael Dennis Calligan	Boston, Mass. Arcata, Calif.	John A. Perkins. Carl L. Christensen, Jr.
James Thomas Capretz	Irvine, Calif.	Mark Albert Soden.
Richard W. Cardot	Elkins, W. Va.	Robert Mason Harvey.
Richard Carpeneti	San Francisco, Calif.	Nathan Cohn.
William S. Casey James H. Chang	Medford, Mass. San Jose, Calif.	Baron H. Martin. Donald M. Ladd, Jr.
Edward S. Cohen	Charlottesville, Va.	Eugene F. Bogan.
J. Paul Coie	Seattle, Wash.	Burroughs Borgan Anderson.
Thomas Michael Collins Michael J. Conklin	Sacramento, Calif. Palo Alto, Calif.	Lou Ashe. Francis LaMar Forshee.
Henry Q. Conley	New York, N. Y.	Stephen Allen Grant.
Patrick L. Connolly William Charles Cregar	Topeka, Kans. Riverside, Ill.	Glenn D. Cogswell. LeRoy S. Merrifield.
Monte Gene Crumley B. Michael Cummings	Indianapolis, Ind. Fort Worth, Tex.	Allen Sharp. Milton Joseph Mehl.
Victor Dabah	Los Angeles, Calif.	Peter R. Pancione.
David Davis V	Bloomington, Ill.	Frank Martin Brady.
Peter W. Davis Brian B. Denton	Oakland, Calif. San Francisco, Calif.	Raoul D. Kennedy. Sol. Gen. Erwin N. Griswold.
Donald Allan Derfner	New York, N. Y.	Daniel M. MacKey.
John Donald Dial, Jr.	Columbia, S.C.	Charles W. Knowlton.
David McFarland Dixon	Nashville, Tenn.	Charles Sylvanus Rhyne.
John Michael Drath Robert J. Durst II	Orange, Calif. Lambertville, N.J.	Paul J. Cooksey. C. Ryman Herr, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Harold Philip Dwin	Baltimore, Md.	Harold Buchman.
William D. Eggers	Rochester, N.Y.	Mrs. Ruth Borsuk Rosenberg.
Josef Einhorn	New York, N.Y.	Gerald J. Dun- worth.
Hollis Lee Evans	San Francisco, Calif.	Nathan Cohn.
Raymond L. Fair	Elkins, W. Va.	Robert Mason Harvey.
John Edward Fedele	Boston, Mass.	Paul H. Walker.
George Herbert Ferguson	Elyria, Ohio	Hubbard C. Wil- cox.
Barbara Finney (Mrs.)	Houston, Tex.	Dillard W. Baker.
A. E. Fiorentino	Elkins, W. Va.	Robert Mason Harvey.
Steven M. Fleisher	Berkeley, Calif.	Peter E. Sitkin.
Philip Andrew Fleming	Washington, D.C.	Robert H. Shorb.
John E. Flynn	La Crosse, Wis.	Thomas H. Skemp.
William James Flynn	Chicago, Ill.	Angelo Fred Pistilli.
Ernest H. Fontaine III	Houston, Tex.	Robert Carroll Hunt.
Wade Hampton Ford, Jr.	Columbia, Mo.	Robert Wade Maupin.
Raymond Louis Friedlob	Denver, Colo.	Robert Bernard Yegge.
Arthur S. Friedman	New York, N.Y.	Allen Jay Hershberg.
Joseph Charles Gaidula	San Diego, Calif.	Michael Stanton Hegner.
John Lee Gamble	Memphis, Tenn.	James M. Manire.
Donald F. Geffner	Miami, Fla.	Richard F. Ralph.
Arthur Jay Ginsburg	New York, N.Y.	Charles H. Miller.
Robert Anthony Ginsburg	Miami, Fla.	Stuart L. Simon.
Thomas V. Girardi	Los Angeles, Calif.	Anthony Murray.
Edward John Glusing, Jr.	Baltimore, Md.	William R. Levasseur.
Gerald S. Gold	Cleveland, Ohio	Gerald A. Messerman.
George Golson	Columbia, S.C.	Henry Hammer.
Stephen D. Gordon	Washington, D.C.	Mozart G. Ratner.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jack A. Grant	Gretna, La.	Albert Russell Roberts.
John L. Green, Jr.	St. Petersburg, Fla.	Joseph W. Fleece, Jr.
Leslie H. Greenfield	Los Angeles, Calif.	Marvin H. Kleinberg.
Edward M. Greenwald	Cleveland, Ohio	Milton Dunn.
Harmon Terrell Griffin	Winter Park, Fla.	Holmes Russell Troutman.
Robert Daniel Gutin	Cleveland, Ohio	Bernard J. Stuplinski.
John R. Hailman	Greenville, Miss.	John Corneluis Stennis.
James Norton Haltom	Texarkana, Tex.	James Robert Hubbard.
Hugh Thomas Handley	Fort Walton Beach, Fla.	Erwin Fleet.
Rand Foster Harris	Los Angeles, Calif.	Alfred M. Klein.
George Mortimer Harrison, Jr.	Dothan, Ala.	William L. Dickinson.
Gordon Lee Hart	Stamford, Conn.	John E. Hanrahan.
Gordon William Hatheway, Jr.	Alexandria, Va.	Robert G. Dixon, Jr.
David Lee Hattrick	Portland, Oreg.	George Albert Van Hoomissen.
Fred A. Hazouri	West Palm Beach, Fla.	Al J. Cone.
Andres Hernandez, Jr.	San Antonio, Tex.	Melvin N. Eichelbaum.
Henry K. Higginbotham	Elkins, W. Va.	Robert Mason Harvey.
Reynold C. Hoefflin	Xenia, Ohio	Philip Aultman.
Neil J. Hoff	Tacoma, Wash.	E. M. Murray.
W. C. Hollier	Lafayette, La.	Nolan J. Edwards.
Guy E. Hopkins	Conroe, Tex.	Joseph Robert Liles.
William Philip Horton	Alexandria, Va.	Daniel Locke Bell II.
Carl Michael Hovland	Los Angeles, Calif.	Richard F. Runkle.
Willie Lee Hudgins, Jr.	Reston, Va.	Burton R. Thorman.
Carole Ann Hughes (Miss)	San Francisco, Calif.	Michael B. Lewton

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Alexander McArthur Irvin	Atlanta, Ga.	James Roy Weathersby.
David J. Johnson	Memphis, Tenn.	Donn Alan Southern.
James McClure Johnstone	Washington, D.C.	Frederick M. Rowe.
Douglas Noyes Jones	Arlington, Va.	Warren Curtis Zwicky.
John Anthony Jones	Cherry Hill, N.J.	Daniel B. Toll.
Lewis Norwood Jones	Atlanta, Ga.	Curtis McCay Cook.
Shirley P. Jones, Jr.	Salt Lake City, Utah	Wayne L. Black.
Samuel A. Keesal, Jr.	Long Beach, Calif.	Donald R. Gail.
Frank Wilson Kiel	Washington, D.C.	George B. Driesen.
Robert O. Klausmeyer	Cincinnati, Ohio	Donald McGregor Rose.
Robert W. Knolton	Memphis, Tenn.	James William Watson.
Robert Hughes Koehler	Springfield, Va.	Burnette H. Radosh.
Gerald Kurland	Cleveland, Ohio	Bernard J. Stuplinski.
William J. Lamont	Arlington, Va.	Alan S. Novins.
Sidney Lang	E. Patchogue, N.Y.	Michael Resnik.
Lee R. Larkin	Houston, Tex.	John Trigg Cabaniss.
Bennett Haskell Last	New York, N.Y.	Harold L. Warner, Jr.
Howard Owen Leach	New Orleans, La.	Guy Northcross Rogers.
David E. Leichtfuss	Milwaukee, Wis.	Walter S. Davis.
Philip Lerner	New York, N.Y.	Sanford Solarz.
John David Leshy	Palo Alto, Calif.	Brian K. Lands- berg.
Jack J. Levine	Philadelphia, Pa.	William Ramsey Clark.
Alfred Lee Levinson	Cook County, Ill.	Morton Efram Friedman.
Jack L. Lewis	Washington, D.C.	David M. Osnos.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Walter Herbert Lewis	Los Angeles, Calif.	Joseph P. Busch, Jr.
Martin M. Liebman	St. Louis, Mo.	Edwin J. Putzell, Jr.
Robert Liles, Jr.	New Orleans, La.	Daniel Patrick Hurley.
William E. Logan, Jr.	Lafayette, La.	James E. Diza.
Peter M. Lopez	Miami, Fla.	E. Elliott Harris.
Robert J. Lord	Fair Haven, Mich.	Wilson M. Jackson.
William J. Madden, Jr.	Washington, D.C.	Thomas McElrath Debevoise II.
Stephen A. Marcus	Chicago, Ill.	Richard Paul Glovka.
Michael David Mark	Verona, N.J.	Gary N. Skoloff.
Dale R. Martin	Seattle, Wash.	Larry L. Barokas.
John McLain Massey	Troutman, N.C.	John Anthony Zalonis, Jr.
Joseph J. Levitt, Jr.	Knoxville, Tenn.	Ben F. McAuley.
Daniel Robert McCarthy	Cleveland, Ohio	Marshall I. Nurenberg.
Wayne A. McFadden	San Mateo, Calif.	Bruce Albion Bailey.
David L. McLean	New York, N.Y.	William Piel, Jr.
John K. Meyer	Houston, Tex.	Mrs. Patricia Hinds Marschall.
Frederick Robert Millar, Jr.	Los Angeles, Calif.	William Ellis James.
Jesse W. Miller	Miami, Fla.	Raymond J. Dwyer.
William V. Miller	Columbus, Ohio	Arthur M. Sebastian.
Charles MacNeil Mitchell	New York, N.Y.	Stephen R. Lang.
F. Glenn Moffett, Jr.	Atlanta, Ga.	Warren Candler Fortson.
Marlin Martin Mooney- ham III	Montgomery, Ala.	William L. Dick- inson.
Walter H. Morehouse	Long Beach, Calif.	Bernard M. Avidan.
Joseph Parker Morray	Corvallis, Oreg.	Charles O. Porter.
George Douglas Morris	Pittsburgh, Pa.	Cyrus V. Anderson.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard James Murray	Rapid City, S. Dak.	John Mark Costello.
Laura L. Murrell (Mrs.)	Frankfort, Ky.	Ed W. Hancock.
Peter A. Nass	New Orleans, La.	Andrew M. Weir.
David Lee Nelson	Detroit, Mich.	Wallace D. Riley.
James R. Neuhard	Detroit, Mich.	Arthur J. Tarnow.
Richard A. Newell	Newport Beach, Calif.	Roy B. Woolsey.
Carol Kelley Nickel (Mrs.)	Washington, D.C.	Robert G. Dixon, Jr.
Henry Vernon Nickel	Washington, D.C.	Robert G. Dixon, Jr.
Ralph King Nickerson	New York, N.Y.	Goldthwaite H. Dorr.
John L. Nieto	Denver, Colo.	Richard Mone Joseph Cleary.
Douglas Craig Nohlgren	Chicago, Ill.	Albert E. Jenner, Jr.
Richard Joseph Nolan	Iowa City, Iowa	Roman L. Hruska.
Paul Michael Nussbaum	Mount Rainier, Md.	Lawrence J. Hogan.
Jack Robert Nuzum	Elkins, W. Va.	Robert Mason Harvey.
Argal D. Oberquell	Lacey, Wash.	Robert F. Hauth.
L. Morris Ormseth	Great Falls, Mont.	Orin R. Cure.
Max N. Osborn	Midland, Tex.	Irby L. Dyer.
LeRoy Robert Park	Phoenix, Ariz.	Darrell F. Smith.
Brainerd S. Parrish	Houston, Tex.	Walter P. Zivley.
Mario J. Perez	Woodstock, Ill.	John Donald Bolger.
A. Wells Petersen	San Diego, Calif.	Daniel Joseph Kremer.
Richard G. Peterson	San Francisco, Calif.	Roger A. Jones.
John J. Piccione	Wheaton, Ill.	Thomas J. Benda.
R. Scott Plain	Owensboro, Ky.	John D. Miller.
Adele W. Platt (Mrs.)	Marietta, Ga.	John Milton Grubbs, Jr.
Nicholas H. Politan	Lyndhurst, N.J.	Guy W. Calissi.
Heriberto Julio Porras, Jr.	El Paso, Tex.	Harold L. Sims.
Stephen P. Prentice	San Diego, Calif.	Carmine J. Bua.
J. Fred Queen	Elkins, W. Va.	Robert Mason Harvey.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Warren Adrian Rachels John D. Raffaelli	Jacksonville, Fla. Texarkana, Tex.	Earl R. Stanley. Charles M. Conway.
William F. Ragan Jack Morris Rains	Washington, D.C. Houston, Tex.	Gerald A. Malia. James William Smith, Jr.
Hugh Higbee Redford	San Francisco, Calif.	Victor J. Bacigalupi.
Mark E. Reizen William K. Rice	Southfield, Mich. Akron, Ohio	Noel A. Gage. Richard Evans Guster.
Arthur Douglas Rich Max Charles Richards	Aiken, S.C. Tucson, Ariz.	Julian B. Salley, Jr. Harold C. Warnock.
Earle V. Rifas	Miami, Fla.	Herbert Tobias Simon.
James Edward Riley William C. Roch John Hunter Rodgers	Weston, W. Va Bedford, Mass. Austin, Tex.	Richard J. Hogan. Homer O. Blair. Miss Mary Louise Attaya.
Richard Harris Rosenberg Robert J. Rotatori	New York, N.Y. Cleveland, Ohio	O. John Rogge. Gerald A. Messerman.
William Marshall Rowland, Jr. William Ryan	Orlando, Fla. Murray Hill, N.J.	John Fairbanks Motsinger, Jr. Alfred E. Hirsch, Jr.
James William Sanderson Patrick M. Scanlon	Denver, Colo. Atlanta, Ga.	Gordon L. Allott. John Randall Goldthwaite, Jr.
Frank G. Schniederjon	Effingham, Ill.	Nicholsa C. Guttilla.
Peter H. Schuck	Washington, D.C.	Reuben B. Robertson III.
Richard W. Seed	Seattle, Wash.	Harry Maybury Cross, Jr.
Mark Bruce Segal Eric A. Seitz	New York, N.Y. San Francisco, Calif.	Philip R. Miller. Allan Brotsky.
Harry K. Seybolt	Hackettstown, N.J.	Martin Bry- Nildsen, Jr.
Gerald Samuel Shacter	Beverly Hills, Calif.	David Richard Glickman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
D. Dale Shaffer	Washington, D.C.	Gordon L. Allott.
Edward M. Shea	Chevy Chase, Md.	Paul Joseph McElligott.
Earl J. Silberman	Columbus, Ohio	Thomas Adelbert Bustin.
James H. Skiles III	Washington, D.C.	Armand Georges Derfner.
John A. Smietanka	St. Joseph, Mich.	Ronald J. Taylor.
Richard E. Smith	Long Beach, Calif.	Francis B. Toler, Jr.
Carlos Solis	Los Angeles, Calif.	John W. Armagost.
Laurence Truman Sorokin	Washington, D.C.	Donald J. Mulvihill.
Frederic Nelson Spidell	Washington, D.C.	Henry A. Carrington.
Broadus A. Spivey	Austin, Tex.	John Garris Morehead.
Harry R. Stang	Los Angeles, Calif.	Howard Samuel Smith.
Robert E. Stebens	Columbus, Ohio	Arthur M. Sebastian.
Stephen R. Steinberg	New York, N.Y.	Leonard M. Leiman.
David J. Stern	New York, N.Y.	George G. Gallantz.
Lawrence Stern	New York, N.Y.	Jesse Berman.
Federick George Stewart	Los Angeles, Calif.	Edward I. Pollock.
Richard R. Stewart	Hartford, Conn.	Ralph G. Elliot.
Frank Raymond Stone	Oklahoma City, Okla.	Waldemar A. Solf.
Michael Raymond Storace	Miami, Fla.	Edmond Joseph Gong.
William Albert Stricklin	Honolulu, Hawaii	Judge Roger J. Traynor.
Ruth Smith Taliaferro (Mrs.)	Farmville, Va.	Miss Annice Pearle.
Max Taylor	New York, N.Y.	Raymond J. Burke.
Lincoln R. Thorman	Cleveland, Ohio	Milton Dunn.
Ronald Smith Timmons	Indianapolis, Ind.	J. Patrick Endsley.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
George R. Triplett	Elkins, W. Va.	Robert Mason Harvey.
Ronald Edward Uchacz	Boston, Mass.	Peer LaFollette Anderson.
Mikio Uchiyama	Fowler, Calif.	Spark Masayuki Matsunaga.
Leonard David Venger	Los Angeles, Calif.	Murray M. Fields.
Wayne W. Vickers	Jonesboro, Ga.	Harold R. Banke.
Robert L. Walker	San Francisco, Calif.	Peter Bull.
John Frederick Walter	Los Angeles, Calif.	John W. Armagost.
William Thomas Warner	Louisville, Ky.	Fred M. Goldberg.
Sandy Nelson Weeks	Baltimore, Md.	Henry Robbins Lord.
Norbert S. Weissberg	New York, N.Y.	Saul Wilensky.
Robert H. Wendt	Rochester, N.Y.	G. Robert Witmer, Jr.
George Oliver West	Los Angeles, Calif.	Anthony Murray.
Michael I. Wexler	Chicago, Ill.	Marvin L. Gold- berger.
Dan J. Whiteside	Huntington Beach, Calif.	Philip E. Grey.
Jan Edward Williams	Washington, D.C.	Arthur E. Tarantino.
Robert Edward Williams	Washington, D.C.	Kenneth C. McGuiness.
Prentiss Willson, Jr.	San Francisco, Calif.	Franklin C. Latham.
George S. Wilson III	Owensboro, Ky.	John D. Miller.
William L. Wilson	Owensboro, Ky.	John D. Miller.
William L. Wilson, Jr.	Owensboro, Ky.	John D. Miller.
Alan M. Wiseman	Chicago, Ill.	W. Donald McSweeney.
Brann J. Wry	Rutherford, N.J.	Sidney Goldmann.
Ellen T. Wry (Mrs.)	Rutherford, N.J.	Sidney Goldmann.
Theodore Wai Wu	Boston, Mass.	O. Bradley Latham.
Robert Eugene Young	Garland, Tex.	Earl Luna.
Robert Orvis Young	Los Angeles, Calif.	Philip E. Grey.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
A. Raymond Randolph Jr.	McLean, Va.	Solicitor General Erwin N. Griswold.
John Norton Moore	Washington, D.C.	Solicitor General Erwin N. Griswold.
Steven Craig Nelson	Washington, D.C.	Solicitor General Erwin N. Griswold.
Ralph W. Dau	Los Angeles, Calif.	Warren M. Christopher.
George Patrick Morse	Silver Spring, Md.	Milton A. Kallis.
Curtis Emery Von Kann	Washington, D.C.	Francis L. Casey, Jr.
Richard Albert Novak	Yonkers, N.Y.	Ronald Arthur Frederick.
David George Karro	Roanoke, Va.	Jacob I. Karro.

## ORAL ARGUMENT

No. **71-1637**. City of Burbank et al., appellants, *v.* Lockheed Air Terminal Inc., et al. Two hours allowed for oral argument. Argued by Mr. Richard L. Sieg, Jr., for the appellants, by Mr. Nicholas C. Yost for the State of California, as *amicus curiae*, by special leave of Court, by Mr. Daniel M. Friedman for the United States, as *amicus curiae*, by special leave of Court, and by Mr. Warren M. Christopher for the appellees.

No. **71-6481**. Clifford H. Davis, petitioner, *v.* United States. Argued by Mr. Melvin L. Wulf for the petitioner and by Mr. Edward R. Korman for the respondent.

No. **72-95**. Lewis S. Tollett, Warden, petitioner, *v.* Willie Lee Henderson. Argued by Mr. R. Jackson Rose for the petitioner and by Mr. H. Fred Hoeffle for the respondent.

No. **72-77**. Delores Norwood et al., appellants, *v.* D. L. Harrison, Sr., et al. Argument commenced by Mr. Melvyn R. Leventhal for the appellants.

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Adjourned until tomorrow at 10 o'clock.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Fabian E. Noack	Carrington, N. Dak.	Quentin N. Burdick.
Leland G. Ulmer	Mandan, N. Dak.	Quentin N. Burdick.
Gary L. Lerberg	Parshall, N. Dak.	Quentin N. Burdick.
John M. Theodosen	Garretson S. Dak.	James G. Abourezk.
Harold S. Nelson	Madison, Minn.	James G. Abourezk.
Roger R. Schmitt	St. Cloud, Minn.	James G. Abourezk.
Robert O. Chambers	Washington, Ind.	Lee H. Hamilton.
James D. Allen	Salem, Ind.	Lee H. Hamilton.
William L. Thompson	Salem, Ind.	Lee H. Hamilton.
William Henry Wolf	Greenfield, Ind.	Lee H. Hamilton.
Bobby Elwood Mullins	Paintsville, Ky.	Lee H. Hamilton.
Robert E. Crist	Shelbina, Mo.	William Leonard Hungate.
Thomas O. Pickett	Trenton, Mo.	William Leonard Hungate.
Paul Henry Nehrt	Chester, Ill.	William Leonard Hungate.
Max L. Weinberg	Quincy, Ill.	William Leonard Hungate.
Walter J. Sebo	Canton, Ill.	William Leonard Hungate.
Marion J. Borchers	New Braunfels, Tex.	O. Clark Fisher.
Richard Neal Randleman	Yadkinville, N.C.	Robert J. Leigh.
Roscoe Maurice Holland	Roseboro, N.C.	Robert J. Leigh.

## OPINIONS

No. 71-364. Joan S. Mahan, Secretary, State Board of Elections, et al., appellants, *v.* Henry E. Howell, Jr., et al.; and

No. 71-373. City of Virginia Beach, appellant, *v.* Henry E. Howell, Jr., et al.; and

No. 71-444. Robert L. Weinberg, appellant, *v.* Edgar A. Prichard et al. Appeals from the United States District Court for the Eastern District of Virginia. Judgment in Nos. 71-364 and 71-373 affirmed in part and reversed in part and cases remanded to the United States District Court for the Eastern District of Virginia for further proceedings in conformity with the opinion of this Court. Judgment in No. 71-444 affirmed. Opinion by Mr. Justice Rehnquist. Opinion by Mr. Justice Brennan concurring in part and dissenting in part with whom Mr. Justice Douglas and Mr. Justice Marshall join. Mr. Justice Powell took no part in the consideration or decision of these cases.

No. 71-718. Paul D. McGinnis, Commissioner of Correction, State of New York, et al., appellants, *v.* James Royster et al. Appeal from the United States District Court for the Southern District of New York. Judgment reversed and case remanded to the United States District Court for the Southern District of New York for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Powell. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Marshall concurs.

No. 71-5908. Leon Chambers, petitioner, *v.* Mississippi. On writ of certiorari to the Supreme Court of Mississippi. Judgment reversed and case remanded to the Supreme Court of Mississippi for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Powell. Concurring opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Rehnquist.

No. 71-6060. Anthony Louis Tacon, petitioner, *v.* Arizona. On writ of certiorari to the Supreme Court of Arizona. Writ of certiorari dismissed as improvidently granted. Opinion *per curiam* announced by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan and Mr. Justice Marshall concur.

## ORAL ARGUMENT

No. 72-77. Delores Norwood et al., appellants, *v.* D. L. Harrison, Sr., et al. Argument continued by Mr. William A. Allain for the appellees and concluded by Mr. Melvyn R. Leventhal for the appellants.

No. 72-11. Roosevelt F. Palmore, appellant, *v.* United States. One and half hours allowed for oral argument. Argued by Mr. Frank F. Flegal for the appellant and by Mr. Solicitor General Erwin N. Griswold for the appellee.

No. 71-1523. Richard W. Hunt, appellant, *v.* Robert E. McNair, Governor of South Carolina, et al. Argued by Mr. Robert McCormick Figg, Jr., for the appellant and by Mr. Huger Sinkler for the appellees.

No. 72-75. Georgia et al., appellants, *v.* United States. Argument commenced by Mr. Harold N. Hill, Jr., for the appellants and continued by Mr. Lawrence G. Wallace for the appellee.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

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<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kermit Andrew Sande	Huron, S. Dak.	James G. Abourezk.
Warren Grey Lineberry	Floyd, Va.	Jack C. Davis.
Richard Hicks	Atlanta, Ga.	Glenn Zell.
Ronald I. Tish	Arlington, Va.	Allen George Siegel.

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### OPINIONS

No. 71-1193. United States, appellant, *v.* Travis Paul Enmons et al. Appeal from the United States District Court for the Eastern District of Louisiana. Judgment affirmed. Opinion by Mr. Justice Stewart. Concurring opinion by Mr. Justice Blackmun. Dissenting opinion by Mr. Justice Douglas with whom Mr. Chief Justice Burger, Mr. Justice Powell and Mr. Justice Rehnquist concur.

No. 71-685. Robert J. Lehnhausen, petitioner, *v.* Lake Shore Auto Parts Co., et al.; and

No. 71-691. Edward J. Barrett, County Clerk of Cook County, Illinois, et al., petitions, *v.* Clemens K. Shapiro et al. On writs of certiorari to the Supreme Court of Illinois. Judgment reversed and cases remanded to the Supreme Court of Illinois for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Douglas.

No. 71-991. Otter Tail Power Company, appellant, *v.* United States. Appeal from the United States District Court for the District of Minnesota. Judgment affirmed in part and vacated in part and case remanded to the United States District Court for the District of Minnesota for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Opinion by Mr. Justice Stewart concurring in part and dissenting in part with whom Mr. Chief Justice Burger and Mr. Justice Rehnquist join. Mr. Justice Black-



mun and Mr. Justice Powell took no part in the consideration or decision of this case.

**No. 30, Original.** State of Michigan, plaintiff, *v.* State of Ohio. On Bill of Complaint. Decree entered. Opinion *per curiam* announced by Mr. Chief Justice Burger.

**No. 71-6698.** Marion P. Morris, on behalf of Linda Morris, petitioner, *v.* Caspar W. Weinberger, Secretary of Health, Education and Welfare. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Writ of certiorari dismissed as improvidently granted. Opinion *per curiam* announced by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Douglas.

#### ORAL ARGUMENT

**No. 72-75.** Georgia et al., appellants, *v.* United States. Argument continued by Mr. Lawrence G. Wallace for the appellee and concluded by Mr. Harold N. Hill, Jr., for the appellants.

**No. 71-1583.** Edmund G. Brown, Jr., Secretary of State of California, appellant *v.* Raymond G. Chote. Argued by Mr. Henry G. Ullerich for the appellant and by Mr. Philip Elman for the appellee.

**No. 71-1005.** Michigan, petitioner, *v.* Leroy Payne. Argued by Mr. John A. Smietanka for the petitioner and by Mr. James R. Neuhard for the respondent.

**No. 71-6732.** James Chaffin, petitioner, *v.* LeRoy Stynchcombe, Sheriff of Fulton County. Argued by Mr. Glenn Zell for the petitioner and by Mr. Richard E. Hicks for the respondent.

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Adjourned until Monday, February 26, 1973, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present : Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## OPINION PER CURIAM

No. 72-686. Department of Motor Vehicles of the State of California, petitioner, *v.* Federico Rios, a minor, etc. On petition for writ of certiorari to the Supreme Court of California. Petition for writ of certiorari granted, judgment vacated and case remanded to the Supreme Court of California for further proceedings as may be appropriate. Opinion *per curiam*. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan, Mr. Justice Stewart, and Mr. Justice Marshall concur.

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The Chief Justice said :

“Today’s orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally.”

## APPEALS—SUMMARY DISPOSITION

No. 70-89. Samuel U. Rodgers, M.D., et al., appellants, *v.* John C. Danforth, Attorney General of the State of Missouri, et al. Appeal from the United States District Court for the Western District of Missouri. Motion of appellees to dismiss for failure to timely docket appeal denied. Judgment vacated and case remanded to the United States District Court for the Western District of Missouri for further consideration in light of *Roe v. Wade*, 410 U.S. — (1973), and *Doe v. Bolton*, 410 U.S. — (1973).

No. 70-105. Edward V. Hanrahan, State’s Attorney of Cook County, Illinois, appellant, *v.* Jane Doe and Sally Roe, etc., et al.; and

No. 70-106. Bart Heffernan, guardian *ad litem*, appellant, *v.* Jane Doe and Sally Roe, etc., et al. Appeals from the United States District Court for the Northern District of Illinois. Motion to vacate stay heretofore granted by Mr. Justice Marshall is granted. Judgment vacated and cases remanded to the United States District Court for the Northern District of Illinois for further consideration in light of *Roe v. Wade*, 410 U.S. — (1973).

No. 71-92. Elizabeth Corkey et al., appellants, *v.* Dan K. Edwards et al. Appeal from the United States District Court for the Western

District of North Carolina. Judgment vacated and case remanded to the United States District Court for the Western District of North Carolina for further consideration in light of *Roe v. Wade*, 410 U.S. — (1973), and *Doe v. Bolton*, 410 U.S. — (1973).

No. 71-439. James E. Barlow et al., appellants, *v.* Edward Gallant et al. Appeal from the United States District Court for the Western District of Texas. Judgment affirmed.

No. 71-1200. C. W. Thompson, appellant, *v.* Texas. Appeal from the Court of Criminal Appeals of Texas. Judgment vacated and case remanded to the Court of Criminal Appeals of Texas for further consideration in light of *Roe v. Wade*, 410 U.S. — (1973).

No. 71-5666. Jane Doe, appellant, *v.* Calvin L. Rampton, Governor, et al. Appeal from the United States District Court for the District of Utah. Motion of appellant for leave to proceed *in forma pauperis* granted. Judgment vacated and case remanded to the United States District Court for the District of Utah for further consideration in light of *Roe v. Wade*, 410 U.S. — (1973).

No. 72-56. Arnold Markle et al., appellants, *v.* Janice Abele et al. Appeal from the United States District Court for the District of Connecticut. Judgment vacated and case remanded to the United States District Court for the District of Connecticut for consideration of the question of mootness of this appeal.

No. 72-256. Phillip Crossen, Pat Craddock, and Peter Scott, appellants, *v.* Attorney General of the Commonwealth of Kentucky et al. Appeal from the United States District Court for the Eastern District of Kentucky. Judgment vacated and case remanded to the United States District Court for the Eastern District of Kentucky for further consideration in light of *Roe v. Wade*, 410 U.S. — (1973).

No. 72-434. Robert M. Byrn, guardian *ad litem* for infant Roe, etc., appellant, *v.* New York City Health & Hospitals Corporation et al. Appeal from the Court of Appeals of New York. Motion to postpone jurisdiction until a hearing of the appeal on the merits denied. The appeal is dismissed for want of a substantial federal question. *Roe v. Wade*, 410 U.S. — (1973).

No. 72-631. H. Benjamin Munson, appellant, *v.* South Dakota. Appeal from the Supreme Court of South Dakota. Judgment vacated and case remanded to the Supreme Court of South Dakota for further consideration in light of *Roe v. Wade*, 410 U.S. — (1973).

No. 72-730. Arnold Markle et al., appellants, *v.* Janice Abele et al. Appeal from the United States District Court for the District of Connecticut. Judgment vacated and case remanded to the United States District Court for the District of Connecticut for further consideration in light of *Roe v. Wade*, 410 U.S. — (1973), and *Doe v. Bolton*, 410 U.S. — (1973).

No. **72-806**. Ramsay Travel, Incorporated, et al., appellants, *v.* Ralph W. Kondo, Director of Taxation of the State of Hawaii. Appeal from the Supreme Court of Hawaii. The appeal is dismissed for want of a substantial federal question. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

No. **72-5829**. Arthur L. Flesch, appellant, *v.* Ohio. Appeal from the Court of Appeals of Ohio, Franklin County. The appeal is dismissed for want of a substantial federal question. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

No. **72-957**. Yasuo Sasaki, appellant, *v.* Kentucky. Appeal from the Court of Appeals of Kentucky. Judgment vacated and case remanded to the Court of Appeals of Kentucky for further consideration in light of *Roe v. Wade*, 410 U.S. — (1973).

No. **72-5925**. L. G. Ruderer, appellant, *v.* William S. Sessions et al. Appeal from the United States District Court for the Western District of Texas. The appeal is dismissed for want of jurisdiction. Mr. Justice Blackmun took no part in the consideration or decision of this appeal.

No. **72-5935**. L. G. Ruderer, appellant, *v.* Richard Kleindienst, Attorney General. Appeal from the United States District Court for the District of Columbia. The appeal is dismissed for want of jurisdiction. Mr. Justice Blackmun took no part in the consideration or decision of this appeal.

#### CERTIORARI—SUMMARY DISPOSITION

No. **72-69**. Vilis Kruze, petitioner, *v.* Ohio. On petition for writ of certiorari to the Supreme Court of Ohio. Petition for writ of certiorari granted, judgment vacated and case remanded to the Supreme Court of Ohio for further consideration in light of *Roe v. Wade*, 410 U.S. — (1973).

#### ORDERS IN PENDING CASES

No. **A-856**. Joseph B. Bobek, applicant, *v.* Ohio. The application for stay and/or bail presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. **71-1523**. Richard W. Hunt, appellant, *v.* Robert E. McNair, Governor of South Carolina, et al. The motion of the Attorney General of New Jersey for leave to file an untimely brief, as *amicus curiae*, is granted.

No. **72-269**. Arthur Levitt, as Comptroller of the State of New York and Ewald B. Nyquist, as Commissioner of Education of the State of New York, appellants, *v.* Committee for Public Education and Religious Liberty et al.;

No. 72-270. Warren M. Anderson, as Majority Leader and President *pro tem* of New York State Senate, appellant, *v.* Committee for Public Education and Religious Liberty, et al.; and

No. 72-271. Cathedral Academy et al., appellants, *v.* Committee for Public Education and Religious Liberty et al. The motion of appellants to permit three counsel to argue orally is denied.

No. 72-486. Federal Power Commission, petitioner, *v.* Memphis Light, Gas and Water Division, et al.; and

No. 72-488. Texas Gas Transmission Corporation, petitioner, *v.* Memphis Light, Gas and Water Division, et al. The motion of The Independent Natural Gas Association of America for leave to file a brief, as *amicus curiae*, is granted. The motion of Jersey Central Power & Light Company et al., for leave to file a brief, as *amici curiae*,

<sup>15 GRANTED.</sup>  
No. 72-490. McDonnell Douglas Corporation, petitioner, *v.* Percy Green. The motion of The Chamber of Commerce of the United States for leave to file a brief, as *amicus curiae*, is granted.

No. 72-586. Elmer O. Cady, Warden, petitioner, *v.* Chester J. Dombrowski. The motion of respondent for the appointment of counsel is granted, and it is ordered that William J. Mulligan, Esquire, of Milwaukee, Wisconsin, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the respondent in this case.

No. 72-1139. James Grit et al., appellants, *v.* Benson A. Wolman et al. The motion to expedite and to advance oral argument is denied.

#### CERTIORARI GRANTED

No. 72-702. Golden State Bottling Company, Inc., et al., petitioners, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 72-885. United States et al., petitioners, *v.* William B. Richardson. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 72-782. Gateway Coal Company, petitioner, *v.* United Mine Workers of America et al. Motion of The Bituminous Coal Operators' Association, Inc., for leave to file a brief, as *amicus curiae*, granted. Motion of The National Association of Manufacturers of the United States of America for leave to file a brief, as *amicus curiae*, granted. Motion of the Chamber of Commerce of the United States of America for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 72-844. E. E. Falk, Individually and as Partner in Drucker & Falk, et al., petitioners, *v.* Peter J. Brennan, Secretary of Labor, United States Department of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted limited to Questions 2 and 3 presented by the petition which read as follows:

"2. Under the Fair Labor Standards Act to be covered an enterprise must have an 'annual gross volume of sales made or business done' of \$500,000. Is this figure to be measured by the gross rentals collected by the agent or by that agent's gross commissions?"

"3. Are maintenance workers employed at the buildings managed by petitioners employees of the apartment owner or of the petitioners?"

No. 72-5581. Richard Guy Steffel, petitioner, *v.* John R. Thompson et al. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 72-5881. Robert Edward Marshall, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

#### CERTIORARI DENIED

No. 72-713. Jesse Bacon Smith, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 72-747. Bloomfield Hills School District, petitioner, *v.* Stephen J. Roth, U.S. District Judge, Eastern District of Michigan; and

No. 72-748. West Bloomfield School District of Oakland County, Michigan, et al., petitioners, *v.* Stephen J. Roth, U.S. District Judge, Eastern District of Michigan. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-752. Cecil Roy Thurman, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Middle Division, denied.

No. 72-817. School District of the City of Birmingham, Oakland County, Michigan, petitioner, *v.* Stephen J. Roth, District Judge for the Eastern District of Michigan, Southern Division. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-836. Ilario Zannino et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-870. Fred Arnold Clemons, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-873. Patrick Staunton, etc., et al., petitioners, *v.* Joseph L. Donahue. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-874. Arthur Milton Johnston, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-875. Robert Siegel and Arthur Veals, petitioners, *v.* Thomas —R. McMillen, Judge, United States District Court, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-884. Max J. Gordon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-894. William B. Richardson, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-895. Vera Rivera, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-907. Oscar Yeager et ux., petitioners, *v.* Township of Mansfield, Warren County, New Jersey, et al. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 72-938. Sam Adam and R. Eugene Pincham, petitioners, *v.* Del Bianco & Associates, Inc. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 72-954. Village of Lake Bluff, etc., et al., petitioners, *v.* City of North Chicago et al. Petition for writ of certiorari to the Appellate Court of Illinois, Second District, denied.

No. 72-963. John A. Hutter et al., petitioners, *v.* Cook County, Illinois, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-964. Edward R. Dumestre, Jr., et al., petitioners, *v.* The Travelers Insurance Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit, *Denied*.

No. 72-972. The Western Railway of Alabama, petitioner, *v.* Johnny F. Blue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5125. Glen Miller Perkins, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of San Bernardino, denied.

No. 72-5640. Robert Muller Taylor, petitioner, *v.* Minnesota. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5697. Benny Shaffner, petitioner, *v.* Henry E. Cowan, Warden. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 72-5718. Paul Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5800. James Dawson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5842. George William Moorer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5845. Gerald C. Howard, petitioner, *v.* W. J. Estelle, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5862. Vernon James Kortsen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5875. Ernest Nelson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5876. Becky Rael, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5877. Ronald Salvatore Costa, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5886. LeRoy Wayne Thomas, petitioner, *v.* United States; and

No. 72-5906. Leonard Gene Thomas, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5888. George DeCosta, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-5889. Willie J. McCray, petitioner, *v.* Caspar W. Weinberger, Secretary of Health, Education and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.



No. 72-5891. Lawrence Parish, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-5902. Walter F. Frazier, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5904. Jose Pedro Galaz, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5908. Dennis W. Van Orden, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5910. Frederico E. Loundmannz, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-5917. Gerald A. Wilson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-5918. George Dreier, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5940. George Y. Stribling, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5996. Thomas Wesley Nelson, petitioner, *v.* Eugene Stratton. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6001. Sherman White, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 72-6003. Sherman Braxton, petitioner, *v.* C. Murray Henderson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6013. Bobby R. Lott, petitioner, *v.* Texas Board of Pardons and Paroles, et al. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 72-6039. Walter Mitchell Daniel, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 72-540. Barbara Watkins et al., petitioners, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied. Mr. Justice Douglas would grant certiorari.

No. **72-5734**. Joe Kenneth Dean, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Mr. Justice Douglas would grant certiorari.

No. **72-5783**. Ollie Gunn and Joe Lewis Gunn, petitioners, *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Western Division, denied. Mr. Justice Douglas would grant certiorari.

No. **72-5828**. Richard Patrick Kelly, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-5838**. Herminia Gil DeAvila, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-5922**. James X. Long, petitioner, *v.* Norman A. Carlson, Director of Prisons, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-883**. Carmello Pluchino, petitioner, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **72-966**. Confederation Life Insurance Company, petitioner, *v.* Reyes Arida Conte. Petition for writ of certiorari to the Supreme Court of Florida denied. Mr. Justice Douglas and Mr. Justice Brennan would grant certiorari and set case for oral argument. See *Confederation Life Insurance Co. v. Lara*, 409 U.S. 953 (dissenting opinion).

No. **72-5641**. Darwin Ray Kuchenreuther, petitioner, *v.* Iowa. Petition for writ of certiorari to the District Court of Iowa, Pocahontas County, denied for want of a final judgment. See 28 U.S.C. 1257.

No. **72-5745**. Ernest Barragan Lopez, petitioner, *v.* California. Motion for leave to use record in No. 804 Misc., October Term, 1963, granted. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

#### LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. **72-6032**. Gerald Glen Boyden, petitioner, *v.* Norman A. Carlson, Director, U.S. Bureau of Prisons;

No. **72-6046**. Jack I. Rentscheler, petitioner, *v.* Texas;

No. **72-6054**. Louis D. Cosco, petitioner, *v.* Lenard F. Meacham;  
and

No. 72-6126. Benjamin Jones, petitioner, *v.* John W. Barrett et al. Motions for leave to file petitions for writs of habeas corpus denied.

No. 72-5531. Aaron A. Baggett, petitioner, *v.* Louie L. Wainwright, Director, Division of Corrections. Motion for leave to file petition for writs of habeas corpus denied. Mr. Justice Douglas would grant motion.

#### LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 72-968. Solo Cup Company, petitioner, *v.* Richard B. Austin, United States District Judge. Motion for leave to file petition for writ of mandamus and for other relief denied.

No. 72-5681. Gordon Dean Landis, petitioner, *v.* United States District Court, Western District of Michigan, etc. Motion for leave to file petition for writ of mandamus denied.

#### LEAVE TO FILE PETITION FOR WRIT OF PROHIBITION DENIED

No. 72-6119. L. G. Ruderer, petitioner, *v.* James L. Foreman, Judge. Motion for leave to file petition for writ of prohibition denied. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

#### REHEARINGS DENIED

No. 70-18. Jane Roe et al., appellants, *v.* Henry Wade;

No. 70-40. Mary Doe et al., appellants, *v.* Arthur K. Bolton, as Attorney General of the State of Georgia, et al.;

No. 71-564. District of Columbia, petitioner, *v.* Melvin Carter;

No. 71-6272. Samuel Ed Robinson, petitioner, *v.* William S. Neil, Warden;

No. 72-243. Clean Air Coordinating Committee, petitioner, *v.* Roth Adam Fuel Company et al.;

No. 72-451. Patricia Lou Kennedy et al., petitioners, *v.* Bureau of Narcotics and Dangerous Drugs, etc.;

No. 72-474. Mary Ellen Schattman, petitioner, *v.* Texas Employment Commission et al.;

No. 72-483. Francis R. Salazar, petitioner, *v.* United States;

No. 72-485. George I. Norman, Jr., petitioner, *v.* United States;

No. 72-525. Donald S. Cooper, petitioner, *v.* United States;

No. 72-645. Joseph Briola, petitioner, *v.* United States;

No. 72-662. Jan T. Bata, etc., petitioner, *v.* Thomas J. Bata et al.;

No. 72-672. Marti Pogue, petitioner, *v.* Retail Credit Company;

No. 72-790. Alabama and W. S. Furlow, Warden, petitioners, *v.* William G. Brinks;

- No. 72-5218. Mayo M. Goff, petitioner, *v.* New York;
- No. 72-5368. Melvin Leroy Tyler, petitioner, *v.* Alphonzo Lark, Warden, et al.;
- No. 72-5372. Glenn Lucas, petitioner, *v.* Wyoming et al.;
- No. 72-5438. Richard E. Warner, petitioner, *v.* United States Patent Office et al.;
- No. 72-5454. Delmar E. Cooper, petitioner, *v.* United States;
- No. 72-5568. Major Davis, Jr., petitioner, *v.* Edward R. Neaher, United States District Judge, etc., et al.;
- No. 72-5608. Carol Jean Heindl, petitioner, *v.* Washington Terminal Company;
- No. 72-5628. Herman Bernstein, petitioner, *v.* United States;
- No. 72-5633. Glenn Allan Reilly, petitioner, *v.* Louis S. Nelson, Warden;
- No. 72-5646. David H. Dabney, petitioner, *v.* District of Columbia;
- No. 72-5649. James C. Milstead and Rose Marie Milstead, petitioners, *v.* California et al.;
- No. 72-5682. Marlyn Lee Jones, petitioner, *v.* United States;
- No. 72-5716. John C. Bennett, petitioner, *v.* United States Director of Internal Revenue; and
- No. 72-5735. Juergen Stengel, petitioner, *v.* City of Anaheim, County of Orange, et al. Petitions for rehearing denied.
- No. 71-858. Thomas Ricci, petitioner, *v.* Chicago Merchantile Exchange et al. Motion to dispense with printing petition granted. Petition for rehearing denied.
- No. 72-277. Henry C. Fortenberry, etc., petitioner, *v.* New York Life Insurance Company. Motion for leave to file petition for rehearing denied. Mr. Justice Powell took no part in the consideration or decision of this motion.

#### ASSIGNMENT ORDERS

An order of the Chief Justice designating and assigning Mr. Justice Clark (Retired) to perform judicial duties in the United States Court of Appeals for the Seventh Circuit for the week of April 2, 1973, and for such further time as may be required to complete unfinished business, pursuant to 28 U.S.C. § 294(a), is ordered entered on the minutes of this Court, pursuant to 28 U.S.C. § 295.

An order of the Chief Justice designating and assigning Mr. Justice Clark (Retired) to perform judicial duties in the United States Court of Appeals for the Seventh Circuit for the week of May 21, 1973, and for such further time as may be required to complete unfinished business, pursuant to 28 U.S.C. § 294(a), is ordered entered on the minutes of this Court, pursuant to 28 U.S.C. § 295.

## RECESS ORDER

The Court will take a recess from Monday, March 5, 1973, until Monday, March 19, 1973.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James R. Adams	Harrisburg, Pa.	Peter W. Brown.
Charles Barnhill, Jr.	Chicago, Ill.	Sheldon Howard Roodman.
Anna C. Bayard (Mrs.)	New York, N. Y.	Eugene L. Scancarelli.
Donald Louis Beran	Springfield, Ohio	Nicholas Richard Curci.
Joel I. Bergman	Lyndhurst, N. J.	Guy W. Calissi.
Stephen Andrew Block	New York, N. Y.	Charles G. Moerdler.
Robert Heron Bork	New Haven, Conn.	Sol. Gen. Erwin N. Geiswold.
Michael Jeff Brady	Redwood City, Calif.	Miss Lois J. Scampini
Arthur E. Bryan, Jr.	Chicago, Ill.	Alan J. Olson.
Michael F. Burke	New York, N. Y.	Thomas B. Tenfelde.
Thomas B. Burke	Fayetteville, Ark.	George Clifton Wade.
Herman J. Caponi	New York, N. Y.	Miss Adrienne E. Hofmann.
Ray Carleno	Ferguson, Mo.	Burton A. Librach.
Leon H. Charney	New York, N. Y.	Vance Hartke.
James D. Checki, Jr.	Lyndhurst, N. J.	Guy W. Calissi.
Thomas Hal Clarke	Atlanta, Ga.	Robert Grier Stephens, Jr.
John Dorsey Conley	Long Beach, Calif.	Judge Richard John Beacom.
Harry Sinclair Connelly, Jr.	Santa Fe, N. Mex.	James B. Alley, Jr.
David L. Crawford	Lincoln, Nebr.	James Walt Hewitt.
John W. Danfelser	Albuquerque, N. Mex.	Marshall G. Martin.
Thomas Williams Davenport, Jr.	Monroe, La.	Robert Lee Curry III.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gilbert K. Davis	Fairfax, Va.	Brian P. Gettings.
Ernest Stephen Derby	Baltimore, Md.	William L. Marbury, Jr.
Eugene W. Doyle	San Francisco, Calif.	James Lincoln Dillon.
Cyril C. Dreman	Belleville, Ill.	Richard S. Beske.
Faith F. Driscoll (Miss)	Dedham, Mass.	Nicholas Prasinios.
Joseph J. Drolet	Atlanta, Ga.	Lewis Roger Slaton, Jr.
John Kennedy Dunlap	Atlanta, Ga.	Thomas J. Lewis, Jr.
B. Richard Edwards	Anchorage, Alaska	Charles Kinney Cranston.
L. Peter Farkas	Washington, D.C.	Richard John Torre.
Walter Clayton Farley	Washington, D.C.	Donald C. Roylance.
Michael K. Fawell	Wheaton, Ill.	Thomas J. Benda.
Joseph Wilson Ferraro, Jr.	Freehold, N.J.	William Gural.
Jerold H. Fishman	Upper Marlboro, Md.	Benjamin Rosner Wolman.
John G. Fletcher	Miami, Fla.	St. Julien P. Rosemond.
Edward T. Fogel, Jr.	Los Angeles, Calif.	S. Clark Moore.
Thomas Patrick Ford, Jr.	Miami, Fla.	Aubrey V. Kendall.
William Arthur Francis	Los Angeles, Calif.	Charles W. Stoll.
Peter P. Garam	New York, N.Y.	Guille Sawin Peter Bergen.
Donald Gary Gartman	Washington, D.C.	Martin Mendelsohn.
Richard David Giles, Jr.	Atlanta, Ga.	Frank Aubrey Holloway.
Harold Emil Gillmann	Woodland Hills, Calif.	Norman Leslie Roberts.
Robert Howard Goldstein	Los Angeles, Calif.	Barry Satzman.
Charles P. Gotwals, Jr.	Tulsa, Okla.	G. Ellis Gable.
Robert Ernest Gould	Kansas City, Mo.	Wilbur L. Pollard.
James L. Graham	Columbus, Ohio	Paul M. Herbert.
Charles C. Griffith	Evansville, Ind.	John L. Carroll.
George Michael Hanover	Los Angeles, Calif.	Harvey A. Schneider.
Bruce M. Harrington	Houston, Tex.	John Temple Maginnis.
Robert Nelson Harris, Jr.	Los Angeles, Calif.	Arthur I. Rosett.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ronald Theodore Hartmann	Chicago, Ill.	Frederick P. Johnston.
Robert Audley Heath	Houston, Tex.	Marion D. Leach.
Stuart Prentiss Herman	Washington, D.C.	David L. Rose.
Lee Marks Holmes	Oklahoma City, Okla.	Charles Donald Ellison.
Robert Joseph Horne	Jacksonville, Fla.	James Glennon Mahorner.
Lawrence S. Huffman	Lima, Ohio	Robert L. Balyeat.
Robert F. Hyatt III	Houston, Tex.	Marion D. Leach.
Paul F. Isaacs	Frankfort, Ky.	William C. Ayer, Jr.
Lionel S. Jassy	New York, N.Y.	William E. Willis.
James Webb Jones	Portsmouth, Va.	Kenneth Lee Dietrick.
Jeffrey A. Kay	Pittsburgh, Pa.	Julian Ruslander.
Herbert Bennett Kimzey	Cornelia, Ga.	Robert Wilson Smith, Jr.
John Wesley Kinslow	Tulsa, Okla.	G. Ellis Gable.
Ward M. Kirby	Dickinson, N. Dak.	Quentin N. Burdick.
John A. Krichbaum	Chicago, Ill.	James J. McNamara.
Jerold A. Krieger	Los Angeles, Calif.	Norman Gregory Taylor.
Martin J. Kushnick	Huntington, N.Y.	Stanley F. Gordon.
Richard Stephen Kwieciak	Buffalo, N.Y.	Charles Sterling Babcock.
John Lackland	Seattle, Wash.	George Van Tuyl Powell.
John F. Law, Jr.	North Palm Beach, Fla.	Paul Willson Potter, Jr.
Wade H. Leonard	Rossville, Ga.	Frank M. Gleason.
Bernard Wilhelm LeVander	Minneapolis, Minn.	Judge Edward J. Devitt.
Kurt Francis Lewis	Sarasota, Fla.	Larry Helm Spalding.
Paul Alexander Lipski	Auburn, N.Y.	Richard D. Malcolm.
Noel E. Manoukian	Zephyr Cove, Nev.	Alan Bible.
Louis Francis Mathis	Garland, Tex.	Earl Luna.
Arthur Mazirow	Beverly Hills, Calif.	Robert Schaffer.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John P. McLane	Auburn, N. Y.	Richard D. Malcolm.
Eldon V. McPharlin	Los Angeles, Calif.	Kenneth Edgar Lewis.
Albert Traylor McRae	Memphis, Tenn.	John Evans McKee, Jr.
Thomas S. Metskas	Chicago, Ill.	Roger A. Bjorvik.
Carl T. Miller, Jr.	Frankfort, Ky.	Ed W. Hancock.
Judson Hirsch Miner	Chicago, Ill.	Philip B. Kurland.
M. Mitchell Morse	New Haven, Conn.	Howard Alan Jacobs.
Carroll Thomas Mustian	Richmond, Va.	Edward E. Lane.
Edwin O. Norris	Kingsport, Tenn.	Ernest F. Smith.
Jose Garcia Otero	San Diego, Calif.	Olen Duane Woods.
Salvador Perez-Mayol	San Juan, P.R.	Harvey B. Nachman.
George S. Petkoff	Memphis, Tenn.	Howard H. Baker, Jr.
Robert J. Phares	Washington, D.C.	Ralph Jason Temple.
Eliot N. Pierce	San Diego, Calif.	James Lawrence Focht, Jr.
James Sabine Reece	Columbus, Ohio	James J. Hughes, Jr.
Howard Ring Relin	Rochester, N. Y.	Anthony J. Amoroso.
Ora Herbert Roberts, Jr.	Evansville, Ind.	John L. Carroll.
Robert Penny Roberts	New York, N. Y.	Dennis R. Yeager.
Timothy Dean Robinson	Berlin, Wis.	R. M. Gonyo.
Terence Lloyd Rolbin	Los Angeles, Calif.	J. Varick Tunney.
Stuart A. Rosenblatt	West Caldwell, N.J.	Harry Cohn.
David Gordon Roston	Minneapolis, Minn.	Henry William McCarr, Jr.
Toby James Rothschild	Long Beach, Calif.	Miss Valerie Vanaman.
Charles Lewis Rowe	West Palm Beach, Fla.	James Carriger Paine.
Patrick Hugh Scanlong	Jackson, Miss.	James Leon Young.
John T. Schall	San Diego, Calif.	Ross G. Tharp.
David C. Schutter	Honolulu, Hawaii	O. Vincent Esposito.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert L. Sheaffer	Shelbyville, Ind.	Lloyd Whitmer.
Jeffrey Lawrence Shernoff	New York, N. Y.	James Rosenthal.
Edwyn R. Sherwood	Larkspur, Colo.	Lewis M. Poe, Jr.
Sandor O. Shuch	Phoenix, Ariz.	William Patrick Mahoney, Jr.
Earl Richard Siddall	Los Angeles, Calif.	Robert E. Remer.
Richard Brian Sigmond	Philadelphia, Pa.	Bernard N. Katz.
Gary Howard Simpson	Kensington, Md.	Joseph Forer.
Gordon Burns Smith	Savannah, Ga.	Frank S. Cheatham Jr.
Robert J. Solner	Birmingham, Mich.	Donald F. Welday Jr.
John L. Stennett	San Diego, Calif.	Ross G. Tharp.
Roger Houliston Swan	Oklahoma City, Okla.	Solon Williams Smith.
Oscar Jackson Taylor, Jr.	Greenville, S.C.	Wesley M. Walker.
Robert Rees Taylor	Honolulu, Hawaii	James E. Ross.
James J. Waldorf	Hollywood, Calif.	Charles W. Stoll.
Richard S. Walinski	Toledo, Ohio	John F. Haywood.
Michael Barry Weisz	San Diego, Calif.	James Alan Malkus.
Richard Allen Weisz	Long Beach, Calif.	Howard M. Van Elgort.
Dick L. Williams	East Peoria, Ill.	James D. Heiple.
Reed M. Williams	Long Beach, Calif.	Francis L. Tetreault.
Kenneth Ross Wolfe	New York, N. Y.	Steven E. North.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Grant G. Moy, Jr.	San Francisco, Calif.	Solicitor General Erwin N. Griswold.
Alan Boyd Fields, Jr.	San Mateo, Fla.	William V. Chappell, Jr.
Edward E. Hedstrom	Palatka, Fla.	William V. Chappell, Jr.

## ORAL ARGUMENT

No. 72-90. United States, petitioner, *v.* Chicago, Burlington & Quincy Railroad Company. Argued by Mr. Richard B. Stone for the petitioner and by Mr. Richard J. Schreiber for the respondent.

No. 71-1623. Bob Bullock, etc., appellant, *v.* Dan Weiser et al. Argued by Mr. Charles L. Black, Jr., for the appellant and by Mr. Lawrence Fischman for the appellees.

No. 72-147. Bob Bullock et al., appellants *v.* Diana Register et al. One and one half hours allowed for oral argument. Argued by Mr. Leon Jaworski for the appellants, by Mr. David R. Richards for the appellees Register et al., by Mr. Ed Idar, Jr., for the Mexican-American appellees, Bernal et al., and by Mr. Thomas Gibbs Gee for the Republican appellees Willeford et al.

No. 71-1476. J. Brian Gaffney, appellant, *v.* Theodore R. Cummings et al. Argument commenced by Mr. Robert G. Dixon, Jr., for the appellant and continued by Mr. Robert Statter for the appellees.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

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<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Goff Caples	Chicago, Ill.	Judge George H. Boldt.
Douglas George Robinson	Washington, D.C.	Paul A. Porter.

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### OPINIONS

**No. 71-692.** Illinois, petitioner, *v.* Donald Somerville. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rehnquist. Dissenting opinion by Mr. Justice White with whom Mr. Justice Douglas and Mr. Justice Brennan join. Dissenting opinion by Mr. Justice Marshall.

**No. 71-1022.** United States, petitioner, *v.* James A. Basye et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgments reversed and case remanded to the Court of Appeals with directions that judgments be entered for the United States. Opinion by Mr. Justice Powell. Mr. Justice Douglas dissents.

**No. 71-1136.** Murray Tillman et al., petitioners, *v.* Wheaton-Haven Recreation Association, Inc., et al. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Blackmun.

### ORAL ARGUMENT

**No. 71-1476.** J. Brian Gaffney, appellant, *v.* Theodore R. Cummings et al. Argument continued by Mr. Robert Satter for the appellees and concluded by Mr. Robert G. Dixon, Jr., for the appellant.

No. 71-1585. United States, petitioner, *v.* Richard Russell. Argued by Mr. Philip A. Lacovara for the petitioner and by Mr. Thomas H. S. Brucker for the respondent.

No. 71-1545. Earl L. Butz, Secretary of Agriculture, et al., petitioners, *v.* Glover Livestock Commission Company, Inc. Argued by Mr. Keith A. Jones for the petitioners and by Mr. R. A. Eilbott, Jr., for the respondent.

No. 72-10. David Moor et al., petitioners, *v.* County of Alameda et al. Argued by Mr. Ronald M. Greenberg for the petitioners and by Mr. Peter W. Davis for the respondents.

No. 72-129. National Association for the Advancement of Colored People, etc., et al., appellants, *v.* New York et al. Argument commenced by Mr. Jack Greenberg for the appellants and continued by Mr. A. Raymond Randolph, Jr., for the appellee United States.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

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<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William E. Anderson, Jr.	Palo Alto, Calif.	Paul N. McCloskey, Jr.
James Richard Martin	Waterloo, Iowa	Wiley E. Mayne.
Phillip L. Isenberg	Sacramento, Calif.	Robert Earl Moss.

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### OPINIONS

**No. 71-873.** United States, appellant, *v.* Falstaff Brewing Corporation et al. Appeal from the United States District Court for the District of Rhode Island. Judgment reversed and case remanded to the United States District Court for the District of Rhode Island for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Opinion by Mr. Justice Douglas concurring in part. Opinion by Mr. Justice Marshall concurring in the result. Dissenting opinion by Mr. Justice Rehnquist with whom Mr. Justice Stewart concurs. Mr. Justice Brennan took no part in the decision of this case. Mr. Justice Powell took no part in the consideration or decision of this case.

**No. 71-1598.** Peter J. Brennan, Secretary of Labor, petitioner, *v.* Arnheim and Nelly, Inc., et al. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice White.

**No. 71-6516.** Charles D. Braden, petitioner, *v.* 30th Judicial Circuit Court of Kentucky. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brennan. Opinion by Mr. Justice Blackmun concurring in the result. Dis-

senting opinion by Mr. Justice Rehnquist with whom Mr. Chief Justice Burger, and Mr. Justice Powell concur.

No. 71-703. United States, appellant, *v.* First National Bancorporation, Inc., et al. Appeal from the United States District Court for the District of Colorado. Judgment affirmed by an equally divided Court. Opinion *per curiam* announced by Mr. Chief Justice Burger. Mr. Justice Powell took no part in the consideration or decision of this case.

#### ORAL ARGUMENT

No. 72-129. National Association for the Advancement of Colored People, etc., et al., appellants, *v.* New York et al. Argument continued by Mr. A. Raymond Randolph, Jr., for the appellee United States, by Mr. George D. Zuckerman for the appellee New York, and concluded by Mr. Jack Greenberg for the appellants.

No. 72-214. The Atchison, Topeka and Santa Fe Railway Company et al., appellants, *v.* The Wichita Board of Trade et al.; and

No. 72-433. Interstate Commerce Commission, appellant, *v.* Wichita Board of Trade. One hour and ten minutes allowed for oral argument. Argued by Mr. Earl E. Pollock for Atchison, Topeka and Santa Fe Railway Company et al., by Mrs. Betty Jo Christian for the Interstate Commerce Commission, by Mr. Daniel J. Sweeney for the Wichita Board of Trade et al., and by Mr. William A. Imhof for the Secretary of Agriculture.

No. 72-535. United States and Interstate Commerce Commission, appellants, *v.* Students Challenging Regulatory Agency Procedures (S.C.R.A.P.), et al.; and

No. 72-562. Aberdeen and Rockfish Railroad Company et al., appellants, *v.* Students Challenging Regulatory Agency Procedures (S.C.R.A.P.), et al. One and one half hours allowed for oral argument. Argued by Mr. Solicitor General Erwin N. Griswold for the United States and the Interstate Commerce Commission, by Mr. Hugh B. Cox for the Aberdeen and Rockfish Railroad Company et al., by Mr. Peter H. Meyers for Students Challenging Regulatory Agency Procedures, *pro hac vice*, by special leave of Court, and by Mr. John F. Dienelt for the Environmental Defense Fund et al., *pro hac vice*, by special leave of Court.

No. 71-6757. David X. Fontaine, petitioner, *v.* United States. Argued by Mr. Steven M. Umin for the petitioner and by Mr. Samuel Huntington for the respondent.

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Adjourned until Monday, March 5, 1973, at 10 o'clock.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, and Mr. Justice Rehnquist.

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

### OPINION PER CURIAM

No. **72-5431**. Raymond N. Ortwein and Gwendolyn Faubion, appellants, *v.* Herbert M. Schwab et al. Appeal from the Supreme Court of Oregon. Motion for leave to proceed *in forma pauperis* granted. Judgment affirmed. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Brennan. Mr. Justice Stewart dissents, believing that the doctrine of *Boddie v. Connecticut*, 401 U.S. 371 (1971), requires reversal of this judgment. Dissenting opinion by Mr. Justice Marshall. Opinion *per curiam*.

### APPEALS—SUMMARY DISPOSITION

No. **72-759**. California-Pacific Utilities Company et al., appellants, *v.* United States et al. Appeal from the United States District Court for the District of Colorado. Appeal as to California-Pacific Utilities Company dismissed for want of jurisdiction for failure to file a timely notice of appeal. 28 U.S.C. 2101(b). Judgment as to the six other appellants affirmed. Mr. Justice Brennan, Mr. Justice White and Mr. Justice Marshall took no part in the consideration or decision of this case.

No. **72-768**. Arizona ex rel. the State Corporation Commission et al., appellants, *v.* United States et al.;

No. **72-779**. Southwest Gas Corporation, appellant, *v.* United States et al.;

No. **72-781**. Pacific Gas and Electric Company, appellant, *v.* El Paso Natural Gas Company et al.; and

No. **72-785**. El Paso Natural Gas Company et al., appellants, *v.* United States et al. Appeals from the United States District Court for the District of Colorado. Judgment affirmed. Mr. Justice Brennan, Mr. Justice White, and Mr. Justice Marshall took no part in the consideration or decision of these cases.

No. **72-865**. City of Petersburg, Virginia, appellant, *v.* United States et al. Appeal from the United States District Court for the

District of Columbia. Judgment affirmed. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument. Mr. Justice Powell took no part in the consideration or decision of this case.

No. 72-876. Curtis, Inc., appellant, *v.* United States and Interstate Commerce Commission. Appeal from the United States District Court for the District of Colorado. Judgment affirmed.

No. 72-998. John Lehane et al., appellants, *v.* City and County of San Francisco et al. Appeal from the Court of Appeal of California, First Appellate District. The appeal is dismissed for want of a substantial federal question.

#### ORDERS IN PENDING CASES

No. A-839. Eugene L. Smaldone, appellant, *v.* United States. The application for bail presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. 71-1553. John J. Gilligan, Governor of Ohio, et al., petitioners, *v.* Craig Morgan et al. The motion of the Solicitor General for leave to participate in oral argument, as *amicus curiae*, on behalf of the petitioners is granted and fifteen minutes are allotted for that purpose. The respondents are allotted fifteen additional minutes for oral argument.

No. 71-1647. Federal Maritime Commission, petitioner, *v.* Seatrains Lines, Inc., et al. The motion of R. J. Reynolds Tobacco Company for leave to file a brief, as *amicus curiae*, is granted.

No. 72-11. Roosevelt F. Palmore, appellant, *v.* United States. The motion of the appellant for leave to file a supplemental brief, after argument, is granted.

No. 72-269. Arthur Levitt, as Comptroller of the State of New York and Ewald B. Nyquist, as Commissioner of Education of the State of New York, appellants, *v.* Committee for Public Education and Religious Liberty et al.;

No. 72-270. Warren M. Anderson, as Majority Leader and President pro tem of New York State Senate, appellant, *v.* Committee for Public Education and Religious Liberty et al.; and

No. 72-271. Cathedral Academy et al., appellants, *v.* Committee for Public Education and Religious Liberty et al. The motion of the appellants to permit two counsel to argue orally is granted.

No. 72-419. Pittsburgh Press Company, petitioner, *v.* The Pittsburgh Commission on Human Relations et al. The motion of The International Association of Official Human Rights Agencies for leave to file a brief, as *amicus curiae*, is granted. The motion of The American Civil Liberties Union, etc., for leave to file a brief, as *amicus curiae*, is granted.



No. 72-493. John W. Vlandis, Director of Admissions, the University of Connecticut, appellant, *v.* Margaret Marsh Kline and Patricia Catapano. The motion of the American Civil Liberties Union of Ohio, Inc., for leave to file a brief, as *amicus curiae*, is granted.

No. 72-634. United States Civil Service Commission et al., appellants, *v.* National Association of Letter Carriers, AFL-CIO, et al. The motion of the appellees for additional time for oral argument is granted and ten additional minutes are allotted for that purpose. The appellants are granted ten additional minutes for oral argument.

No. 72-694. Committee for Public Education and Religious Liberty et al., appellants, *v.* Ewald B. Nyquist, as Commissioner of Education of the State of New York, et al. ;

No. 72-753. Warren M. Anderson, as Majority Leader and President pro tem of the New York State Senate, appellant, *v.* Committee for Public Education and Religious Liberty et al. ;

No. 72-791. Ewald B. Nyquist, as Commissioner of Education of State of New York, et al., appellants, *v.* Committee for Public Education and Religious Liberty et al. ; and

No. 72-929. Priscilla L. Cherry et al., appellants, *v.* Committee for Public Education and Religious Liberty et al. The motion of Sidney A. Seegers et al., for leave to file a brief, as *amici curiae*, is granted.

No. 72-730. Arnold Markle et al., appellants, *v.* Janice Abele et al. The stay heretofore granted by this Court on October 16, 1972, is hereby vacated.

No. 72-1138. Harold W. Harrison, petitioner, *v.* United States. The application for a stay or recall of the mandate of the United States Court of Appeals for the Second Circuit presented to Mr. Justice Powell, and by him referred to the Court, is denied.

#### APPEALS—JURISDICTION NOTED

No. 72-812. Thomas Tone Storer et al., appellants, *v.* Edmund G. Brown, Jr., et al. ; and

No. 72-6050. Laurence H. Frommhagen, appellant, *v.* Edmund G. Brown, Jr., et al. Appeals from the United States District Court for the Northern District of California. Motion of appellant in No. 72-6050 for leave to proceed *in forma pauperis* granted. In these cases probable jurisdiction noted. Cases consolidated and a total of one hour allotted for oral argument.

No. 72-887. American Party of Texas et al., appellants, *v.* Bob Bullock, Secretary of State of Texas ; and

No. 72-942. Robert Hainsworth, appellant, *v.* Bob Bullock, Secretary of State of Texas. Appeals from the United States District Court for the Western District of Texas. In these cases probable

jurisdiction noted. Cases consolidated and a total of one hour allotted for oral argument.

## CERTIORARI DENIED

No. **72-707**. Percy Bland et al., petitioners, *v.* Robert McHann et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-722**. School Board of Orange County, Florida, petitioner, *v.* Evelyn R. Ellis et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-877**. Abram Cheatham, Jr. and Hazel Cheatham, petitioners. *v.* The City of Evansville, Indiana, etc. Petition for writ of certiorari to the Court of Appeals of Indiana denied.

No. **72-879**. NCR Employees' Independent Union, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **72-890**. Jackie Ho See, petitioner, *v.* Juan L. Pangelinan. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-908**. Saul E. Jofte, petitioner, *v.* William A. Wexler and B'nai B'rith. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **72-911**. Leslie S. Kaplan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **72-915**. Daniel Wyatt, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-916**. James Lee Stockwell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-917**. Saul Turnof, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **72-956**. Edward Harris, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-959**. John H. Young, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-970**. Associated Cultural Clubs, Inc., et al., petitioners, *v.* Monarch Travel Services, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-971. Warden, New Jersey State Prison, petitioner, *v.* William R. Monks. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-973. Norman G. Hicks, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 72-986. Western Ventures, Inc., petitioner, *v.* Dade Drydock Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1000. Dallas Moore, petitioner, *v.* State Highway Department of Georgia et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5596. Michael O'Dennis Finnegan, petitioner, *v.* Washington. Petition for writ of certiorari to the Court of Appeals of Washington denied.

No. 72-5685. Carl David Whittaker, petitioner, *v.* Ira M. Coiner, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5717. Elvin Eugene Hendrixson, petitioner, *v.* Russell E. Lash. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 72-5852. Fred H. Armes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5869. Joaquin Him Gonzales, petitioner, *v.* United States; and

No. 72-5896. James D. Vicars, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5911. Morris McCants, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5913. Raymond Wilson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5929. George L. Moore, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5931. Warren G. Haywood, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5933. Jose Henriques, petitioner, *v.* Immigration & Naturalization Service et al. Petition for writ of certiorari to the United States Court of Appeals for the ~~SECOND~~<sup>3<sup>RD</sup></sup> Circuit denied.

No. 72-5942. Russell Hines, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5987. Robert Halpern, petitioner, *v.* John Zelker, Superintendent, Green Haven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6008. Samuel Salvatore DiMaggio, petitioner, *v.* Elmer O. Cady, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-6015. Timothy C. Partin, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Lucas County, denied.

No. 72-6020. Philip F. Scasserra, petitioner, *v.* Pennsylvania State Civil Service Commission. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Western District, denied.

No. 72-6022. Roy W. Millinger, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6024. Albert Louis Thibadoux, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6027. Roger Smith, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 72-6040. Ruth Fayne, petitioner, *v.* Charles M. Berg. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-6043. E. J. McCord, petitioner, *v.* W. J. Estelle, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6044. Allen Reece, petitioner, *v.* W. J. Estelle, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6049. Tommie Heads, Jr., petitioner, *v.* W. J. Estelle, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6058. Lester Irving Crandall, petitioner, *v.* Maine. Petition for writ of certiorari to the Supreme Judicial Court of Maine denied.

No. 72-169. William Steven Cook, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1018. Margaret Louise Breitwieser et vir, petitioners, *v.* KMS Industries, Inc., dba Advo Systems. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5221. Oscar Mitchell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5308. Charles Wilson, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied. Mr. Justice Douglas would grant certiorari.

No. 72-5543. Frank Vawter, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied. Mr. Justice Douglas would grant certiorari.

No. 72-5550. Richard C. Wrenn, Jr., petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied. Mr. Justice Douglas would grant certiorari.

No. 72-5930. Robin Craig Dinnell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6014. Willie Todd, petitioner, *v.* Harold J. Cardwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6029. Burnie Fields, petitioner, *v.* Terrell Don Hutto, Commissioner of Corrections of Arkansas. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-912. David T. Dellinger et al., petitioners, *v.* United States. Motion of Yetta Machtinger, et al., to dispense with printing *amici curiae* brief granted. Motion of petitioners to dispense with printing granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5600. Emilio Casias, petitioner, *v.* W. J. Estelle, Director, Texas Department of Corrections. Petition for writ of certiorari to

the United States Court of Appeals for the Fifth Circuit denied as untimely filed. 28 U.S.C. 2101(c).

#### LEAVE TO FILE PETITION FOR WRIT OF CERTIORARI DENIED

No. 71-157. R. J. Reynolds Tobacco Company et al., petitioners, *v. United States et al.* Motion to grant certiorari and consolidate for oral argument with No. 71-1647, Fed. Maritime Comm'n. *v. Seatrain Lines, Inc., et al.*, denied. Motion for leave to file a petition for writ of certiorari denied.

#### LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 72-878. Jackie Ho See, petitioner, *v. United States Court of Appeals for the Ninth Circuit.* Motion for leave to file petition for writ of mandamus denied.

#### LEAVE TO FILE PETITION FOR WRIT OF PROHIBITION DENIED

No. 72-969. Norman R. Keegan, petitioner, *v. Volie A. Williams, Jr., Judge.* Motion for leave to file petition for writ of prohibition and/or mandamus denied.

#### REHEARINGS DENIED

No. 71-1119. Indiana Employment Security Division et al., appellants, *v. Essie D. Burney*;

No. 72-737. Paul Weiss, petitioner, *v. Michael Walsh et al.*; and

No. 72-5622. Samuel E. Nichols, petitioner, *v. United States.* Petitions for rehearing denied.

No. 71-827. Hughes Tool Company et al., petitioners, *v. Trans World Airlines, Inc.*; and

No. 71-830. Trans World Airlines, Inc., petitioner, *v. Hughes Tool Company et al.* Petition for rehearing denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 71-5743. Roberto Torres and Walter Dinger, appellants, *v. New York State Department of Labor et al.* Motion of the American Federation of Labor and Congress of Industrial Organizations for leave to file a brief, as *amicus curiae*, granted. Petition for rehearing denied. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Douglas and Mr. Justice Brennan concur.

No. 72-250. Robert L. Goldsberry et al., petitioners, *v. Raymond C. Hieber, Judge.* Petition for rehearing and for other relief denied.

No. 72-5410. Richard Black, petitioner, *v. United States*; and

No. 72-5470. Gabriel Castaneda, petitioner, *v. California.* Motions for leave to file petitions for rehearing denied.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Fletcher Keith Adkinson	Alexandria, Va.	Thomas Henry Kuchel.
Harold O'Hanlon Atkinson.	San Antonio, Tex.	William Steele Sessions.
Adam Benjamin, Jr.	Gary, Ind.	Walter P. Helmke.
John Anton Berke, Jr.	Houston, Tex.	Thomas G. Bousquet.
Arthur S. Berner	Houston, Tex.	Fred O. Hull.
Peter Bierstedt	New York, N.Y.	Ronald S. Konecky.
William Blaisdell Bell	Augusta, Ga.	Samuel C. Waller.
Aldo E. Botti	Wheaton, Ill.	John S. Taschner.
Stephen M. Boyd	Washington, D.C.	Warren G. Wickersham.
Roger A. Browning	Beverly Hills, Calif.	Anthony Michael Glassman.
George Wayne Calhoun	Marlton, Md.	Robert L. Keuch.
Donald W. Canady	Beverly Hills, Calif.	John H. Mion.
Robert Cantor	New York, N.Y.	Daniel J. Sullivan.
E. Day Carman	San Jose, Calif.	Alan A. Parker.
John Edward Cass	Stillwater, Minn.	Howard R. Albertson.
Karl W. Cavanaugh	Denham Springs, La.	Paul H. Dué.
Harold Chopp	Miami, Fla.	Robert Paul.
Ronald F. Coles	Berkeley, Calif.	Allen L. Norris.
Paul R. Cressman	Seattle, Wash.	Richard H. Riddell.
Ronald O. Dixon	Washington, D.C.	Noel H. Thompson.
Paul C. Doyle	Jacksonville, Fla.	Samuel S. Jacobson.
John Arthur Edginton	San Francisco, Calif.	Francis L. Tetreault.
Edward Neill English, Jr.	Irving, Tex.	Elwin Lloyd Skiles; Jr.
Thomas Alexander Evins	Spartanburg, S.C.	J. Strom Thurmond.
John M. Ewens	Milwaukee, Wis.	George A. Kapke.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas Richard Falcinelli	Silver Spring, Md.	Gordon G. Ovington.
Michael J. Fitzgerald	Buffalo, N. Y.	William B. Mahoney.
Arlie Maywood Foor	San Clemente, Calif.	Lee Metcalf.
Edward Leo Farrell, Jr.	Chatham, Mass.	Francis Dennis Flanagan.
Lewis P. Gaines	Chicago, Ill.	Frank J. Wiedner.
Jack J. Gantwerk	Los Angeles, Calif.	Mrs. Dzintra I. Janavs.
Bohdan Michael Harasym	Buffalo, N. Y.	Samuel Louis Green.
Dennis Hesser	Chicago, Ill.	Gerald A. Goldman.
Toshiro Hiraide	Palos Verdes, Calif.	McPherson Berrien E. Moore.
Allen I. Hirsch	Atlanta, Ga.	Ellis G. Arnall.
James T. Houfek	Worthington, Ohio.	William D. Kloss.
Gerarde Francis Imhoff	Los Angeles, Calif.	Joseph Francis Bosio.
Victor S. Jaczun	Hilltown, Pa.	William M. Power.
Michael Lloyd Jeffrey	Lincoln, Nebr.	Robert Lloyd Jeffrey.
Artemus B. Jewell, Jr.	Oxford, Mich.	Kenneth L. Travis.
Ernest Brownell Johnston, Jr.	Huntington, N. Y.	Francis J. Valentino.
Lawrence F. Kaine	Miami, Fla.	Stanely S. Stein.
John Bradford Kent	Jacksonville, Fla.	William Lee Durden, Jr.
Gary L. Keyser	Baton Rouge, La.	William J. Guste, Jr.
Marjan R. Kmiec	Milwaukee, Wis.	Victor Manian.
Gary J. Kolb	Chicago, Ill.	Edward B. Beis.
Herbert Kotler	Huntington, N. Y.	Stanley F. Gordon.
John Wyman Lamb	Tucker, Ga.	Benjamin B. Blackburn III.
Harvey Norman Levin	Chicago, Ill.	William Robert Quinlan.
Spears McAllester	Chattanooga, Tenn.	Hugh B. Helm.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas J. McHugh	Tucson, Ariz.	Richard D. Grand.
Russell R. Megrue	Denver, Colo.	John J. O'Connell.
David Meyers	Falls Church, Va.	Benedict P. Cottone.
Richard Carl Moenning	Chicago, Ill.	Michel A. Coccia.
Joseph D. Montedonico, Jr.	Silver Spring, Md.	William Adrian Ehrmantraut.
Bertrand Delivery Mouron Jr.	San Marino, Calif.	William Hosmer Peterson.
G. Gary Norton	Corpus Christi, Tex.	Richard Anthony Hall.
Thomas V. O'Connor	Wheaton, Ill.	John S. Teschner.
James A. Oliver	Seattle, Wash.	Kenneth P. Short.
Charles D. Olmsted	Santa Fe, N. Mex.	Saul Cohen.
Charles Claude Orsburn	Houston, Tex.	Van E. McFarland.
Donald Lawrence Pevsner	Miami, Fla.	William Redmond Colson.
Daniel M. Riess	Chicago, Ill.	Dimitri Dennis Allegretti.
Ross R. Runkel	Salem, Oreg.	Jacob B. Tanzer.
James Kenneth Rushing	Dallas, Tex.	Henry C. Coke, Jr.
Joel L. Selig	Washington, D.C.	David L. Rose.
Chester George Senf, Jr.	Jacksonville, Fla.	James Glennon Mahorner.
William F. Shdeed	Oklahoma City, Okla.	Marian P. Opala.
John H. Shirley	Texas City, Tex.	Douglas H. Chilton.
Hilery F. Silverman	Miami, Fla.	Joseph Pardo.
Stephen W. Silverman	Longmeadow, Mass.	Leonard R. Skvirsky.
Jeffrey M. Smith	Boston, Mass.	Jacob Spiegel.
Laurance Scott Smith	Los Angeles, Calif.	Harold Ellis Shabo.
Wilson W. Snyder	Toledo, Ohio	Leslie Henry.
Edward H. Steinman	San Francisco, Calif.	Marcel B. Poché
Harlan C. Stientjes	Greeley, Colo.	Robert Nolen Miller.
Clement Story III	Lafayette, La.	Wilbur Dawkins Atkins, Jr.
Ronald Gordon Wallace	Orlando, Fla.	Leo W. Haley.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Hamilton Wallace	Cleveland, Ohio	Robert D. Monnin.
Mark A. Weiss	Los Angeles, Calif.	John V. Tunney.
Wells Klein Wholwend	Los Angeles, Calif.	Lee B. Wenzel.
Robert A. Zaban	Indianapolis, Ind.	Robert F. Colker.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

Kent Forrest Walker	Wilmington, Del.	W. Laird Stabler, Jr.
John L. Dale	Lucedale, Miss.	Robert M. Scott.
Bennett E. Smith	Jackson, Miss.	Robert M. Scott.
Chester Joseph Sasadu, Jr.	Fort Lauderdale, Fla.	Richard A. Novak.
Helen Cohn Needham	Washington, D.C.	Bruce J. Terris.
Ronald T. Allen	Mobile, Ala.	R. H. Allen, Jr.
Frank L. Branson III	Dallas, Tex.	Peter Malcolm Davenport.
Robert Gerald Holderness	Alhambra, Calif.	Peter Malcolm Davenport.
James W. Lane	Fort Worth, Tex.	Peter Malcolm Davenport.
Sidney Edelman	Silver Spring, Md.	Wilmot R. Hastings.
Stephanie Weiss Naidoff	Philadelphia, Pa.	Wilmot R. Hastings.
George John Ankenbrand	Princeton, Ind.	William G. Bray.
Malcolm H. Aukerman	Newport, Ind.	William G. Bray.
Roger William Brown	Jasper, Ind.	William G. Bray.
Lewis D. Dellinger, Jr.	Monticello, Ind.	William G. Bray.
Richard Fulghum De Tar	Indianapolis, Ind.	William G. Bray.
Daniel Francis Donahue	Jeffersonville, Ind.	William G. Bray.
Philip Allan Frantz	Portland, Ind.	William G. Bray.
Wallace H. Brosbach	Brazil, Ind.	William G. Bray.
James Arthur Grund	Peru, Ind.	William G. Bray.
Ardee Helm, Jr.	Portland, Ind.	William G. Bray.
David R. Holmes	Plymouth, Ind.	William G. Bray.
Jerry Joseph McGaughey	Petersburg, Ind.	William G. Bray.
Anthony C. Meyer IV	Auroa, Ind.	William G. Bray.
Vernon J. Petri	Spender, Ind.	William G. Bray.
John Maurice Plummer, Jr.	Bedford, Ind.	William G. Bray.
Charles T. Rachels	Mount Vernon, Ind.	William G. Bray.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
W. Wyatt Rauch	Petersburg, Ind.	William G. Bray.
James T. Roberts	Nashville, Ind.	William G. Bray.
John T. Thomas	Brazil, Ind.	William G. Bray.
Richard G. Tulley	Crawfordsville, Ind.	William G. Bray.

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OPINIONS

**No. 27, Original.** State of Ohio, plaintiff, *v.* Commonwealth of Kentucky. On motion for leave to file amended bill of complaint. Motion for leave to file amended bill of complaint denied. Opinion by Mr. Justice Blackmun. Dissenting opinion by Mr. Justice Douglas.

**No. 71-862.** United Air Lines, Inc., appellant, *v.* George E. Mahin et al. Appeal from the Supreme Court of Illinois. Judgment vacated and case remanded to the Supreme Court of Illinois for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Blackmun. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Stewart and Mr. Justice White concur. Dissenting opinion by Mr. Justice White.

**No. 71-1304.** Charles B. Bradley, Jr., et al., petitioners, *v.* United States. On writ of certiorari to the United States Court of Appeals for the First Circuit. Judgment affirmed. Opinion by Mr. Justice Marshall. Statement by Mr. Justice Brennan and Mr. Justice White joining Part I of the Court's opinion and would affirm for reasons there expressed. Dissenting opinion by Mr. Justice Douglas.

**No. 71-6073.** Linda R. S. et al., appellants, *v.* Richard D. and Texas et al. Appeal from the United States District Court for the Northern District of Texas. Judgment affirmed. Opinion by Mr. Justice Marshall. Dissenting opinion by Mr. Justice White with whom Mr. Justice Douglas joins. Dissenting opinion by Mr. Justice Blackmun with whom Mr. Justice Brennan joins.

**No. 71-6742.** Felipe Juarez Hurtado et al., petitioners, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment vacated and case remanded to the United States District Court for the Western District of Texas for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Opinion by Mr. Justice Brennan concurring in part and dissenting in part. Dissenting opinion by Mr. Justice Douglas.

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Adjourned until Monday, March 19, 1973, at 10 o'clock.

SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## OPINIONS PER CURIAM

No. 72-794. Barbara Susan Papish, petitioner, *v.* The Board of Curators of the University of Missouri et al. On petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Petition for writ of certiorari granted, judgment reversed, and case remanded to the United States District Court for the Western District of Missouri for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Dissenting opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Rehnquist with whom the Chief Justice and Mr. Justice Blackmun join.

No. 72-899. Paul N. Marston et al., appellants, *v.* Anita X. Lewis and Catherine Mandt. Appeal from the United States District Court for the District of Arizona. Judgment, insofar as it has been appealed from, reversed and case remanded to the United States District Court for the District of Arizona for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Douglas and Mr. Justice Brennan concur.

No. 72-901. Kathryn Burns et al., appellants, *v.* Ben Fortson, etc., et al. Appeal from the United States District Court for the Northern District of Georgia. Judgment affirmed. Opinion *per curiam*. Statement by Mr. Justice Blackmun. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Douglas and Mr. Justice Brennan concur.

No. 72-905. J. Edwin LaVallee, Superintendent of Clinton Correctional Facility, petitioner, *v.* Pasquale Delle Rose. On Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion *per*

*curiam*. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Douglas, Mr. Justice Brennan and Mr. Justice Stewart concur.

#### APPEALS—SUMMARY DISPOSITION

No. 72-608. Colorado in the Interest of L. B., et al., appellants, *v.* L. V. B. Appeal from the Supreme Court of Colorado. The appeal is dismissed for want of a substantial federal question.

No. 72-1008. The City of Piney Point Village, Texas, et al., appellants, *v.* Harris County, Texas, et al. Appeal from the Court of Civil Appeals of the State of Texas, First Supreme Judicial District. The appeal is dismissed for want of a substantial federal question.

No. 72-1021. Barry and Barry, Inc., et al., appellants, *v.* State of Washington, Department of Motor Vehicles, et al. Appeal from the Supreme Court of Washington. The appeal is dismissed for want of a substantial federal question.

No. 72-849. John Lawrence Avery, appellant, *v.* Maryland. Appeal from the Court of Special Appeals of Maryland. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-990. Edgar D. Whitecomb, etc., et al., appellants, *v.* Communist Party of Indiana et al. Appeal from the United States District Court for the Northern District of Indiana. Judgment affirmed.

No. 72-996. Joseph M. Koelfgen et al., appellants, *v.* John Jackson et al. Appeal from the United States District Court for the District of Minnesota. Judgment affirmed.

No. 72-5960. Jim Fair et al., appellants, *v.* Richard Nixon et al. Appeal from the United States Court of Appeals for the Fifth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. The Chief Justice and Mr. Justice Powell took no part in the consideration or decision of this appeal.

No. 72-6082. Jerry Shaffer, etc., appellant, *v.* John O. Graham, Commissioner, State Department of Public Welfare, et al. Appeal from the Court of Appeals of Arizona, Division Two. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Mr. Justice Brennan, Mr. Justice White and Mr. Justice Marshall would note probable jurisdiction and set case for oral argument.

#### ORDERS IN PENDING CASES

No. D-5. In matter of Disbarment of Burton R. Signer. It having been reported to the Court that Burton R. Signer, of Cincinnati, Ohio, has been disbarred from the practice of law by the

Supreme Court of Ohio, duly entered June 28, 1972, and this Court by order of November 6, 1972, having suspended the said Burton R. Signer from the practice of law in this Court and directing that a rule issue requiring him to show cause why he should not disbarred;

And it appearing that the said rule was duly issued and served upon the respondent, and that a response thereto has been filed;

It is ordered that the said Burton R. Signer be, and he is hereby, disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the bar of this Court.

**No. 40, Original.** Commonwealth of Pennsylvania, plaintiff, *v.* State of New York et al. The supplemental report of the Special Master is hereby adopted by the Court.

**No. 60, Original.** Commonwealth of Pennsylvania, plaintiff, *v.* State of New York et al. The motion for leave to file bill of complaint is denied. Mr. Justice Stewart would set the motion for leave to file bill of complaint for oral argument.

**No. 71-1182.** Raymond Mattz, petitioner, *v.* G. Raymond Arnett, etc. The motion of petitioner to divide oral argument is granted.

**No. 72-402.** United States, appellant, *v.* General Dynamics Corporation et al. The motion of the Solicitor General for additional time for oral argument is granted and fifteen additional minutes are allotted for that purpose. The appellees are allotted fifteen additional minutes for oral argument.

**No. 72-419.** Pittsburgh Press Company, petitioner, *v.* The Pittsburgh Commission on Human Relations et al. The motion to permit two counsel to argue orally on behalf of the respondents is granted.

**No. 72-459.** Grace Sloan, as State Treasurer of the Commonwealth of Pennsylvania, et al., appellants, *v.* Alton J. Lemon et al.; and

**No. 72-620.** Henry E. Crouter, appellant, *v.* Alton J. Lemon et al. The motion of the Attorney General of Pennsylvania for additional time for oral argument is granted and fifteen additional minutes are allotted for that purpose. The appellees are allotted fifteen additional minutes for oral argument.

**No. 72-486.** Federal Power Commission, petitioner, *v.* Memphis Light, Gas and Water Division et al.; and

**No. 72-488.** Texas Gas Transmission Corporation, petitioner, *v.* Memphis Light, Gas and Water Division et al. The motion to permit two counsel to argue orally on behalf the respondents is granted.

**No. 72-490.** McDonnell Douglas Corporation, petitioner, *v.* Percy Green. The motion of the respondent for leave to proceed further herein *in forma pauperis* is denied. Mr. Justice Douglas, Mr. Justice Brennan and Mr. Justice Marshall would grant the motion.

No. 72-549. School Board of the City of Richmond, Virginia, et al., petitioners, *v.* State Board of Education of the Commonwealth of Virginia et al.; and

No. 72-550. Carolyn Bradley et al., petitioners, *v.* State Board of Education of the Commonwealth of Virginia et al. The motion of petitioners for additional time for oral argument is granted and fifteen additional minutes are allotted for that purpose. The respondents are allotted fifteen additional minutes for oral argument. <sup>MR.</sup>  
*Justice Powell took no part.*

No. 72-624. United States, petitioner, *v.* Pennsylvania Industrial Chemical Corporation. The motion of the United States Steel Corporation et al., for leave to participate in oral argument, as *amici curiae*, is denied.

No. 72-694. Committee for Public Education and Religious Liberty et al., appellants, *v.* Ewald B. Nyquist, as Commissioner of Education of the State of New York, et al.;

No. 72-753. Warren M. Anderson, as Majority Leader and President *pro tem* of the New York State Senate, appellant, *v.* Committee for Public Education and Religious Liberty et al.;

No. 72-791. Ewald B. Nyquist, as Commissioner of Education of the State of New York, et al., appellants, *v.* Committee for Public Education and Religious Liberty et al.; and

No. 72-929. Priscilla L. Cherry et al., appellants, *v.* Committee for Public Education and Religious Liberty et al. The motion of United Americans for Public Schools for leave to file a brief, as *amicus curiae*, is granted.

No. 72-1035. Julia Rogers, petitioner, *v.* Leroy Loether et al. The Solicitor General is invited to file a brief expressing the views of the United States.

No. 72-1147. Allen Dorfman, petitioner, *v.* United States. The application for a stay presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. 72-1227. Rogers C. B. Morton, Secretary of the Interior, petitioner *v.* The Wilderness Society et al. The motion to expedite consideration is granted insofar as it requests that the respondents file a brief on or before March 28, 1973.

#### APPEALS—JURISDICTION NOTED OR POSTPONED

No. 72-847. Memorial Hospital et al., appellants, *v.* Maricopa County et al. Appeal from the Supreme Court of Arizona. Motion of Legal Aid Society of Maricopa County, Arizona, to dispense with printing the *amicus curiae* brief granted. In this case probable jurisdiction noted.

No. **72-1040**. Communist Party of Indiana et al., appellants, *v.* Edgar D. Whitcomb etc., et al. Appeal from the United States District Court for the Northern District of Indiana. In this case further consideration of the question of jurisdiction is postponed to the hearing of the case on the merits.

## CERTIORARI GRANTED

No. **72-403**. Robert L. Kunzig, Administrator, General Services Administration et al., petitioners, *v.* Jeanne M. Murray. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. **71-1669**. James E. Gustafson, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida granted, and case set for argument with No. 72-936.

No. **72-936**. United States, petitioner, *v.* Willie Robinson, Jr. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia circuit granted, and case set for argument with No. 71-1669.

No. **72-481**. Department of Game of the State of Washington, petitioner, *v.* The Puyallup Tribe, Inc., et al.; and

No. **72-746**. Puyallup Tribe, petitioner, *v.* Department of Game of the State of Washington. Petitions for writs of certiorari to Supreme Court of Washington granted. Cases consolidated and a total of one hour allotted for oral argument.

## CERTIORARI DENIED

No. **71-992**. Robert Wollack, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **71-1210**. Cirilo Figueroa, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **71-1479**. Sylvester Moore, petitioner, *v.* United States; and

No. **71-6769**. Orlando Guridi, Louis Guridi and John Tirado, petitioners, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **71-6085**. Stanley Wooden, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **72-813**. School Board of Brevard County, Florida, petitioner, *v.* Sylvester Weaver et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.



No. 72-828. Kenneth Bratko, petitioner, *v.* United States; and  
No. 72-5824. Roy Nielsen, petitioner *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-843. Harvey J. Powers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-940. Vincent Pacelli, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-941. Joseph D. Lugosch, petitioner, *v.* United States; and

No. 72-946. Patrick Musto, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-962. Howard C. Phelps, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-989. Manuel Aleman, next friend of David Aleman, an infant, petitioner, *v.* Jule M. Sugarman, as Commissioner of the New York City Department of Social Services. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-999. Kemp O. Hiatt, petitioner, *v.* Stanadyne, Inc., Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1006. John F. Graham, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 72-1030. Lonnie T. Harvey, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 72-1033. Steve Russ, petitioner, *v.* Mira Compania Naviera, S.A., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1036. Jerry I. Bloom, petitioner, *v.* A. H. Robins Company, Inc. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Tenth Supreme Judicial District, denied.

No. 72-1043. Tommy Love, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Eastern Division, denied.

No. 72-1044. Johnson Bonding Company, Inc., et al., petitioners, *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 72-1049. Arnold Schulman, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Term of Supreme Court of New York, First Judicial Department, denied.

No. 72-1055. Don Glasser, petitioner, *v.* Willard Alexander, Inc. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 72-1065. Joseph A. Maloney, dba the Apalachicola Times, petitioner, *v.* B. Roy Gibson, Jr., et al. Petition for writ of certiorari to the District Court of Appeals of Florida, First District, denied.

No. 72-5068. James Bernard Singleton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5300. Frank Barbara, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5442. Paul A. McKinney, petitioner, *v.* Clarence Jones, Sheriff, Dallas County, Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5528. Tom Corbett, Paul Wescott Kline and Royce Lee Brinson, petitioners, *v.* United States; and

No. 72-5865. Peter John Milisci, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5609. Vance A. Curley, petitioner, *v.* South Carolina et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5698. Raimo Karen, petitioner, *v.* J. W. L. Park et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5702. Patricia Darlene Stoddard, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 72-5719. Willis D. Smith, petitioner, *v.* Kansas. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5725. Walter F. Polak, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 72-5744. Albert H. Carter, petitioner, *v.* Masco Mechanical Contractors, Inc. Petition for writ of certiorari to the County Civil Court at Law No. 2 of Texas, Harris County, denied.

No. 72-5752. Joseph Ralph Fiore, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5791. Ralph Anglin, petitioner, *v.* Jack Caldwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5792. Billy Clem McRae, petitioner, *v.* Lee Bounds et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5893. Bonnie Frank Henderson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5895. Leon A. Edwards, petitioner, *v.* United States Marshal. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-5915. Armando Xavier Navalez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5920. Willie King, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5921. Luther H. Stokes, petitioner, *v.* United States Postal Service et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5934. James L. Tyson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-5936. Antonio Lopez Romero, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5938. Robert Jewell Landman, petitioner, *v.* Norman A. Carlson, Director, Bureau of Prisons, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5945. Johnnie Harden, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5946. Roberto Rodriquez-Camacho, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5957. Paul Lucas and John Roland Flynn, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-5959. Nimrod T. Solomon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5963. Ronald Ray Matson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5967. Joseph Seibert, petitioner, *v.* Park J. Anderson, Warden. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 72-5970. Anthony Esperti, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5975. Ernest Nelson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5977. Jessie Lee Bradford, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5980. Gary Julius Paige, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5985. Ethel S. Harris, petitioner, *v.* Caspar W. Weinberger, Secretary of Health, Education, and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5986. William W. Penix, petitioner, *v.* Caspar W. Weinberger, Secretary of Health, Education, and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5989. Bennie E. Barnes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-5994. Daniel Delker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5997. Robert C. Gandy, Sr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5999. Melvin Richard Roots, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6000. Sidney Ray Wilkerson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6004. Clarence Tate, Jr., petitioner, *v.* J. D. Henderson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6005. Jerry Lee Jackson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6010. Steve Holloman, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 72-6018. Alexander Lisznyai, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6064. Larry H. Layton, petitioner, *v.* Superior Court of California, County of Los Angeles. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-6067. Ruchell Magee, petitioner, *v.* Robert D. Carrow et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 72-6068. Webb Washington, petitioner, *v.* W. J. Estelle, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6069. William Wooden, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 72-6070. Jim Harlan Moore, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. 72-6072. Anthony Salvatore Gomez, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-6073. Henry Ramirez, petitioner, *v.* Felix Rodriguez, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-6074. William A. Gardner, petitioner, *v.* Leonard Decker, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6079. Samuel T. Freeman, petitioner, *v.* A. L. Lockhart, Superintendent, Cummins Unit, Arkansas Department of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6081. Robert Lee Stokes, petitioner, *v.* Sewell G. Harlan, Chairman, Parole Board, et al. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 72-6098. Robert Guthridge, petitioner, *v.* Connecticut. Petition for writ of certiorari to the Supreme Court of Connecticut denied.

No. 72-6103. Leonore Emma Coons, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 72-6104. Jose Gonzalez, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 72-6107. Aubrey A. Johnson, petitioner, *v.* North Carolina et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6111. Howard Allen Logan, petitioner, *v.* Harold Butler, Superintendent, Walkill Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6118. Oscar Baldwin, petitioner, *v.* Harold J. Cardwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6123. Joe Louis Howard, petitioner, *v.* Leon J. Vincent, Superintendent, Green Haven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6130. Harold Combs, petitioner, *v.* Harold J. Cardwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6132. Frances Swinick, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 72-6134. Kenneth Woodrow Spencer, petitioner, *v.* John W. Turner, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-6136. Leonard Martin, Jr., petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 72-6138. Sam P. Hewlett, petitioner, *v.* Georgia. Petition for writ of certiorari to the ~~Supreme Court~~<sup>COURT OF APPEALS</sup> of Georgia denied.

No. 72-6139. Salvatore Collazo, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 72-6141. Willis D. Smith, petitioner, *v.* Kansas. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-6150. Clarence V. Saunders, petitioner, *v.* Robert L. Johnson, Superintendent, State Correctional Institution. Petition for writ

of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6157. Howard Allen Logan, petitioner, *v.* New York. Petition for writ of certiorari to the Supreme Court of New York, Queens County, denied.

No. 72-6161. Charles Frederick Eckert, petitioner, *v.* Paper Mfg. Company. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6199. Frederick Johnson, petitioner, *v.* Chief Parker, Shelby County Jail. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-6687. Dorothy Page, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-837. Ralph DeSimone, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-860. Richard Frederick Ross, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-952. John Dabney Collier Walker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-958. Louis Cirillo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1047. Weather Wise Company petitioner, *v.* Aeroquip Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5045. Hipolito Navarro, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5066. William Ernest Ross, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5227. Tito Ortiz, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5625. Grady Epps, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Court of Appeals of North Carolina denied. Mr. Justice Douglas would grant certiorari.

No. 72-5815. Emil Crovedi, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5978. Carl J. Anderson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-801. William Anderson, petitioner, *v.* The City of Phoenix et al. Petition for writ of certiorari to the Supreme Court of Arizona denied. Mr. Justice Douglas ~~dissents from the denial of~~ <sup>WOULD GRANT</sup> certiorari.

No. 72-923. Peter Bridge, petitioner, *v.* New Jersey. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied. Mr. Justice Douglas would deny certiorari on the ground of mootness.

No. 72-967. Seaboard Coast Line Railroad Company, petitioner, *v.* Paul J. Greco. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 72-1022. Ivan P. Popoff, petitioner, *v.* Phillip H. Johnston. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 72-1027. In the Matter of Everett W. Gross, petitioner. Petition for writ of certiorari to the Supreme Court of Montana denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 72-1067. Columbia Standard Corporation, petitioner, *v.* Ranchers Exploration & Development, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice White took no part in the consideration or decision of this petition.

No. 72-5707. James K. Bassett, petitioner, *v.* S. Lamont Smith, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas, Mr. Justice Marshall, and Mr. Justice Blackmun would grant certiorari.

No. 72-5983. Joseph William Eisenberg, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas would grant certiorari for the reason stated in his dissent in No. 71-1656, *U.S. v. Achtenberg*, 409 U.S. 932.



No. 72-6002. Ollie Cheaney (Mae Owens), petitioner, *v. Indiana*. Petition for writ of certiorari to the Supreme Court of Indiana denied for want of standing of the petitioner. *Doremus et al. v. Board of Education of the Borough of Hawthorne et al.*, 342 U.S. 429. Mr. Justice Douglas would deny certiorari on the grounds that petitioner, who was convicted of performing an abortion, is not a doctor and that the decisions of this Court in *Roe v. Wade*, 410 U.S. — and *Doe v. Bolton*, 410 U.S. — were confined to the condition: *inter alia*, that the abortion, if performed, be based on an appropriately safeguarded medical judgment.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 72-5592. David Goldsmith, petitioner, *v. Wyoming et al.*; and

No. 72-5849. John J. Reardon, petitioner, *v. Lenard F. Meacham et al.* Motions for leave to file petitions for writs of habeas corpus denied.

LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 72-6100. Joseph P. Gerardi, petitioner, *v. Dudley E. Faver*, Director, Discharge Review Board; and

No. 72-6129. Joseph P. Gerardi, petitioner, *v. William A. MacLaughlin et al.* Motions for leave to file petitions for writs of mandamus denied.

LEAVE TO FILE PETITION FOR WRIT OF PROHIBITION DENIED

No. 72-6035. L. G. Ruderer, petitioner, *v. John J. Sirica*, Judge. Motion for leave to file petition for writ of prohibition denied. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

REHEARING DENIED

No. 72-5133. Robert Buchanan III, appellant, *v. Texas*. Motion for leave to file second petition for rehearing denied.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Frank C. Aldrich	Long Beach, Calif.	Joseph Doble Mullender, Jr.
Norman B. Arnoff	New York, N. Y.	John F. X. Peloso.
James F. Ashenden, Jr.	Chicago, Ill.	Justin A. Stanley.
Ronald D. Barta	Salina, Kans.	James B. Pearson.
Mitchell Benjoya	Boston, Mass.	Richard Lawrence Zisson.
Alfred K. Berman	Indianapolis, Ind.	Thomas M. Scanlon.
Fred R. Birkholz	Louisville, Ky.	Joseph L. Lenihan.
J. Justin Blewitt, Jr.	Pittston, Pa.	Israel Packel.
Robert Harms Bliss	Dallas, Tex.	Ronald L. Clower.
Walter Carl Bornemeier II	San Jose, Calif.	Salvadore A. Liccardo.
Cary G. Branch	Los Angeles, Calif.	James Thaddeus Clark.
George Albert Burke	San Francisco, Calif.	John A. O'Kane.
Richard A. Burke	New York, N. Y.	Thomas B. Tenfelde.
Charles L. Calk	Lexington, Ky.	John R. Cook, Jr.
William Norris Clayton	Houston, Tex.	Marvin O. Teague.
William Albert Clark	Santa Barbara, Calif.	Charles L. Gladson.
Edward B. Cloutman III	Dallas, Tex.	Ed J. Polk.
Stanley Ellington Coleman	Batesville, Ark.	John Frederick Livingston, Jr.
Patrick C. Comfort	Tacoma, Wash.	Joseph H. Gordon.
Charles Crawford	Catersville, Ga.	Warren Akin III.
Donald Richard Cruver	Dover, Mass.	F. Lawrence Doherty.
Mark Lewis Davidson	New York, N. Y.	Isaac Shapiro.
Robert Edwin Davis	Dallas, Tex.	Wentworth Tenney Durant.
Harry Leonard De Lung, Jr.	Chicago, Ill.	Smith R. Brittingham, Jr.
Nicholas Mario DeVito	Cleveland, Ohio	James L. Harkins, Jr.
William David Dickson	Memphis, Tenn.	Frank Catchings Holloman, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David D. Dominick	Washington, D.C.	Alan G. Kirk II.
Joseph G. Donahey, Jr.	Clearwater, Fla.	Terry Alan Furnell.
John W. Donaldson	Lebanon, Ind.	Walter P. Helmke.
Alan S. Donnahoe	Richmond, Va.	Andrew Jackson Brent.
Richard Harmon Drew	Minden, La.	Richard H. Switzer.
Frederick Foltz Eichhorn, Jr.	Hammond, Ind.	Edmund A. Schroer.
Richard M. Evans	Le Center, Minn.	Peter Malcolm Davenport.
Alan Bruce Exelrod	San Francisco, Calif.	Mario G. Obledo.
Foster Joseph Fludine	Cleveland, Ohio	Richard M. Bertsch.
Walter Andrew Flynn, Jr.	Bridgeport, Conn.	David Goldstein.
Roger William Foote	Tallahassee, Fla.	Justice Richard W. Ervin.
Barbara Kirschen Friedman (Mrs.)	Roslyn, N.Y.	Carl Jay Nathan- son.
Craig William Gagnon	St. Paul, Minn.	Anthony Kane.
Joseph M. Gately	Boston, Mass.	Joseph S. Oteri.
Roy Stephen Giordano	Santa Ana, Calif.	Harold Walter Steiner.
Kenneth Norton Green	Los Angeles, Calif.	Ronald Marc George.
E. Preston Grissom	Norfolk, Va.	Hugh Stockdell Meredith.
Jay Howard Grodin	Los Angeles, Calif.	Joseph P. Busch, Jr.
Gordon Gunderson	Clear Lake S. Dak.	Robert J. Leigh.
Robert E. Hall	Houston, Tex.	Cris J. Dixie.
Leslie B. Hampton	Salem, Oreg.	Thomas H. Den- ney.
Morgan Deschamps Harris	Las Vegas, Nev.	Howard William Babcock.
William Rutledge Harris	Macomb, Ill.	Robert J. Leigh.
William S. Hart	Waukon, Iowa	Frank R. Miller.
Theophil C. Hauck	Trenton, Mo.	Russell N. Pickett.
John E. Havelock	Anchorage, Alaska	William H. Allen.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Charles Hendricks	Washington, D.C.	Carl Frederick Bauersfeld.
Philip P. Hickey	Hubbard, Ohio	Leonard Allen Olson.
Richard Hoerster	Fredericksburg, Tex.	Alfred Petsch.
James McPherson Houck Daniel Jackson	Greencastle, Ind. Akron, Ohio	William G. Bray. William E. Schuyler, Jr.
George Kandravy	Passaic, N.J.	James Bayard Smith.
Thomas Patrick Kane	St. Paul, Minn.	Anthony Kane.
Jacob L. Karno	Metairie, La.	A. J. Graffagnino.
William Grady Kelly, Jr.	Monroe, La.	Robert Lee Curry III.
Lloyd Kinf	San Francisco, Calif.	August B. Rothschild.
Gary Bruce Kivell	Galveston, Tex.	John Michael Thoma.
Carl Kleinfeld	New York, N.Y.	Samuel A. Hirshowitz.
William Truman Lake	Washington, D.C.	J. Roger Wollenberg.
Richard Allen Lambert	Washington, D.C.	Roland Alfred Anderson.
Kipling F. Layton	Corpus Christi, Tex.	Richard J. Hatch.
Robert John Lifton	Evanston, Ill.	Allen Channon Engerman.
Thomas George Lyons	Chicago, Ill.	Justin A. Stanley
Lee Mahoney	Corpus Christi, Tex.	Richard J. Hatch.
Charles M. Merriner	Anchorage, Alaska	Stephen G. Dunning.
John Bernard McCarthy	Minneapolis, Minn.	Carl Yaeger, Jr.
E. Gayle McGuigan	New York, N. Y.	John F. Costelloe.
Loren E. McMaster	Sacramento, Calif.	Edward L. Barrett, Jr.
Edmund D. McMurray	Sacramento, Calif.	Mrs. Marjory Winston Parker.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William E. McQuay	Washington, D.C.	Harry J. Snead, Jr.
James E. Merritt	San Francisco, Calif.	Franklin C. Latcham.
George W. Miley	Hollywood, Calif.	William Hosmer Peterson.
Joseph H. Miller	Lexington, Ky.	John R. Cook, Jr.
Stephen L. Millich	San Jose, Calif.	Allan A. Parker.
John S. Mingus	Ravenna, Nebr.	Vincent L. Dowding.
Sanford L. Muchnick	Hollywood, Fla.	Reinhold J. Fegers.
Robert S. Pelcyger	Boulder, Colo.	David Harding Getches.
George Robinson Ragsdale	Raleigh, N.C.	Walton Kitchin Joyner.
John Wesley Raley, Jr.	Ponca City, Okla.	Charence D. Northcutt.
Catherine A. Rein (Mrs.)	New York, N.Y.	Leonard Joseph.
Allan S. Reynolds	Norfolk, Va.	Hugh Stockdell Meredith.
Ernest W. Rivers, Jr.	Paducah, Ky.	Henry O. Witlow.
James Montgomery Robb	Bowie, Md.	Peter H. Dominick.
Richard S. Scanlan	White Plains, N.Y.	Miss Brenda Suzanne Soloff.
William Edward Seekford	Perry Hall, Md.	Burton W. Sandler.
William Franklin Selph, Jr.	Jackson, Miss.	Dixon L. Pyles, Jr.
Donald A. Senter	Everett, Wash.	Gerald R. Gates.
George W. Shaffer	Corpus Christi, Tex.	Richard J. Hatch.
George C. Shattuck	Syracuse, N.Y.	Tracy Heiman Ferguson.
Lloyd Edward Shefsky	Chicago, Ill.	Stanley A. Kaplan.
Richard Clyde Shelar	Youngstown, Ohio	Arseny A. Melnick.
Milton Joseph Silverman, Jr.	San Diego, Calif.	Olen Duane Woods.
Jacques Soiret	Los Angeles, Calif.	Melvin Belli.
Richard Stuart Solove	New York, N.Y.	Carl M. Bornmann.
Hugh A. Staley	Greenville, Ohio	John F. Marchal.
James D. Stevens	Bourbon, Mo.	Anthony P. Ingrao.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jane Greengold Stevens (Mrs.)	Chicago, Ill.	Kenneth S. Lewis.
Robert Peter Subranni	Atlantic City, N.J.	Patrick T. McGahn, Jr.
Charnelle H. Summers, Jr.	Miami, Fla.	Samuel Z. Gold- man.
Lester J. Taufen	Wilmington, Del.	W. Laird Stabler, Jr.
James A. Trowbridge	Bridgeport, Conn.	Jacob D. Zeldes.
Robert Marcel Vercruyse	Detroit, Mich.	William M. Saxton.
Raymond Henry Vizethann, Jr.	Atlanta, Ga.	Ferdinand Buck- ley.
Donald Francis Vonachen	Peoria, Ill.	Lyle W. Allen.
Douglas Walgren	Pittsburgh, Pa.	Timothy Patrick O'Reilly.
Sidney H. Wall	Los Angeles, Calif.	Homer I. Mitchell.
John J. Walsh	New York, N.Y.	Peter Megargee Brown.
Roderick Eugene Walston	San Francisco, Calif.	Asher Rubin.
Robert A. Warden	Washington, D.C.	Howard Jay Silverstone.
Richard B. Wathen	Jeffersonville, Ind.	Walter P. Helmke.
Stephen W. Webster	Kansas City, Mo.	Maitland Guy Freed.
Jerry Weiner	Columbus, Ohio	Chalmers P. Wylie.
John A. Westhafer	Greensburg, Ind.	Jack Richard Shields.
Ted G. White	Houston, Tex.	David Busby.
Garland G. Wier	San Antonio, Tex.	Fred A. Semaan.
H. O. Woltz, Sr.	Mount Airy, N.C.	Leon L. Rice, Jr.
Guy Wootan	New Orleans, La.	William F. Wessel.
Kenneth L. Yarbrough	Corpus Christi, Tex.	Richard J. Hatch.
Robert Lee Yager III	Fort Worth, Tex.	Richard Merrill Hewitt.
Donald S. Young	Detroit, Mich.	William T. Gossett.
Frank McEachern Youngblood.	Jackson, Miss.	Ross R. Barnett, Sr.
Arthur David Zinberg	New York, N.Y.	Stanley Rothen- berg.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Harold Pilkington	Las Vegas, Nev.	James H. Duffy.
Guyton Nyseth Jinkerson	Menlo Park, Calif.	Don Edwards.
Robert Pettigrew Hunter	Cincinnati, Ohio	Norton J. Come.
John Wallace Hamilton	St. Petersburg, Fla.	John Patrick McKenna.

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 ORAL ARGUMENT

**No. 71-1553.** John J. Gilligan, Governor of Ohio, et al., petitioners, *v.* Craig Morgan et al. One and one half hours allowed for oral argument. Argued by Mr. Thomas V. Martin for the petitioners, by Mr. Solicitor General Erwin N. Griswold, as *amicus curiae*, by special leave of Court, and by Mr. Michael E. Geltner for the respondents.

**No. 72-269.** Arthur Levitt, as Comptroller of the State of New York and Ewald B. Nyquist, as Commissioner of Education of the State of New York, appellants, *v.* Committee for Public Education and Religious Liberty et al.;

**No. 72-270.** Warren M. Anderson, as Majority Leader and President *pro tem* of New York State Senate, appellant, *v.* Committee for Public Education and Religious Liberty et al.; and

**No. 72-271.** Cathedral Academy et al., appellants, *v.* Committee for Public Education and Religious Liberty et al. Argued by Mrs. Jean M. Coon for the appellants Levitt et al., by Mr. Leo Pfeffer for the appellees and by Mr. Porter R. Chandler for the appellants non-public-schools.

**No. 71-6278.** Condrado Almeida-Sanchez, petitioner, *v.* United States. Argument commenced by Mr. James A. Chanoux for the petitioner. After a brief argument, the Court adjourned at 1:28 due to the illness of counsel and reconvened at 1:44 for the next case.

**No. 72-350.** United States, appellant, *v.* State Tax Commission of Mississippi et al. Argued by Mrs. Jewell S. Lafontant for the appellant and by Mr. Robert L. Wright for the appellees.

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 Adjourned until tomorrow at 10 o'clock.

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# SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

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<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David Harrison Yinger, Jr	Frederick, Md.	Charles McCurdy Mathias, Jr.
Donal Brendan Tobin	Bailey's Cross- roads, Va.	John Tyssowski Roberts.
Robert Lee Williams	Oxford, Ohio	Charles Adolph Williams.

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## OPINIONS

**No. 71-1456.** Salyer Land Company et al., appellants, *v.* Tulare Lake Basin Water Storage District. Appeal from the United States District Court for the Eastern District of California. Judgment affirmed. Opinion by Mr. Justice Rehnquist. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan and Mr. Justice Marshall concur.

**No. 36, Original.** State of Texas, plaintiff, *v.* State of Louisiana. Court will await the result of further proceedings before the Special Master with respect to the ownership of islands in the western portion of the Sabine. In all other respects the exceptions of the parties are overruled and the report of the Special Master is confirmed. Opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Douglas.

**No. 71-1069,** Associated Enterprises, Inc. and Johnston Fuel Liners, appellants, *v.* Toltec Watershed Improvement District. Appeal from the Supreme Court of Wyoming. Judgment affirmed. Opinion *per curiam* announced by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan and Mr. Justice Marshall concur.



## ORAL ARGUMENT

No. 72-493. John W. Vlandis, Director of Admissions, the University of Connecticut, appellant, *v.* Margaret Marsh Kline and Patricia Catapano. Argued by Mr. John G. Hill, Jr., for the appellant and by Mr. John A. Dziamba for the appellees.

No. 72-212. Hoyt C. Cupp, Superintendent, Oregon State Penitentiary, petitioner, *v.* Daniel P. Murphy. Argued by Mr. Thomas H. Denney for the petitioner and by Mr. Howard R. Lonergan for the respondent.

No. 72-419. Pittsburg Press Company, petitioner, *v.* Pittsburgh Commission on Human Relations et al. Argued by Mr. Charles Richard Volk for the petitioner, by Mr. Eugene B. Strassburger, III, for respondents The Pittsburgh Commission on Human Relations et al., and by Mrs. Marjorie H. Matson for respondent The National Organization for Women, Inc.

No. 72-5443. James Edward Barnes, petitioner, *v.* United States. Argued by Mr. Malcolm H. Mackey for the petitioner and by Mr. Daniel M. Friedman for the respondent.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### OPINIONS

No. **71-1332**. San Antonio Independent School District et al., appellants, *v.* Demetrio P. Rodriguez et al. Appeal from the United States District Court for the Western District of Texas. Judgment reversed and case remanded to the United States District Court for the Western District of Texas for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Powell. Concurring opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice White with whom Mr. Justice Douglas and Mr. Justice Brennan join. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Douglas concurs.

No. **71-1371**. Pedro J. Rosario et al., petitioners, *v.* Nelson Rockefeller, Governor of the State of New York, et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Powell with whom Mr. Justice Douglas, Mr. Justice Brennan, and Mr. Justice Marshall join.

### ORAL ARGUMENT

No. **72-586**. Elmer O. Cady, Warden, petitioner, *v.* Chester J. Dombrowski. Argued by Mr. LeRoy L. Dalton for the petitioner and by Mr. William J. Mulligan for the respondent.

No. **72-630**. Paul Hall, etc., et al., petitioners, *v.* John Cole. Argued by Mr. Howard Schulman for the petitioners and by Mr. Burton H. Hall for the respondent.

No. **71-1647**. Federal Maritime Commission, petitioner, *v.* Seatrains Lines, Inc., et al. Argued by Mr. Edward G. Gruis for the petitioner and by Mr. Irwin A. Seibel for the respondents.

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Adjourned until Monday, March 26, 1973, at 10 o'clock.

SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## ORDERS IN PENDING CASES

No. **A-969**. Wallace Baker et al., applicants, *v.* New York. The application for stay presented to Mr. Justice Marshall, and by him referred to the Court, is denied.

No. **72-1290**. Russell Bufalino, petitioner, *v.* Immigration and Naturalization Service. The application for stay of deportation presented to Mr. Justice Brennan, and by him referred to the Court, is denied. Mr. Justice Marshall took no part in the consideration or decision of this application.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

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The Chief Justice said:

“Today’s orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally.”

### OPINIONS PER CURIAM

No. 72-864. William B. Camp, Comptroller of the Currency of the United States, petitioner, *v.* F. W. Pitts et al. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*.

No. 72-1010. Ohio Municipal Judges Association et al., appellants, *v.* Arthur Davis et al. Appeal from the United States District Court for the Northern District of Ohio. Motion of American Civil Liberties Union of Ohio, Inc., for leave to file a brief, as *amicus curiae* is granted. Judgment affirmed, but on the ground that appellants’ constitutional challenge to Art. IV, § 6(B) was without merit. Opinion *per curiam*.

OF THE OHIO CONSTITUTION

### APPEALS—SUMMARY DISPOSITION

No. 72-1070. Don Binkowski, appellant, *v.* Edna Miller et al. Appeal from the United States District Court for Eastern District of Michigan. Judgment affirmed.

No. 72-1082. Ruth Hagaman Benners, Independent Executrix of the Estate of Daisy Purnell Simpson, appellant, *v.* The City of University Park, Texas. Appeal from the Supreme Court of Texas. The appeal is dismissed for want of a substantial federal question.

### CERTIORARI—SUMMARY DISPOSITION

No. 71-6693. Melvin Reed and William Harris, petitioners, *v.* City of New Orleans. On petition for writ of certiorari to the Supreme Court of Louisiana. Motion for leave to proceed *in forma pauperis*

and petition for writ of certiorari granted. Judgment vacated and case remanded to the Supreme Court of Louisiana for reconsideration in light of *Argersinger v. Hamlin, Sheriff*, 407 U.S. 25 (1972).

No. **72-5484**. Ivory George, petitioner, *v. Louisiana*. On petition for writ of certiorari to the Supreme Court of Louisiana. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated insofar as it leaves undisturbed the death penalty imposed, and case remanded to the Supreme Court of Louisiana for further proceedings. See *Stewart v. Massachusetts*, 408 U.S. 845 (1972).

#### ORDERS IN PENDING CASES

No. **40 Original**. Commonwealth of Pennsylvania, plaintiff, *v. State of New York et al.* It is hereby ordered that John F. Davis, the Special Master appointed in this cause, having completed his duties, is hereby discharged.

It is further ordered that his expenditures in preparing the supplemental report in the amount of One Hundred and Four Dollars (\$104) are approved.

It is further ordered that the compensation for the services of the Special Master in the supplementary proceedings be fixed at One Thousand Dollars (\$1,000) and that that amount plus the approved expenditures shall be paid to him by Western Union out of the funds in its possession which are the subject of this suit and that Western Union be given credit for that amount divided *pro rata* among the parties who would otherwise be entitled to the money under the opinion and decree of this Court.

No. **71-6278**. Condrado Almeida-Sanchez, petitioner, *v. United States*.

The motion of the Prison Research Council for the University of Pennsylvania for leave to file an untimely brief, as *amicus curiae*, is denied.

The motion for the appointment of counsel is granted, and it is ordered that John J. Cleary, Esquire, of San Diego, California, a member of the Bar of this Court, be, and he is hereby, appointed to serve as co-counsel for the petitioner in this case.

No. **71-6732**. James Chaffin, petitioner, *v. LeRoy Stynchcombe, Sheriff of Fulton County*. The motion of the Attorney General of Tennessee for leave to file a brief, as *amicus curiae*, after argument, is granted.

No. **72-394**. Caspar W. Weinberger, Secretary of Health, Education and Welfare, et al., petitioners, *v. Hynson, Westcott and Dunning, Incorporated*;

No. 72-414. Hynson, Westcott and Dunning, Incorporated, petitioner, *v.* Caspar W. Weinberger, Secretary of Health, Education and Welfare, et al.;

No. 72-528. Ciba Corporation, petitioner, *v.* Caspar W. Weinberger, Secretary of Health, Education, and Welfare, et al.;

No. 72-555. Caspar W. Weinberger, Secretary of Health, Education and Welfare, et al., petitioners, *v.* Bentex Pharmaceuticals, Inc., et al.; and

No. 72-666. USV Pharmaceutical Corporation, petitioner, *v.* Caspar W. Weinberger, Secretary of Health, Education and Welfare, et al. The motion of Bentex Pharmaceuticals, Inc., et al., for additional time for oral argument is denied.

No. 72-624. United States, petitioner, *v.* Pennsylvania Industrial Chemical Corporation. The motion of Jones & Laughlin Steel Corporation for leave to participate in oral argument, as *amicus curiae*, is denied. The motion of the Chamber of Commerce of the United States for leave to participate in oral argument, as *amicus curiae*, is denied.

No. 72-658. City of Kenosha, Wisconsin, et al., appellants, *v.* Peter G. Bruno et al. The motion to dispense with filing a brief on the merits on behalf of appellees, Richard Misurelli and David Robers, is granted.

No. 72-694. Committee for Public Education and Religious Liberty et al., appellants, *v.* Ewald B. Nyquist, as Commissioner of Education of the State of New York, et al. The motion of the National Education Association et al for leave to file an untimely brief, as *amici curiae*, is granted.

No. 72-822. The Renegotiation Board, petitioner, *v.* Bannercraft Clothing Company, Inc., et al. The motion of Sears, Roebuck & Co. for leave to file a brief, as *amicus curiae*, is granted. The motion of Sears, Roebuck & Co., for leave to postpone oral argument is denied. Mr. Justice Powell took no part in the consideration or decision of these motions.

No. 72-950. Clyde W. Reed, petitioner, *v.* Jean Moore Reed. The motion of respondent for reasonable damages under Rule 56(4) is denied.

No. 72-1004. Bethlehem Steel Corporation, petitioner, *v.* George H. Williamson, Jr., et al. The application to vacate stay heretofore granted by the United States Court of Appeals for the Second Circuit presented to Mr. Justice Marshall, and by him referred to the Court, is granted.

No. 72-1061. Windward Shipping (London) Limited et al., petitioners, *v.* American Radio Association, AFL-CIO, et al. The Solicitor General is invited to file a brief expressing the views of the United States.

No. 72-5521. Clarence Eugene Strunk, petitioner, *v.* United States. The motion of Terence F. MacCarthy to permit John R. Wideikis to argue, *pro hac vice*, on behalf of the petitioner is granted.

## APPEAL—JURISDICTION NOTED

No. 72-5830. Clover Patterson, appellant, *v.* George Warner, etc., et al. Appeal from the United States District Court for the Southern District of West Virginia. Motion for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted.

## CERTIORARI GRANTED

No. 72-1057. United States, petitioner, *v.* Dominic Nicholas Giordano et al. Motion of respondent Giordano for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted.

## CERTIORARI DENIED

No. 72-944. Lillian Marulakis, petitioner, *v.* Chester L. Williams. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 72-975. Arthur Michael Newman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-980. Gaetano Dominick Vastola, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-982. Lawrence Rosenberg, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-988. Leta Moore, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-991. Jack Miller, aka Charles Muller, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-1009. John N. Flood et ux., petitioners. *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1015. Tred-Air of California, Inc., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1029. District 65, Distributive Workers of America, petitioner, *v.* R & M Kaufmann, a Division of Russ Toggs, Inc., et al. Peti-

tion for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **72-1045**. Bible Baptist Church, petitioner, *v.* Charles Ireland et al. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Ninth Supreme Judicial District, denied.

No. **72-1060**. Calvin Spurgeon Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **72-1081**. International Brotherhood of Electrical Workers, petitioner, *v.* Washington Terminal Company. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **72-1083**. Robert W. O'Brien, petitioner, *v.* Frank Franich et al. Petition for writ of certiorari to the Court of Appeals of Washington, Division II, denied.

No. **72-1089**. John Allan London, petitioner. *v.* L. N. Patterson, Superintendent, Deuel Vocational Institution. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-1122**. Jacksonville Newspaper Printing Pressmen and Assistants' Union No. 57, petitioner, *v.* Florida Publishing Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-5706**. Granzie Lee Hughes, petitioner, *v.* Harold J. Cardwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **72-5801**. Carroll Eugene Strader, petitioner, *v.* North Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **72-5833**. C. James Lombardi, Jr., petitioner, *v.* Ivan Warner, Justice, Supreme Court of New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. **72-5859**. Edgar C. Hall, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. **72-5860**. Bobby L. Murray, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. **72-5892**. Fred Gore, petitioner, *v.* Illinois. Petition for writ of certiorari to the Court of Appeals of Illinois, First District, denied.

No. **72-5897**. James W. Brown, petitioner, *v.* Harold J. Cardwell, Warden, Ohio State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.



No. 72-5903. Edmund Blaine Dixon, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 72-5947. James G. Ellingburg, petitioner, *v.* Arkansas. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5971. Joseph S. Stephenson, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 72-6007. Francisco Martinez Liantaud, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6016. Jose Juan Soto, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6017. Fernando Medina Cantu, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6021. Vernon (Doc) Crews and John Blair, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6028. Herbert Allen Gammon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6030. William H. Robinson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6031. George B. Kubitsky, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-6036. Glen Elmo Riggs, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6037. David Charles Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6045. Dale Edmund Crowder, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6053. Gregg Morris, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6071. Frank L. George, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6091. Huey R. Lee, petitioner, *v.* Alabama. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 72-6164. Hughland Wardlaw, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied.

No. 72-6169. Joseph G. Rulo, petitioner, *v.* Sidney Rubin, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6172. James Walter Cherry, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 72-6180. Paul Steve Shadden, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Eastern Division, denied.

No. 72-6193. Donnie Graham, petitioner, *v.* Elliott S. Hall. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6196. John Tyrone Martin, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6212. Cornell Robinson, petitioner, *v.* Alabama. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6223. William Jackson, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 72-974. Samuel L. Popkin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5835. John Martin, petitioner, *v.* Florida. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5966. Allen Lyle Heinrich, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-5973. John Samuel Halverson, petitioner, *v.* Elmer O. Cady. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-977. Hulan E. Jack, petitioner, *v.* United States; and

No. 72-978. L. Joseph Overton, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of these petitions.

No. 72-1001. Alexander F. Majewski, petitioner, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1116. Aline Beatrice McCloud, petitioner, *v.* Eldridge Stanley Branch et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5632. Jody Lee Worton, petitioner, *v.* Oklahoma. Motion to amend petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

#### LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 72-6170. Howard Kaplan, petitioner, *v.* Judges and Officers of the United States Court of Appeals for the Second Circuit. Motion for leave to file petition for writ of mandamus and/or prohibition denied.

#### REHEARINGS DENIED

No. 71-685. Robert J. Lehnhausen, petitioner, *v.* Lake Shore Auto Parts Co. et al.; and

No. 71-691. Edward J. Barrett, County Clerk of Cook County, Illinois, et al., petitioners, *v.* Clemens K. Shapiro et al.;

No. 71-1672. T. W. Guthrie et al., petitioners, *v.* Alabama By-Products Company et al.;

No. 72-839. Rosebud Williams, petitioner, *v.* Mississippi Export Railroad; and

No. 72-963. John A. Hutter et al., petitioners. *v.* Cook County, Illinois, et al. Petitions for rehearing denied.

No. 71-991. Otter Tail Power Company, appellant, *v.* United States. Petition for rehearing denied. Mr. Justice Blackmun and Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 72-510. Arthur Falkner et ux., petitioners, *v.* John R. Brown, Chief Judge, United States Court of Appeals for the Fifth Circuit. Motion to dispense with printing petition granted. Petition for rehearing denied.

## RECESS ORDER

The Court will take a recess from Monday, April 2, 1973, until Monday, April 16, 1973.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John L. Alfano	New York, N. Y.	Martin Werner.
Ernest L. Aubry	Los Angeles, Calif.	Hugh R. Manes.
John C. Babbs, Jr.	Denver, Colo.	Arnold Alperstein.
Tom Rex Bailey	Ashtabula, Ohio	John P. Mahoney.
Leo M. Bearman	Memphis, Tenn.	Leo E. Bearman.
Thomas Lawton Beight	Gaithersburg, Md.	Patrick Carroll McKeever.
Elihu M. Berle	Los Angeles, Calif.	Murray M. Fields.
Donald Knerr Bjelke	Upland, Calif.	David V. Anthony.
Fred Melville Black	Oklahoma City, Okla.	William F. Shdeed.
William Walters Bradshaw	Abilene, Tex.	David G. Stubbeman.
Thomas J. Burke	St. Paul, Minn.	Terrance S. O'Toole.
Nicholas L. Carbajal	Houston, Tex.	Theodore Franklin Trigg.
Frank Wallace Criley	Los Angeles, Calif.	Edgar R. Carver, Jr.
Paul Henry Cyril	San Francisco, Calif.	Charles Alexander Legge.
Thomas E. Davis	Gadsden, Ala.	J. Richard Carr.
Guy L. Deano, Jr.	Covington, La.	Philip E. Pfeffer.
Jack Dies	Austin, Tex.	Watson Caufield Arnold.
Barry Hart Dubner	Surfside, Fla.	Patrick William McGinley.
William H. Eichhorn	Hammond, Ind.	Edmund A. Schroer.
John Richard Erickson	Washington, D.C.	John E. Loomis.
Robert Anthony Esperti	Englewood, Colo.	Michael David Brayton.
Alpheus Edwin Forsman	Washington, D.C.	Robert Henry Berdo.
Larry L. Fries	Los Angeles, Calif.	Alvin B. Calof.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles M. Gabhart	Jeffersonville, Ind.	Vance Hartke.
Andrew John Gallerano	Houston, Tex.	Daniel Paul Ryan, Jr.
David A. Gerdes	Pierre, S. Dak.	Kermit Andrew Sande.
George Joseph Grindle	Washington, D.C.	Mrs. June Bushart Norris.
Rudy M. Groom	Huston, Tex.	Dougal C. Pope.
Alphonso R. Harper	Detroit, Mich.	Clarence Laster, Jr.
Warren Heagy	Odessa, Tex.	Warren Burnett.
Oliver Samuel Heard, Jr.	San Antonio, Tex.	Harold D. Putman.
James Davis Hill	Walnut Creek, Calif.	Jerome Russell Waldie.
William P. Hoffman, Jr.	Washington, D.C.	Miss Deanne C. Siemer.
David Lee Hooper	Abilene, Tex.	Davis Scarborough.
Charles Coleman Horn	Shelby, N.C.	Horace Kennedy.
John Robert Johnston	Wabash, Ind.	Elwood Haynes Hillis.
Anne L. Kaizen (Miss)	Brooklyn, N.Y.	Donald Friedman.
Leslie Allan Kast	West Covina, Calif.	David V. Anthony.
Victor Emile Kellner	Lafayette, La.	William R. Ward.
Theodore Compton Knappen.	Washington, D.C.	Fritz R. Kahn.
William Leiter	Tulsa, Okla.	Richard B. McDermott.
Carmine J. Liotta	Elizabeth, N.J.	Henry J. Daaleman.
John M. Lischak	Syracuse, N.Y.	Thomas R. Nelipowitz.
David Luria, Jr.	Washington, D.C.	Orman W. Ketcham.
Alvin D. Lurie	New York, N.Y.	David L. Benet <i>et al.</i>
Alfred William Mackey	Ashtabula, Ohio	John P. Mahoney.
Ronald M. Mankoff	Dallas, Tex.	Wentworth Tenny Durant.
Bernard Francis McGovern, Jr.	Hartford, Conn.	Robert K. Killian.
William A. Mechmann	Morganville, N.J.	Alfred J. Schwarz.
Woodrow M. Melvin, Jr.	Miami, Fla.	George W. Wright, Jr.
Anthony Miglicco	Houston, Tex.	Dougal C. Pope.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas Frank Mitchell	San Mateo, Calif.	Joseph Michael Grines.
Dennis Montali	San Francisco, Calif.	August B. Rothschild.
Kenneth J. Morris	Livonia, Mich.	James E. McCarthy.
David A. Mortman	Norwood, N.J.	Harry T. Zucker.
Robert J. Narkis	Waterbury, Conn.	Donald Wallace Henry.
Jack Franklin Norton	Montgomery, Ala.	Robert Charles Barnett.
James B. O'Shaughnessy	Chicago, Ill.	W. Donald McSweeney.
Thomas L. Owsley	Reston, Va.	Samuel J. Ervin, Jr.
John W. Pelino	Philadelphia, Pa.	Frank B. Murdoch, Jr.
Harvey R. Peters	Sudbury, Mass.	Paul T. Smith.
Robert E. Phelan	San Francisco, Calif.	August B. Rothschild.
Steven S. Radin	Newark, N.J.	Jeffrey Barton Cahn.
John W. Reilly	Honolulu, Hawaii	William Albert Stricklin.
Paul Emil Reimann	Salt Lake City, Utah.	Vernon Romney.
Lee B. Reinfeld	Key Biscayne, Fla.	Sidney Burns Majure.
Leon H. Rittenberg, Jr.	New Orleans, La.	Patrick M. Reily.
James Edward Roberts	Birmingham, Ala.	Frank Bainbridge.
J. R. Russell	Kansas City, Kans.	Robert J. Dole.
Roger Alan Schecter	Westfield, N.J.	Judson A. Parsons, Jr.
Peter Wyman Segal	Washington, D.C.	Alan W. Heifetz.
Stuart Philip Seidel	New York, N.Y.	Edwin Friend Rains.
Richard M. Seybold	New York, N.Y.	James M. Fitzsimons.
Charles A. Shadid	Oklahoma City, Okla.	William F. Shdeed.
James Daniel Shanahan	Madison Heights, Mich.	Norman R. Barnard.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jeffrey David Sobel	Las Vegas, Nev.	Frank Grant Sawyer.
Lawrence Wayne Solodky	Tonawanda, N.Y.	Michael J. McMorrow, Jr.
Arthur George Spence	Los Angeles, Calif.	Murray M. Fields.
Ross N. Sterling	Houston, Tex.	John Leroy Jeffers.
Carl L. Swanson	Richardson, Tex.	Mrs. Carol G. Emerling.
Clifford Sweet	Oakland, Calif.	Stefan Mark Rosenzweig.
Don Alan Thomas	Denver, Colo.	Michael David Brayton.
John William Thomas	Flint, Mich.	Andrew J. Transue.
Jack W. Thompson	Houston, Tex.	Theodore Franklin Trigg.
Louis William Vettel	Ashtabula, Ohio	John P. Mahoney.
Ronald W. Vettel	Conneaut, Ohio	John P. Mahoney.
Robert Martin Wasyluk	Columbus, Ohio	Donal M. Hamilton, Jr.
Norman Weiss	New York, N.Y.	Martin Werner.
James Arthur West, Jr.	Shelby, N.C.	Horace Kennedy.
Jules I. Whitman	Philadelphia, Pa.	Richard L. Levy.
Harry Louis Zimmerman	Dallas, Tex	Henry Wade.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Barton Gray	Putney, Vt.	Solicitor General Erwin N. Griswold.
Daniel J. McAuliffe	Washington, D.C.	Solicitor General Erwin N. Griswold.
William Robert Moss	Lubbock, Tex.	George H. Mahon.
Fred J. Morton	El Paso, Tex.	Richard C. White.
Walter C. Gustafson	Edina, Minn.	Lorne Dale MacIver.
Toni K. Golden	Washington, D.C.	Thomas Clark Matthews, Jr.

## ORAL ARGUMENT

No. 71-1417. Booster Lodge No. 405, International Association of Machinists and Aerospace Workers, AFL-CIO, petitioner, *v.* National Labor Relations Board et al.; and

No. 71-1607. National Labor Relations Board, petitioner, *v.* The Boeing Company et al. One and one-half hours allowed for oral argument. Argued by Mr. Bernard Dunau for Booster Lodge No. 405, etc., by Mr. Norton J. Come for the National Labor Relations Board, and by Mr. Samuel Lang for the Boeing Company.

No. 72-634. United States Civil Service Commission et al, appellants, *v.* National Association of Letter Carriers, AFL-CIO, et al. One hour and twenty minutes allowed for oral argument. Argued by Mr. Solicitor General Erwin N. Griswold for the appellants and by Mr. Thomas C. Matthews, Jr., for the appellees.

No. 71-1639. William M. Broadrick et al., appellants, *v.* Oklahoma et al. Argued by Mr. John C. Buckingham for the appellants and by Mr. Michael Dennis Martin for the appellees.

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Adjournment until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

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<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ronald Jay Goodman	Cincinnati, Ohio	William J. Keating.
William Francis Hall, Jr.	Philadelphia, Pa.	William H. Brown III.
Allan L. Mueller	Milwaukee, Wis.	Samuel Huntington.
J. Winfield Rankin	Washington, D.C.	George Malcolm White.
Charles Jones Swayze, Jr.	Greenwood, Miss.	George Hite McLean, Jr.

### OPINIONS

No. **71-834**. Rosalind McClanahan, etc., appellant, *v.* State Tax Commission of Arizona. Appeal from the Court of Appeals of Arizona, Division One. Judgment reversed and case remanded to the Court of Appeals of Arizona, Division One, for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Marshall.

No. **71-738**. The Mescalero Apache Tribe, petitioner, *v.* Franklin Jones, Commissioner of the Bureau of Revenue of the State of New Mexico, et al. On writ of certiorari to the Court of Appeals of New Mexico. Judgment affirmed in part and reversed in part and case remanded to the Court of Appeals of New Mexico for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice White. Opinion by Mr. Justice Douglas dissenting in part with whom Mr. Justice Brennan and Mr. Justice Stewart concur.

### ORAL ARGUMENT

No. **72-486**. Federal Power Commission, petitioner, *v.* Memphis Light, Gas and Water Division, et al.; and

No. **72-488**. Texas Gas Transmission Corporation, petitioner, *v.* Memphis Light, Gas and Water Division, et al. Argued by Mr. Samuel

Huntington for the Federal Power Commission, by Mr. Christopher T. Boland for the Texas Gas Transmission Corporation, by Mr. George E. Morrow for the Memphis Light, Gas and Water Division, and by Mr. Richard A. Solomon for the Public Service Commission of New York.

No. 72-624. United States, petitioner, *v.* Pennsylvania Industrial Chemical Corporation. Argued by Mr. William Bradford Reynolds for the petitioner and by Mr. Harold Gondelman for the respondent.

No. 72-5323. Francis A. Keeble, petitioner, *v.* United States. Argued by Mr. Mark V. Meierhenry for the petitioner, *pro hac vice*, by special leave of Court, and by Mr. Richard B. Stone for the respondent.

No. 71-1182. Raymond Mattz, petitioner, *v.* G. Raymond Arnett, etc. Argument commenced by Mr. Lee J. Sclar for the petitioner and continued by Mr. Harry R. Sachse for the United States, as *amicus curiae*, by special leave of Court.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

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<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles L. Quinn	Auburn, Ind.	Edwood H. Hillis.
Donald Raymond Oliver	San Diego, Calif.	Charles W. Cooke.

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### OPINION

**No. 71-1545.** Earl L. Butz, Secretary of Agriculture, et al., petitioners, *v.* Glover Livestock Commission Company, Inc. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Douglas joins.

### ORAL ARGUMENT

**No. 71-1182.** Raymond Mattz, petitioner, *v.* G. Raymond Arnett, etc. Argument continued by Mr. Roderick Walston for the respondent and concluded by Mr. Lee J. Selar for the petitioner.

**No. 72-490.** McDonnell Douglas Corporation, petitioner, *v.* Percy Green. Argued by Mr. Veryl L. Riddle for the petitioner and by Mr. Louis Gilden for the respondent.

**No. 71-6278.** Condrado Almeida-Sanchez, petitioner, *v.* United States. Argued by Mr. John J. Cleary for the petitioner and by Mr. Philip A. Lacovara for the respondent.

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Adjourned until Monday, April 2, 1973, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## APPEALS—SUMMARY DISPOSITION

No. **72-795**. J. D. Leathers, appellant, *v.* Sam Massell et al. Appeal from the Supreme Court of Georgia. The appeal is dismissed for want of a substantial federal question.

No. **72-893**. Francis D. Fox et ux., appellants, *v.* John H. Norberg, Tax Administrator. Appeal from the Superior Court of Rhode Island, Providence and Bristol Counties. The appeal is dismissed for want of a substantial federal question.

No. **72-1093**. Variety Theaters, Inc., appellant, *v.* Cleveland County, North Carolina, et al. Appeal from the Supreme Court of North Carolina. The appeal is dismissed for want of a substantial federal question.

No. **72-1106**. Earl H. Hammond, appellant, *v.* Ramaldus G. Hager et al. Appeal from the Supreme Court of Montana. The appeal is dismissed for want of a substantial federal question.

No. **72-1114**. John A. Hutter et ux., appellants, *v.* Bernard J. Korzen, County Treasurer, etc. Appeal from the Appellate Court of Illinois, First District. The appeal is dismissed for want of a substantial federal question.

No. **72-5943**. Edward J. Boykin et al., appellants, *v.* Chester W. Ott, Administrator, Oregon Motor Vehicles Division. Appeal from the Court of Appeals of Oregon. The appeal is dismissed for want of a substantial federal question.

No. **72-997**. John S. Atlee et al., appellants, *v.* Elliot L. Richardson, Individually and as Secretary of Defense, et al. Appeal from the United States District Court for the Eastern District of Pennsylvania. Judgments affirmed. Mr. Justice Douglas, Mr. Justice Brennan and Mr. Justice Stewart would note probable jurisdiction and set case for oral argument.

No. 72-5919. Gwendolyn Faubion, appellant, *v.* Andrew Juras, etc., et al. Appeal from the Court of Appeals of Oregon. The appeal is dismissed for want of a substantial federal question. Mr. Justice Douglas dissents for the reasons stated in his dissenting opinion in *Ortwein v. Schwab* 410 U.S. —, — (1973).

No. 72-6025. James Briggs and Anthony Datzuk, appellants, *v.* Mehadin K. Arafah et al. Appeal from the United States District Court for the District of Connecticut. Judgment affirmed. Mr. Justice Douglas and Mr. Justice Powell dissent from the affirmance.

#### CERTIORARI—SUMMARY DISPOSITION

No. 72-1075. Bachrodt Chevrolet Co., petitioner, *v.* National Labor Relations Board. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Petition for certiorari granted, judgment vacated, and case remanded to the Court of Appeals with instructions to remand case to the National Labor Relations Board for such further proceedings as may be appropriate in light of *NLRB v. Burns International Security Services, Inc.*, 406 U.S. 272 (1972); *FTC v. Sperry & Hutchinson Co.*, 405 U.S. 233, 245-250 (1972); *SEC v. Chenery Corp.*, 318 U.S. 80, 87-88 (1943).

#### ORDERS IN PENDING CASES

No. A-987. L. G. Ruderer, petitioner, *v.* Daniel Bartlett, Jr. The motion for leave to file petition for injunctive order presented to Mr. Justice Blackmun, and by him referred to the Court, is denied. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

No. 48, **Original**. State of Mississippi, plaintiff, *v.* State of Arkansas. The Report of the Special Master is received and ordered filed. Exceptions, if any, with supporting briefs to the Report may be filed by the parties on or before May 17, 1973. Reply briefs, if any, to such exceptions may be filed on or before June 18, 1973.

No. 72-459. Grace Sloan, as State Treasurer of the Commonwealth of Pennsylvania, et al., appellants, *v.* Alton J. Lemon et al.; and

No. 72-620. Henry E. Crouter, appellant, *v.* Alton J. Lemon et al. The motion of the National Association of Independent Schools, Inc., for leave to participate in oral argument, as *amicus curiae*, is denied.

No. 72-549. School Board of the City of Richmond, Virginia, et al., petitioners, *v.* State Board of Education of the Commonwealth of Virginia et al.; and

No. 72-550. Carolyn Bradley et al., petitioners, *v.* State Board of Education of the Commonwealth of Virginia et al. The motion of the Solicitor General for leave to participate in oral argument, as

*amicus curiae*, in support of respondents is granted and fifteen minutes are allotted for that purpose. Counsel for the petitioners are hereby allotted fifteen minutes for oral argument. Mr. Justice Powell took no part in the consideration or decision of this motion.

No. 72-658. City of Kenosha, Wisconsin, et al., appellants, v. Peter G. Bruno et al. The motion to permit two counsel to argue orally on behalf of the appellees is granted.

No. 72-694. Committee for Public Education and Religious Liberty et al., appellants v. Ewald B. Nyquist, as Commissioner of Education of the State of New York, et al. ;

No. 72-753. Warren M. Anderson, as Majority Leader and President pro tem of the New York State Senate, appellant, v. Committee for Public Education and Religious Liberty et al. ;

No. 72-791. Ewald B. Nyquist, as Commissioner of Education of the State of New York, et al., appellants, v. Committee for Public Education and Religious Liberty et al. ; and

No. 72-929. Priscilla L. Cherry et al., appellants, v. Committee for Public Education and Religious Liberty et al. The motion of Lawrence E. Klinger for leave to file an untimely brief, as *amicus curiae*, is granted.

No. 72-804. William D. Ruckelshaus, Administrator of the Environmental Protection Agency, petitioner, v. Sierra Club et al. The motion of the State of Arizona et al., for leave to present oral argument, as *amici curiae*, is denied.

No. 72-1187. M. Browning Combs et al., petitioners, v. Princess Ranola Johnson et al. The motion to advance and for *pendente lite* relief is denied.

No. 72-5881. Robert Edward Marshall, petitioner, v. United States. The motion for the appointment of counsel is granted, and it is ordered that James F. Hewitt, Esquire, of San Francisco, California, a member of the Bar of this Court be, and he is hereby, appointed to serve as counsel for the petitioner in this case.

#### APPEALS—JURISDICTION NOTED

No. 71-1631. Stanley T. Kusper, Jr., et al., appellants, v. Harriet G. Pontikes et al. Appeal from the United States District Court for the Northern District of Illinois. In this case probable jurisdiction noted.

No. 72-922. Mary Louise Green Paschall et al., appellants, v. Christie-Stewart, Inc., et al. Appeal from the Supreme Court of Oklahoma. In this case probable jurisdiction noted.

No. 72-1118. Howard Phillips, Acting Director, Office of Economic Opportunity, et al., appellants, v. Wayne Kennedy, etc., et al.

Appeal from the United States District Court for the Northern District of Illinois. In this case probable jurisdiction noted.

## CERTIORARI GRANTED

No. 72-953. Michael O'Shea, as Magistrate of the Circuit Court for Alexander County, Illinois, and Dorothy Spomer, as Associate Circuit Judge for Alexander County, Illinois, petitioners, *v.* Ezell Littleton et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and set for oral argument with No. 72-955.

No. 72-955. W. C. Spomer, State's Attorney of Alexander County, Illinois, petitioner, *v.* Ezell Littleton et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted and set for oral argument with No. 72-953.

No. 72-6041. Dave Pernell, petitioner, *v.* Southall Realty. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the District of Columbia Court of Appeals granted.

## CERTIORARI DENIED

No. 72-819. Jose A. Reyes, petitioner, *v.* Laborers' International Union of North America, Local Union No. 16, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-842. James Bradley, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. 72-898. Charles Laurent Fioconi and Jean Claude Kella, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-924. Lafayette Airport Commission et al., petitioners, *v.* J. Maxime Roy et al. Petition for writ of certiorari to the Court of Appeal of Louisiana, Third Circuit, denied.

No. 72-927. Bankers Life and Casualty Company, etc., petitioner, *v.* The Village of North Palm Beach, Florida, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-979. Irving J. Thorne, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Claims denied.

No. 72-1011. Warren Rudolph Cooper, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **72-1014**. James E. Braden, Jr., petitioner, *v.* Irving M. Herman, etc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **72-1016**. Chip Steak Co., Inc., et al., petitioners, *v.* Earl L. Butz, Secretary of Agriculture, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-1017**. Nebraska et al., petitioners, *v.* Caspar W. Weinberger, Secretary of Health, Education, and Welfare, et al.; and

No. **72-1020**. Nebraska et al., petitioners, *v.* Caspar W. Weinberger, Secretary of Health, Education, and Welfare, et al. Petitions for writs of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **72-1074**. Barbara Ann Martin, petitioner, *v.* Wesley Jackson Martin. Petition for writ of certiorari to the District Court of Appeal of Florida, First District, denied.

No. **72-1080**. Archie Peltzman, petitioner, *v.* American Radio Association et al. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. **72-1087**. John Rodney Card, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-1088**. Pennsylvania, petitioner, *v.* George D. Brown. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. **72-1110**. Matthew Usciak, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Superior Court of Pennsylvania, Eastern District, denied.

No. **72-1121**. John H. Ellis et al., petitioners, *v.* Flying Tiger Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **72-1132**. Alma C. Jacobs, Administratrix of the Estate of Reginald Gene Jacobs, petitioner, *v.* Winston Franklin Clarke-White, etc. Petition for writ of certiorari to the Court of Appeals of Ohio, Franklin County, denied.

No. **72-1143**. Robert Spercel, dba Spercel Tool Co., petitioner, *v.* Sterling Industries, Inc., et al. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. **72-1227**. Rogers C. B. Morton, Secretary of the Interior, petitioner, *v.* The Wilderness Society et al.;

No. **72-1228**. Alaska, petitioner, *v.* The Wilderness Society et al.; and

No. **72-1229**. Alyeska Pipeline Service Company, petitioner, *v.* The Wilderness Society et al. Petitions for writs of certiorari to the



United States Court of Appeals for the District of Columbia Circuit denied.

No. **72-5406**. Albert H. Carter, petitioner, *v.* Ray Hardy, District Clerk of Harris County, Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-5793**. Robert Long, petitioner, *v.* John J. Twomey, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **72-5813**. James E. Bilton, Jr., petitioner, *v.* W. J. Estelle, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-5887**. Ray Passwater et al., petitioners, *v.* Joseph N. Myers, Judge, Municipal Court of Marion County, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **72-5898**. Arville B. Knight, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **72-5912**. Paul G. Evans, petitioner, *v.* Katharine S. Evans. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. **72-5928**. Jerome McMurray, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. **72-5968**. George Hargrove, petitioner, *v.* A. E. Slayton, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **72-5969**. Jeremiah Thomas, petitioner, *v.* A. E. Slayton, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **72-5984**. Lee T. Lovallo, petitioner, *v.* Robert F. Froehlke, Secretary of the Army, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **72-6009**. Ralph N. Shorter, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-6042**. Richard T. Pellegrino and William Walter Price, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6051. William T. Allen, petitioner, *v.* Harold H. Cardwell, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6052. Lloyd A. Landry, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6056. Michael Anthony Maciel, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6061. Offie Gene Evans, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6062. Frank M. Valdez, etc., petitioner, *v.* California Selective Service Local Board No. 44, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6063. Raul Perez-Valle, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6065. Dale Edmund Crowder, petitioner, *v.* C. E. Harris, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-6077. Mary Alberti, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6078. Carl B. Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6085. James Davenport, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6087. James Henderson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6088. Francis Giardina, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6089. Joseph R. Von Atzingen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6105. Ernest Baxter Fields, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **72-6184**. Antonio Torres et al., petitioners, *v.* New York City Transit Authority et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **72-6204**. Phillip Allen Le Brun, petitioner, *v.* Hoyt C. Cupp, Superintendent, Oregon State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-6214**. Joseph W. Cox, petitioner, *v.* Charles Wolff, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **72-6215**. Arnold Ridgill, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. **72-6217**. Charles Frederick Eckert, petitioner, *v.* The American Arbitration Association. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **72-6219**. Alfred W. Recor, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Eastern Division, denied.

No. **72-6220**. Charles Frederick Eckert, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **72-6225**. Joseph Johnson, petitioner, *v.* Illinois. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **72-6237**. Caris Ton Thornton, petitioner, *v.* W. J. Estelle, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-6238**. Farrell Gene Knight, petitioner, *v.* Oklahoma. Petition for writ of certiorari to the Court of Criminal Appeals of Oklahoma denied.

No. **72-995**. Robert Thomas Jenkins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-1005**. Sierra Club and Citizens for Clean Air and Water, petitioners, *v.* Rogers C. B. Morton, Secretary of Interior, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-1063**. Herman P. Unger, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals

for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-5808**. Golden Frinks, petitioner, *v.* North Carolina. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-5899**. Howard Wyatt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-5951**. James William Lindsey, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied. Mr. Justice Douglas would grant certiorari.

No. **72-5981**. James Ike Washington, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied. Mr. Justice Douglas would grant certiorari.

No. **72-1094**. W. J. Estelle, Director, Texas Department of Corrections, petitioner, *v.* Guadalupe O. Sanchez. Motion of respondent ~~Motion to dispense with printing petition~~ granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.  
 FOR LEAVE TO PROCEED IN FORMER CAPACITY

No. **72-1115**. F. McQueen Rozelle, petitioner, *v.* Connecticut General Life Insurance Company et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **72-1131**. John H. Newberry, petitioner, *v.* Town of Fishkill. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **72-1146**. T. W. Milam et al., petitioners, *v.* Reading & Bates Offshore Drilling Company et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-5831**. Edna Rothstein et al., petitioners, *v.* George K. Wyman, Commissioner, Department of Social Services of the State of New York, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas and Mr. Justice White would grant certiorari.

#### LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. **72-5990**. Roy Henry Maghe, petitioner, *v.* Joseph M. Guarino, Judge, etc.;

No. **72-6113**. Gale H. Johnson, petitioner, *v.* W. C. Stuart, Judge, U.S. District Court for the Southern District of Iowa, et al.;

No. **72-6186**. Joseph P. Gerardi, petitioner, *v.* Robert Seamans, Secretary of the Air Force;

No. **72-6187**. Joseph P. Gerardi, petitioner, *v.* Donald Johnson, Administrator of Veterans Affairs; and

No. **72-6188**. Joseph P. Gerardi, petitioner, *v.* U.S. Department of Justice. Motions for leave to file petitions for writs of mandamus denied.

No. **72-1084**. Neal L. Grossman, petitioner, *v.* Thomas M. Kavanagh, Chief Justice, Michigan Supreme Court. Motion for leave to file petition for writ of mandamus and/or prohibition denied.

#### REHEARINGS DENIED

No. **72-5431**. Raymond N. Ortwein and Gwendolyn Faubion, appellants, *v.* Herbert M. Schwab et al.;

No. **72-5712**. Donald W. Higginbotham, petitioner, *v.* United States;

No. **72-5779**. David Jackson, Jr., petitioner, *v.* United States;

No. **72-5803**. Edward McCray, petitioner, *v.* United States;

No. **72-5872**. Homer L. Thomas and Willie Watson, petitioners, *v.* Mississippi; and

No. **72-5885**. Calvin Sellars, petitioner, *v.* W. J. Estelle, Director, Texas Department of Corrections. Petitions for rehearing denied.

No. **71-364**. Joan S. Mahan, Secretary, State Board of Elections, et al., appellants, *v.* Henry E. Howell, Jr., et al.; and

No. **71-373**. City of Virginia Beach, appellant, *v.* Henry E. Howell, Jr., et al. Treating the petition for rehearing in No. 71-373 as a motion to modify the Court's opinion, the following order is hereby entered:

"The motion of the appellant, City of Virginia Beach, to modify this Court's opinion is hereby granted. The first paragraph in Part II of the opinion is amended by adding 'a portion of' after the phrase 'Under the plan,' in the second sentence thereof, and by striking the phrase 'encompassing the cities of Norfolk and Virginia Beach' in the last sentence of the paragraph, substituting therefor the following phrase: 'encompassing the City of Norfolk and a portion of Virginia Beach.'"

Mr. Justice Powell took no part in the consideration or decision of this order.

No. **72-826**. Ignatius J. Broussard, Jr., petitioner, *v.* Roderick R. Patton, etc., et al. Motion of James Abourezk et al., for leave to file a brief, as *amici curiae*, in support of petition for rehearing granted. Petition for rehearing denied.

No. 72-5771. Joseph Jakalski, petitioner, v. United States. Petition for rehearing and for other relief denied.

ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Samuel Adams	Boston, Mass.	Edward W. Brooke.
J. Vincent Aug	Cincinnati, Ohio	William H. Nieman.
Howard Robert Barron	Chicago, Ill.	Edward R. Johnston.
J. Robert Bradish	Sherman Oaks, Calif.	John G. Bonelli.
Martin F. Brecker	New York, N.Y.	William J. Henry.
S. Dwight Breed	Westminster, Calif.	Robert A. Knox.
Richard H. Breiner	San Rafael, Calif.	Mrs. Ann L. Diamond.
Charles B. Breslow	Miami, Fla.	Milton Victor Milich.
Ralph Ewing Brogdon, Jr.	Redondo Beach, Calif.	Edward G. Gorman.
Russell E. Brooks	New York, N.Y.	William Eldred Jackson.
Edward R. Brown	Sherman Oaks, Calif.	John G. Bonelli.
Rexford Taylor Brown	Washington, D.C.	John P. Sears.
James C. Bull	Denver, Colo.	Gerald M. Quiat.
Gary F. Burns	Gadsden, Ala.	J. Richard Carr.
Bernard Carey	Chicago, Ill.	James Brian Haddad.
Newbern A. Chambers	Little Rock, Ark.	J. Frank Holt.
David B. Cohen	Derby, Conn.	Bronislaw Winnick.
John Edward Collins	Irving, Tex.	Lonnie C. McGuire, Jr.
William Edwin Constable	Washington, D.C.	Louis H. Mann.
Ralph Frederick Crandell	Denver, Colo.	John G. Batchelder.
Charles J. Crider	Fort Worth, Tex.	Brewster Irvin Evans.
A. G. Crouch III	Alvin, Tex.	Kenneth M. Pacetti.
Eugene William Cullen	Short Hills, N.J.	Joseph P. Piscopo.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Fred D. Dahlmeyer	West Haven, Conn.	John Edward Donegan.
Ronald H. Danziger	Springfield, Mass.	Leonard R. Skvirsky.
Louis Henry DeHaas, Jr.	Los Angeles, Calif.	John T. LaFollette.
James O. Demsey	Fresno, Calif.	Nickolas John Dibiaso.
Timothy C. Dorch	Atlanta, Ga.	Daniel Francis Toole.
Malcolm C. Douglas	Cleveland, Ohio	Richard Rings. Hollington, Jr.
John Michael Eadry	Albany, N.Y.	John P. Jehu.
Ernest E. East	Fort Worth, Tex.	Gerald E. Boltz.
Jerry W. Ellinghouse	Sherman Oaks, Calif.	John G. Bonnelli.
Harry Lynn Fancher	Chattanooga, Tenn.	Hugh J. Clausen.
George J. Finn	Derby, Conn.	Bronislaw Winnick.
Julius E. Fioravanti	Philadelphia, Pa.	Frederick D. Duden, Jr.
Larry R. Fisher	Lafayette, Ind.	Roger D. Branigin.
Jerome V. Flangan	Winchester, Mass.	Henry A. Cretella.
Joseph Fontana	New York, N.Y.	Joseph Finazzo.
Theodore G. Fretel	Northford, Conn.	John Edward Donegan.
Morris W. Fuhr	East Hartford, Conn.	Joseph Neiman.
Michael J. Gillen	Brooklyn, N.Y.	Raymond Bern- hard Grunewald.
Andrew J. Gleason	Johnstown, Pa.	Hugh D. Scott, Jr.
Robert Davis Gleason	Johnstown, Pa.	Hugh D. Scott, Jr.
Howard Thomas Goffen	Chicago, Ill.	Edward L. Cooper.
Roy Marlyn Good	Sherman Oaks, Calif.	John G. Bonelli.
Harry K. Grafe	Sacramento, Calif.	L. Stephen Porter.
Charles E. Greenberg	Long Beach, Calif.	Joseph A. Ball.
Arnold C. Grossman	Philadelphia, Pa.	Donald J. Gold- berg.
Robert A. Hampe	St. Louis, Mo.	Richard L. Daly.
Kent Roland Hance	Lubbock, Tex.	Charles Alan Wright.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Russell Holiday Hart, Jr.	Lafayette, Ind.	Roger D. Branigin.
John W. Hofeldt	Chicago, Ill.	Edward A. Haight.
Thomas F. Hogan	Rockville, Md.	William B. Jones.
Morton J. Holbrook	Owensboro, Ky.	George S. Wilson III.
Dennis I. Holober	Miami, Fla.	Judge H. Paul Baker.
Frederick J. Hoyt	Oklahoma City, Okla.	Robert R. Buck.
Stewart McCallum Hunter	Oklahoma City, Okla.	Harold C. Theus.
Fred E. Inbau	Chicago, Ill.	Frank G. Carington, Jr.
Norval W. Jasper	Tucson, Ariz.	Lawrence Ollason.
Jon David Jensvold	Minneapolis, Minn.	Lynn G. Truesdell III.
Alan Lester Jonas	Chicago, Ill.	Edward L. Cooper.
Lewis A. Kaplan	New York, N. Y.	Simon H. Rifkind.
Arthur P. Kearney	Seattle, Wash.	Thomas J. Kraft.
Richard Carl Klein	Cleveland, Ohio	Barnett Allen Task.
Eugene M. Kline	New York, N. Y.	Louis Nizer.
Robert C. Knee, Jr.	Dayton, Ohio	Maurice James Leen, Jr.
James Koconis	Milwaukee, Wis.	Dominic Henry Frinzi.
Andrew M. Kramer	Chicago, Ill.	Robert Theodore Clark, Jr.
Douglas J. Kramer	Brooklyn, N. Y.	Norman Dorsen.
Attilio John Lepri	Cleveland, Ohio	Norman W. Shibley, Jr.
Joseph A. Licari, Jr.	New Haven, Conn.	Ira B. Grudberg.
Sorrell Logothetis	Dayton, Ohio	Maurice J. Leen, Jr.
Elwood Lui	Los Angeles, Calif.	Jun Mori.
Ronald Tracy Malone	Sherman Oaks, Calif.	John G. Bonelli.
David E. Masnata, Jr.	New York, N. Y.	Henry A. Dudley.
Edwin Payne McKaskel	Kansas City, Mo.	Ernest Zanville Adelman.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jeffrey M. Mines	Hartford, Conn.	John M. Prutzman.
Paul Eugene Mura	Rochester, N. Y.	Bentley Brown Bisbee.
Richard Anthony Murphy	Pasadena, Calif.	Robert E. Hinderfeld.
Harold Ralph Obert	Worland, Wyo.	Raymond B. Whitaker.
Stuart Jay Offer	San Francisco, Calif.	Franklin C. Latcham.
Louis Burr Paine, Jr.	Houston, Tex.	Cecil N. Cook.
Edward A. Panzarella	New York, N. Y.	William I. Siegel.
C. W. Percy	Austin, Tex.	Watson C. Arnold.
Gerald J. Phillips	Tustin, Calif.	John Earl Crandell.
Ronald N. Ranus	Jamestown, N. Y.	William L. Wright.
R. Lewis Ray	Winston-Salem, N. C.	William Gottholdt Pfefferkorn.
Michael T. Ricks	Lafayette, Ind.	Roger D. Branigin.
Garland Quentin Ridenour	Helena, Ark.	Douglas Anderson.
Kenneth W. Rosenthal	San Francisco, Calif.	Francis L. Tetreault.
Martin Roth	Miami, Fla.	Mrs. Eleanor Levingston Shockett.
Joseph J. Rucci, Jr.	New Canaan, Conn.	Robert M. Mc-Anerney.
Donnie Rudd	Hoffman Estates, Ill.	Donald George Daus.
Francis Stephen Ruddy	McLean, Va.	Eugene Paul Kopp.
Robert Berry Schey	Chicago, Ill.	Edward L. Cooper.
Robert S. Schlifkin	Los Angeles, Calif.	Edward I. Pollock.
Stanley L. Seligman	Hollywood, Fla.	Robert C. Stone.
Stanley H. Sergeant, Jr.	Charleston, W. Va.	Eugene R. Hoyer.
Barry Steven Sinoff	Jacksonville, Fla.	T. Edward Austin, Jr.
Joanne S. Sisk (Mrs.)	Potomac, Md.	Peter Barton Hutt.
William Hendrik van Slingerlandt	Des Moines, Iowa	Verne Lawyer.
James G. Speake	Moulton, Ala.	John Sparkman.
Jeffrey Bennett Springer	Washington, D. C.	Peter Barton Hutt.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas D. Stalnaker	Omaha, Nebr.	William E. Morrow, Jr.
Frederick Minton Stover	Houston, Tex.	John L. Hill.
Jay D. Sudweeks	Twin Falls, Idaho	James J. May.
Joseph H. Sylvester	Shelton, Conn.	Bronislaw Winnick.
Frank J. Thompson	Stamford, Conn.	William Kaufman.
Barbara Jane True	Washington, D.C.	Gary Green.
Thorson (Miss).		
Charles J. Tobin, Jr.	Albany, N. Y.	Edwin James Tobin.
Norman Turk	Brooklyn, N. Y.	Raymond Bernhard Grunewald.
Peter J. Tyrrell	Waterbury, Conn.	Max R. Traurig.
John W. Walbert	Los Angeles, Calif.	John G. Bonelli.
Patricia Lou Ann Watson (Mrs.).	Modesto, Calif.	Carlos J. Badger.
Herbert Watstein	Bristol, Conn.	Norman Zolot.
James B. Wells	Bossier City, La.	Benjamin C. King.
Ralph W. Wible	Owensboro, Ky.	George S. Wilson III.
Robert Windsor	Rockville, Md.	George W. Shaffer, Jr.
James S. Witt III	McKenna, Wash.	Montell Eugene Hester.
Edward Austin Zimmerman.	Minneapolis, Minn.	Austin M. Zimmerman.
Harry H. Zucker	New York, N. Y.	Sidney Siller.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Lisbon C. Berry, Jr.	Washington, D.C.	Solicitor General Erwin N. Griswold.
John Sherman Gowan	Rochester, Minn.	Solicitor General Erwin N. Griswold.
James Eugene O'Neill	Saginaw, Mich.	Garry E. Brown.
Terence Joseph O'Neill	Saginaw, Mich.	Garry E. Brown.
Richard S. Dumbrill	Newcastle, Wyo.	Teno Roncalio.
Rosalie Lewin Hannig	Los Angeles, Calif.	Reubin Miller.
Henry F. Luepke, Jr.	St. Louis, Mo.	James J. Murphy.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Otto M. Bonahoom	Fort Wayne, Ind.	William T. Stephens.
William Blackwood Carey	Berkeley Springs, W. Va.	Frederick Bruce Abramson.
Peter Neil Sheridan	New York, N.Y.	Daniel F. Boone.
Robert Stanley Erickson	Alexandria, Va.	Gregory H. Swanson.
Jack H. Molgard	Brigham City, Utah	Gregory H. Swanson.
John P. Churchman	Council Bluffs, Iowa	Roman L. Hruska.
David F. McCann	Council Bluffs, Iowa	Roman L. Hruska.
Daniel Joseph Duffy	Omaha, Nebr.	Roman L. Hruska.
Michael D. Jones	Omaha, Nebr.	Roman L. Hruska.
David Joseph Kolenda	Omaha, Nebr.	Roman L. Hruska.
Jerome A. Merwald	Omaha, Nebr.	Roman L. Hruska.
Jack Douglas Elmquist	Minneapolis, Minn.	Edward Dorwart Clapp.
Robert Allyn Engelke	Minneapolis, Minn.	Edward Dorwart Clapp.
Gary P. Hanson	Minneapolis, Minn.	Edward Dorwart Clapp.
Clark Myron Iverson	Minneapolis, Minn.	Edward Dorwart Clapp.
Terry Clark Klas	Minneapolis, Minn.	Edward Dorwart Clapp.
Terrence John McCloskey	St. Paul, Minn.	Edward Dorwart Clapp.
Thomas John Lyons	North St. Paul, Minn.	Edward Dorwart Clapp.
Mark N. Stageberg	Minneapolis, Minn.	Edward Dorwart, Clapp.
Edward E. Kuynel	New York, N.Y.	Edward Dorwart Clapp.
Donna Jane Judson Nix	Chevy Chase, Md.	Leo E. Forquer.
G. Douglas Essy	Washington, D.C.	Leo E. Forquer.
Daniel C. Lamke	Washington, D.C.	Leo E. Forquer.
Michael Joseph Manning	Washington, D.C.	Leo E. Forquer.
Kenneth Gary Caplan	Potomac, Md.	Leo E. Forquer.
William Robert Koerner, Jr.	Washington, D.C.	Leo E. Forquer.
James Roll Tourtellotte	Annandale, Va.	Leo E. Forquer.
Roger Layne Brandt	Pasadena, Tex.	Leo E. Forquer.
Platt Walker Davis III	Washington, D.C.	Leo E. Forquer.

## OPINIONS

No. 71-1470. Alton J. Lemon et al., appellants, *v.* David H. Kurtzman, etc., et al. Appeal from the United States District Court for the Eastern District of Pennsylvania. Judgment affirmed. Mr. Chief Justice Burger announced the judgment of this Court and delivered an opinion in which Mr. Justice Blackmun, Mr. Justice Powell and Mr. Justice Rehnquist join. Mr. Justice White concurs in the judgment. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan and Mr. Justice Stewart concur. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 71-6757. David X. Fontaine, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment vacated and case remanded to the Court of Appeals to the end that the petitioner be afforded a hearing on his petition in the District Court. Opinion *per curiam* announced by Mr. Chief Justice Burger. Mr. Justice White dissents.

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Adjourned until Monday, April 16, 1973, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

The Chief Justice said:

“Today’s orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally.”

### OPINION PER CURIAM

No. 72-805. United States, petitioner, *v.* Alphonse T. Indrelunas. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Petition for writ of certiorari granted, judgment reversed, and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*.

### APPEALS—SUMMARY DISPOSITION

No. 72-925. Melvin B. Palkes, dba Madison Iron & Metal Company, appellant, *v.* Illinois. Appeal from the Supreme Court of Illinois. The appeal is dismissed for want of a final judgment.

No. 72-1025. B.P.O.E. Lodge No. 2043 of Brunswick et al., appellants, *v.* Keith H. Ingraham et al. Appeal from the Supreme Judicial Court of Maine. The appeal is dismissed for want of a substantial federal question. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Stewart and Mr. Justice Blackmun concur.

No. 72-1128. Allan Roy Kingston et al., appellants, *v.* Walter H. McLaughlin et al. Appeal from the United States District Court for the District of Massachusetts. Judgment affirmed.

No. 72-6153. L. G. Ruderer, appellant, *v.* United States Army Aviation Materiel Command et al. Appeal from the United States District Court for the Eastern District of Illinois. The appeal is dismissed for want of jurisdiction. Mr. Justice Blackmun took no part in the consideration or decision of this appeal.

### ORDERS IN PENDING CASES

No. A-1028. Worcester City Hospital et al., applicants, *v.* Robbie Mae Hathaway. The application for a stay of the mandate of the United States Court of Appeals for the First Circuit presented to Mr. Justice Brennan, and by him referred to the Court, is denied.

No. 72-394. Caspar W. Weinberger, Secretary of Health, Education, and Welfare, et al., petitioners, *v.* Hynson, Westcott and Dunning, Incorporated;

No. 72-414. Hynson, Westcott and Dunning, Incorporated, petitioner, *v.* Caspar W. Weinberger, Secretary of Health, Education, and Welfare, et al.;

No. 72-528. CIBA Corporation, petitioner, *v.* Caspar W. Weinberger, Secretary of Health, Education and Welfare, et al.;

No. 72-555. Caspar W. Weinberger, Secretary of Health, Education, and Welfare, et al., petitioners, *v.* Bentex Pharmaceuticals, Inc., et al.; and

No. 72-666. USV Pharmaceutical Corporation, petitioner, *v.* Caspar W. Weinberger, Secretary of Health, Education and Welfare, et al. The motion of The American Public Health Association et al., for leave to file a brief, as *amici curiae*, is granted. The motion of The Pharmaceuticas Manufacturers Association for leave to file a brief, as *amicus curiae*, is granted. The motion of The Proprietary Association for leave to file a brief, as *amicus curiae*, is granted.

No. 72-459. Grace Sloan, as State Treasurer of the Commonwealth of Pennsylvania, et al., appellants, *v.* Alton J. Lemon et al.; and

No. 72-620. Henry E. Crouter, appellant. *v.* Alton J. Lemon et al. The motion of The National Education Association et al., for leave to file a brief, as *amici curiae*, is granted.

No. 72-804. William D. Ruckelshaus, Administrator of the Environmental Protection Agency, petitioner, *v.* Sierra Club et al. The motion of the State of Michigan for additional time and for leave to present oral argument, as *amicus curiae*, is denied. Mr. Justice Douglas, Mr. Justice Stewart, and Mr. Justice White would grant the motion.

No. 72-5794. Joshaway Davis, petitioner, *v.* Alaska. The motion of Arthur Bembury for leave to file a brief, as *amicus curiae*, is granted.

#### APPEAL—JURISDICTION NOTED

No. 72-5704. Jean Christian and Victor L. Green, appellants, *v.* New York State Department of Labor, Division of Employment, et al. Appeal from the United States District Court for the Southern District of New York. Motion for leave to proceed in *forma pauperis* granted. In this case probable jurisdiction noted.

#### CERTIORARI GRANTED

No. 72-1154. John P. Foley, Jr., et al., petitioners, *v.* Blair & Co., Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 72-1076. William C. Huddleston, petitioner, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

## CERTIORARI DENIED

No. 72-824. Board of Education of the City of Pleasant Grove, petitioner, *v.* Linda Stout et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-857. Lloyd George McKinnon, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 72-1004. Bethlehem Steel Corporation, petitioner, *v.* George H. Williamson, Jr., et al.; and

No. 72-1246. United Steelworkers of America, AFL-CIO, and its Local Unions 2601, 2602, 2603, 2604 and 3144, petitioners, *v.* George H. Williamson, Jr., et al. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1013. Lionel James Hanna, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Fourth District, denied.

No. 72-1028. Fred R. Field, Jr., etc., petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1031. Walter Kocher, aka Walter A. Kocher, et ux., petitioners, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1032. Norbert K. Lachmann, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-1034. Raymond R. Birch et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-1037. Charles Coles Diggs et al., petitioners, *v.* George P. Shultz, Secretary of Treasury, et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-1042. Erwin W. Stone, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-1050. Kommanvittselskapet Harwi (Rolf Wigand), etc., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-1051. Harvey Rosenberg, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1066. Renato Riva, petitioner, *v.* Richard G. Kleindienst et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-1078. Eddie Javor, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1079. Seymour Rosenfield, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-1109. Central School District No. 1, etc., et al., petitioners, *v.* Susan Russo. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1123. Ralph R. Williams, petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 72-1126. Cleve M. Hattersley, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 72-1150. Dallas Cabana, Inc., et al., petitioners, *v.* Wilson F. Collier, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1157. Air Cargo, Inc., et al., petitioners, *v.* Breen Air Freight, Ltd., et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1158. Building and Construction Trades Council of Philadelphia and Vicinity et al., petitioners, *v.* Altemose Construction Co. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 72-1177. Wellco Company, petitioner, *v.* Willie Franklin. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 72-1190. Michael Alarid, Jr., et al., petitioners, *v.* New Mexico Board of Bar Examiners. Petition for writ of certiorari to the Supreme Court of New Mexico denied.

No. 72-1202. Valley Oil Company, petitioner, *v.* City of Garland, Texas. Petition for writ of certiorari to the Court of Civic Appeals of Texas, Fifth Supreme Judicial District, denied.

No. 72-1225. City of New Orleans et al., petitioners, *v.* New Orleans Firefighters Association Local 632 et al. Petition for writ of certiorari to the Supreme Court of Louisiana denied.



No. 72-1252. Michael Yodice, petitioner, *v.* Koninklijke Nederlandsche Stoomboot Maatschappij. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5802. Vernon M. Robinson, Jr., petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 72-5950. John Buford, Jr., petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 72-5956. Benjamin Weathington, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 72-5958. Freddie Lee Bell, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, Fourth District, denied.

No. 72-5961. John Edison Kelly, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5974. Hector Echeverria, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5982. James E. Redus, petitioner, *v.* Harold R. Swenson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-5992. John T. Meekins, petitioner, *v.* United States; and

No. 72-6154. Benjamin D. Jones, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5993. James Trueson X. Sullivan, petitioner, *v.* Virginia. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6006. Tracey Virgil Whan, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 72-6055. Frank N. Screeton, Jr., petitioner, *v.* W. Terrell Don Hutto etc. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6059. Anthony Alfonso Oliver, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Middle Division, denied.

No. 72-6060. George Tolbert, Jr., petitioner, *v.* Lionel L. Bragan, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

*MR. JUSTICE DOUGLAS WOULD GRANT CERTIORARI.*

No. 72-6076. Enrique Esparza-Ramirez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-6095. William G. Holland, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. 72-6097. Alphonso Figgers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6102. Napoleon McCullough et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-6108. Phillip White, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6109. Charles Curtis Harris, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-6110. Armando L. Miramon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6116. Herbert G. Jennings, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6117. Paul B. Owens, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6120. James W. Counts, petitioner, *v.* United States; and

No. 72-6142. Zedrick Elam, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6121. Moses Quinten Hull, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6125. Sidney Delano Dickson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6131. William A. Ward, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-6133. Gordon Dean Landis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6135. John Earl Cox, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6137. Francisco Javier Guzman-Ayon, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6140. David Gasper Giannoni, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6144. Wilma Prezzi, petitioner, *v.* L. H. Schelter et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6146. Kenneth Suel, petitioner, *v.* Jack Addington et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6147. Norman Lee Williams, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6148. Martin Luther Ratlief, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-6159. Thomas Carson Jordan, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6163. James Milton Cotten and William Lowell Roberts, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6165. Jack Edwin Hook, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6222. Robert Dahle Sparrow, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-6226. Raymond Figueroa, petitioner, *v.* John L. Zelker, Superintendent, Green Haven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6235. Jesse Bond, Jr., petitioner, *v.* Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 72-6242. Fonnine McKinley et al., petitioners, *v.* Federal National Mortgage Association. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 72-6246. Larry C. High, petitioner, *v.* Washington. Petition for writ of certiorari to the Court of Appeals of Washington denied.

No. 72-6247. Nathaniel Carter, petitioner, *v.* W. J. Estelle, Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6251. Marvin A. Luster, petitioner, *v.* Cedars of Lebanon et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-6253. William H. Jackson, petitioner, *v.* Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6256. William Gene Snell, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6261. John Daniel Joseph, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Summit County, denied.

No. 72-6263. Perry P. Christian, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-6264. Georgs Krikmanis, petitioner, *v.* Nelson A. Rockefeller, Governor of New York, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6267. Sarah E. Fickes Briggs and Russellyn Sundheimer, petitioners, *v.* Ohio Savings & Trust Co. et al. Petition for writ of certiorari to the Court of Appeals of Ohio, Tuscarawas County, denied.

No. 72-6273. Elmer Rheford Boyd, petitioner, *v.* New Mexico. Petition for writ of certiorari to the Court of Appeals of New Mexico denied.

No. 72-6276. Leola Colbert, petitioner, *v.* Apex Carpet Finishers, Inc., et al. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 72-6277. Robert Hanson, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 72-6289. Willis D. Smith, petitioner, *v.* Saline County District Court. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 72-6294. Alfonsas Kavaliauskas, petitioner, *v.* Bobby D. Riley et al. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **72-6306**. James Burton, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. **72-6390**. Robert E. Thwing, petitioner, *v.* South Dakota. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **72-1038**. Robert R. Krilich, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-1056**. William Fiore, etc., petitioner, *v.* Peter J. Brennan, Secretary of Labor, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-1134**. Delbert C. Reibert et al., petitioners, *v.* Atlantic Richfield Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-1135**. The Central Railroad Company of New Jersey, petitioner, *v.* George P. Baker et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-1151**. City of Santa Fe and Board of County Commissioners of Santa Fe County, New Mexico, petitioners, *v.* Sangre de Cristo Development Company, Inc. Petition for writ of certiorari to the Supreme Court of New Mexico denied. Mr. Justice Douglas would grant certiorari.

No. **72-5002**. Franklin Thomas, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Douglas would grant certiorari.

No. **72-5732**. Herbert Joseph Dell, petitioner, *v.* Louisiana. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-5972**. William Thurman Martin, Jr., petitioner, *v.* Howard M. Jarrett, Judge of the Intermediate Court of Mercer County, West Virginia, et al. Petition for writ of certiorari to the Supreme Court of Appeals of West Virginia denied. Mr. Justice Douglas would grant certiorari.

No. **72-6122**. Clyde T. Duvall, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Mr. Justice Douglas would grant certiorari.

No. 72-6124. Craig Alton Alford, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6145. Robert Edward Lopez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6252. Thomas Johnson and Stanley Owens, petitioners, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied. Mr. Justice Douglas would grant certiorari.

No. 72-6274. Neil Phillips, petitioner, *v.* Carl G. Hocker, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-937. John L. Zelker, Superintendent, Green Haven Correctional Facility, petitioner, *v.* Carl M. Robinson. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1255. Raymond W. Vowell, Commissioner of Public Welfare, State of Texas, Individually and in his Official Capacity, petitioner, *v.* Consuelo Lopez, Individually and on behalf of all other persons similarly situated. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1024. Locals 268 & 1130 of the Brotherhood of Railroad Trainmen, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 72-1101. John Martin Swords, petitioner, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6048. Bobby Lee Williams, petitioner, *v.* Ralph Oriscello. Sheriff of Union County, New Jersey, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit and/or habeas corpus denied.

## LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 72-6033. Emanuel Pedrosa, petitioner, *v.* Richard Elrod, Sheriff of Cook County, Illinois, et al.;

No. 72-6227. Harvey M. Hawkins, petitioner, *v.* Wyoming et al.;

No. 72-6249. Daniel Samuel Muhammad, petitioner, *v.* United States;

No. 72-6269. Eugene L. Crow, petitioner, *v.* Arizona et al.; and

No. 72-6292. William Travis Turner, petitioner, *v.* D. J. McCarthy, Superintendent. Motions for leave to file petitions for writs of habeas corpus denied.

## LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 72-1111. Richard Pokrandt et al., petitioners, *v.* Francis L. Van Dusen, United States Circuit Judge. Motion for leave to file petition for writ of mandamus and for other relief denied.

## REHEARINGS DENIED

No. 71-1022. United States, petitioner, *v.* James A. Basye et al.;

No. 71-1598. Peter J. Brennan, Secretary of Labor, petitioner, *v.* Arnheim and Neely, Inc., et al.;

No. 72-56. Arnold Markle et al., appellants, *v.* Janice Abele et al.; and

No. 72-730. Arnold Markle et al., appellants, *v.* Janice Abele et al.;

No. 72-841. Eclipse Fuel Engineering Co., petitioner, *v.* Maxon Premix Burner Company, Inc.;

No. 72-908. Saul E. Joftes, petitioner, *v.* William A. Wexler and B'nai B'rith;

No. 72-946. Patrick Musto, petitioner, *v.* United States;

No. 72-959. John H. Young, petitioner, *v.* United States;

No. 72-5195. Bailey M. Smith, petitioner, *v.* Supreme Court of Oklahoma;

No. 72-5726. Jeannine Furgerson, petitioner, *v.* W. C. Casper;

No. 72-5745. Ernest Barragan Lopez, petitioner, *v.* California;

No. 72-5882. Kenneth H. Walker, petitioner, *v.* Alabama;

No. 72-6014. Willie Todd, petitioner, *v.* Harold J. Cardwell, Warden;

No. 72-6100. Joseph P. Gerardi, petitioner, *v.* Dudley E. Faver, Director, Discharge Review Board; and

No. 72-6129. Joseph P. Garardi, petitioner, *v.* William A. MacLaughlin et al. Petitions for rehearing denied.

No. 72-434. Robert M. Byrn, Guardian *ad litem* for infant Roe, etc., appellant, *v.* New York City Health & Hospitals Corporation et al. Motion of Mrs. Arlethia Gilliam et al. for leave to file a brief, as *amici curiae*, in support of rehearing granted. Petition for rehearing denied.

No. 72-766. Joseph Calabro, petitioner, *v.* United States;

No. 72-5099. Jerrel Earl DuBose, petitioner, *v.* Walter E. Craven, Warden, et al.; and

No. 72-5173. Thomas Bennett Waddell, petitioner, *v.* North Carolina. Motions for leave to file petitions for rehearing denied.

No. 72-5401. William Cason, appellant, *v.* City of Columbus, Ohio. Motion for leave to supplement petition for rehearing granted. Petition for rehearing denied.

No. 72-5677. Clarence John Hessel, petitioner, *v.* Arizona et al. Petition for rehearing and for other relief denied.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David F. Addlestone	Washington, D.C.	Charles Morgan, Jr.
Charlotte S. Adelman (Miss)	Chicago, Ill.	John Barry Schwartz.
Robert Earl Aitken	Long Beach, Calif.	Jospeh A. Ball.
William Howard Arnold	Arkadelphia, Ark.	Lyle Brown.
Howard Dean Arrington	Austin, Texas	Watson Caufield Arnold.
Jeffrey Alan Arouh	New York, N.Y.	Harold A. Segall.
John R. Barr	Upper Marlboro, Md.	Joseph S. Casula.
Harry Edward Barsh, Jr.	Lake Charles, La.	John C. Camp.
Kenneth D. Bacon	Tulsa, Okla.	George N. Otey.
Thomas B. Benjamin	Portland, Maine	John Denison Ray.
Richard Lee Besore	Indianapolis, Ind.	Bruce N. Cracraft.
M. Dee Biesterfeld	Denver, Colo.	James C. Bull.
Paul Laurence Bloom	Santa Fe, N. Mex.	Gary Owen O'Dowd.
John Robert Boberg, Jr.	Valley Stream, N.Y.	Robert J. Rountry.
James D. Boughey	San Francisco, Calif.	John Hays.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert Phanor Breazeale	Baton Rouge, La.	Victor A. Sachse, Jr.
David Jay Brezner	San Francisco, Calif.	Milton W. Schlemmer.
Paul W. Brightmire	Tulsa, Okla.	Denzil D. Garrison.
William Edward Brown	San Diego, Calif.	Thomas Alfred Shannon.
Ronald Roger Calhoun	Gallipolis, Ohio	Paul E. Riley.
Theodore C. Carlstrom	Palo Alto, Calif.	Paul N. McCloskey, Jr.
Stephen Carl Cawood	Barbourville, Ky.	Earl L. Cole.
Joseph W. Chevarley	Newton, Mass.	Francis X. Asselin.
Donald E. Cobey	New Haven, Conn.	Charles W. Dibbell.
Elie S. Coury	Danbury, Conn.	Morton I. Riefberg.
B. Deon Criddle	Salt Lake City, Utah	Stephen H. Anderson.
Anne Lloyd Crotty (Miss)	Los Angeles, Calif.	Sol. Gen. Erwin N. Griswold.
John F. Corrigan	Providence, R.I.	Patrick Lawrence McCloskey.
George Lewis Dawson	Augusta, Ga.	Lansing B. Lee, Jr.
J. C. Dierking	Agana, Guam	Walter Jonathan Turnbull, Jr.
Donald G. Dickerson	Cookeville, Tenn.	Walter Keith Crawford.
Paul Joseph Donnelly	Philadelphia, Pa.	John N. McNally; Jr.
Robert A. Dragon, Jr.	Lafayette, La.	Victor Emile Kellner.
Bryon M. Eiseman, Jr.	Little Rock, Ark.	Herschel H. Friday, Jr.
Ralph H. Erlandson	Milwaukie, Oreg.	Glenn R. Jack.
Evan George Evans	Corona, Calif.	Donald D. Stark.
Elliot Neil Fabricant	Scotch Plains, N.J.	Jerrold D. Goldstein.
Christopher C. Foley	Los Angeles, Calif.	William Hosmer Peterson.
Charles C. Foti, Jr.	New Orleans, La.	Blake G. Arata.
Samuel F. Fowler, Jr.	Knoxville, Tenn.	Claude K. Robertson.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ronald J. Fracasse	New Haven, Conn.	Charles W. Dibbell.
Alvin Frankenberg	New York, N.Y.	Bernard Seeman.
John Michael Galasso	Oyster Bay, N.Y.	William Cahn.
John J. Getgey, Jr.	Cincinnati, Ohio	James Ralph Adams.
John Kenan Gillenwater	Bristol, Tenn.	Charles Minor Gore.
Norman C. Gorsuch	Juneau, Alaska	Donald J. Beighle.
Andrew Jackson Gray III	Lake Charles, La.	Edward M. Carmouche.
Morris Green	New York, N.Y.	Mrs. Ruth Hilfman Frank.
William P. Green	Los Angeles, Calif.	R. Virgil Allen.
Richard G. Greer	Atlanta, Ga.	Paul Roger Koehler.
John A. Gromala	Fortuna, Calif.	Robert Coleman Dunn.
Gerald Ray Haddock	Corona, Calif.	Derrill E. Yaeger.
Ralph J. Hafen	Salt Lake City, Utah.	Richard J. Maughan.
J. Richard Hall	Houston, Tex.	J. Philip Wandel.
Arnold J. Hauptman	Massapequa, N.Y.	Paul I. Goldstein.
John Gladstone Heimovics	Highland Park, Ill.	Franklin David Wolffe.
Mark D. Hellman	Chicago, Ill.	James L. Fox.
Norman Charles Henss	Philadelphia, Pa.	Otis W. Erisman.
Gary L. Herfel	Cincinnati, Ohio	Alan R. Bogeler.
William V. Hollander	Hamden, Conn.	William F. Galla- gher.
Donald L. Howell	Houston, Tex.	Victor W. Bouldin.
George W. Hugo	Houston, Tex.	Thomas M. Phillips.
Arnold Martin Jacobs	New York, N.Y.	Charles F. Krause.
Leland T. Johnson, Jr.	Washington, D.C.	John Holt Myers.
Jeffrey E. Karpel	Century City, Calif.	J. Varick Tunney.
Fred Kilbride	Los Angeles, Calif.	Burton Andrew Marks.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ronald King	Stamford, Conn.	Julius B. Kuriansky.
Charles Foster Knight	San Diego, Calif.	Anthony Michael Summers.
Ellen M. Kozak (Miss)	Milwaukee, Wis.	Marshall Bruce Segal.
Richard Edward Ladd	Bristol, Tenn.	Charles Minor Gore.
Ian David Lanoff	Washington, D.C.	Florian J. Bartosic.
Nathan Lavine	Philadelphia, Pa.	Leo Weinrott.
J. Martin Lawless	Peoria, Ill.	Harry N. Sonnemaker, Jr.
Howard William L'Enfant, Jr.	Baton Rouge, La.	Robert G. Pugh.
Eleanor Jean Lipsitz (Miss)	Baltimore, Md.	Benjamin Lipsitz.
Thomas Richardson McCully	Lafayette, Ind.	Roger D. Branigin.
Joan McLaughlin McIntyre (Mrs.)	Washington, D.C.	Francis Paul Saponaro, Jr.
Thomas Marshall	Omaha, Nebr.	Joseph Kenneth Meusey.
LaVerne A. Miller	Wichita, Kans.	John R. E. Martin.
Americo Joseph Minieri	New York, N.Y.	Mrs. Ruth Hilfman Frank.
John Peter Mohn	San Diego, Calif.	Carl Richard Brown.
Louis M. Natali, Jr.	Philadelphia, Pa.	Jack J. Levine.
Leslie Conrad Nichols	Palo Alto, Calif.	Paul N. McCloskey, Jr.
Arnold M. Notoff	Los Angeles, Calif.	Charles Luke McKissack.
Brian E. O'Neill	Wethersfield, Conn.	Stephen J. O'Neill.
Edward Harry Petersen	La Habra, Calif.	John Ferree Forward II.
Robert R. Pietro	Dover, Ohio	Alexander H. Martin, Jr.
Morris W. Pinsky	Haddon Township, N.J.	Daniel B. Toll.
Paul A. Plotkin	Stamford, Conn.	Julius B. Kuriansky.
Kenneth C. Pollock	Atlanta, Ga.	Paul Roger Koehler.
Gregory Howard Pratt	Tocoma, Wash.	E. K. Murray.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Frederick Alan Provorny	New York, N.Y.	Samuel Eugene Gates.
Frank Renzi, Jr.	Los Angeles, Calif.	Burton Andrew Marks.
George A. Rinker	Lafayette, Ind.	Roger D. Branigin.
George Rodriguez, Sr.	El Paso, Tex.	Jack N. Ferguson.
Michael David Rosenberg	Natick, Mass.	Victor Rabinowitz.
James V. Ryan	New York, N.Y.	Bethuel M. Webster.
Thomas L. Ryan	Lafayette, Inc.	Roger D. Branigin.
Benajmin Benedict Salvaty	Los Angeles, Calif.	Joseph Arthur Montoya.
Sidney Allen Sandow	Hackensack, N.J.	E. Dinnis Brod.
Carl P. Savage, Jr.	Montezuma, Ga.	Garland T. Byrd.
Alfred M. Segal	New York, N.Y.	Miss Anne L. Kaizen.
William Clifford Schaub, Jr.	Toledo, Ohio	George Alexander.
Lois J. Schiffer (Miss)	Washington, D.C.	Mrs. Hope Beth Eastman.
John Schwab	Baton Rouge, La.	Victor A. Sachse.
Roger A. Schwartz	New York, N.Y.	Ronald F. Pollack.
Alexander Paul Semenas	Fond du Lac, Wis.	LeRoy L. Dalton.
Frederic Shauger	Union, N.J.	Seymour S. Lichtenstein.
Gilda B. Shallow (Mrs.)	Milwaukee, Wis.	James Alan Walrath.
Martin Irwin Silberg	North Massapequa, N.Y.	Paul I Goldstein.
Neil Arthur Smith	Washington D.C.	Judge Giles Sutherland, Rich.
Alan Richard Smulevitz	Gary, Ind.	George Cohan.
James Brian Stewart	Bridgeport, Conn.	Dion W. Moore.
Walter Whitworth Stokes	Washington, D.C.	George Edward Barrett.
James William Studdard	Atlanta, Ga.	Harold R. Banke.
Vincent Edward Sullivan	San Diego, Calif.	Carl Richard Brown.
William Lawrence Summers.	Cleveland, Ohio	Jay B. White.
Marc L. Swartzbaugh	Cleveland, Ohio	Patrick F. McCartan, Jr.
Harold Herman Swatez	Santa Ana, Calif.	Larry Wong.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
George A. Terzian	Detroit, Mich.	Ernest Brownell Johnston, Jr.
Moody R. Tidwell III	Burke, Va.	Moody R. Tidwell, Jr.
Joseph Matthew Tobin, Jr.	New Haven, Conn.	David M. Lesser.
Richard W. Tomeo	Hartford, Conn.	James A. Wade.
John G. Verkamp III	Flagstaff, Ariz.	William W. Stevenson.
George H. Wakefield, Jr.	Montgomery, Ala.	Clyde Allen Smith.
Alvin Wechsler	Beverly Hills, Calif.	Lyn H. Marcus.
Daniel J. Weis	Pittsburgh, Pa.	George Michael Weis.
Thomas F. Weis	Pittsburgh, Pa.	George Michael Weis.
Louis Marshall Winer	Bethany, Conn.	James W. Cooper.
Edwin D. Wolf	Philadelphia, Pa.	Morris Wolf.
Willard Mark Wood	Los Angeles, Calif.	Homer I. Mitchell.
Harry Alfred Young, Jr.	Chicago, Ill.	Howard Gordon Kaplan.
Phyllis L. Zimmerman (Mrs.).	Tulsa, Okla.	Mrs. Jewell Russell Mann.
Frank N. Zullo	Norwalk, Conn.	Lawrence Louis Hauser.
Julian Glenn Barber	Jasper, Tex.	Joe Halbert Tonahill.
Carl W. Barrett	Port Arthur, Tex.	Jep S. Fuller.
Fred Lock Benckenstein	Beaumont, Tex.	Leslie Munger Ball.
Earl M. Black	Port Arthur, Tex.	Quentin Keith.
Donald L. Boudreaux	Beaumont, Tex.	Carl D. Levy.
Enerest J. Browne	Beaumont, Tex.	Alva Augustus DeLee.
Ernest Jewell Browne, Jr.	Beaumont, Tex.	Gilbert T. Adams.
Elton B. Cochran	Port Neches, Tex.	Alva Augustus DeLee.
Bobbie R. Cruse (Mrs.)	Port Arthur, Tex.	Jep S. Fuller.
Atmar W. Davis, Jr.	Newton, Tex.	Alva Augustus DeLee.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Malcom E. Dorman	Orange, Tex.	Ward Stephenson.
Daniel John Doyle	Port Arthur, Tex.	George Buford.
Patrick Terrence Doyle	Port Arthur, Tex.	David A. Provost.
James R. Dunaway	Orange, Tex.	Ward Stephenson.
Joe J. Fisher	Beaumont, Tex.	John P. Blair.
Daniel Vincent Flatten	Beaumont, Tex.	Dewey J. Gonsoulin.
Lawrence Louis Germer	Beaumont, Tex.	John G. Tucker.
Leonard J. Giblin, Jr.	Groves, Tex.	George Buford.
Lawrence J. Gist	Beaumont, Tex.	David A. Provost.
Joe Bob Golden, Jr.	Jasper, Tex.	Joe Halbert Tonahill.
Jimmie Irl Graves	Orange, Tex.	Ward Stephenson.
Joseph Martin Green	Beaumont, Tex.	George W. Brown, Jr.
James William Hambright	Beaumont, Tex.	John G. Tucker.
Thomas Lee Hanna	Nederland, Tex.	George Buford.
Murray L. Harris	Orange, Tex.	Ward Stephenson.
Jerry L. Hatton	Beaumont, Tex.	Ernest L. Sample.
Thad Heartfield	Beaumont, Tex.	Howard N. Richards.
Earl S. Hines	Beaumont, Tex.	George W. Brown, Jr.
Rupert F. Horka	Silsbee, Tex.	George Buford.
Brack Jones, Jr.	Beaumont, Tex.	Michael D. Matheny.
Jack R. King	Beaumont, Tex.	Alto V. Watson.
Sidney A. King	Beaumont, Tex.	Frank M. Adams.
John Edward Kinney	Woodville, Tex.	Josiah Wheat.
Franklin Maynard Lamson	Port Arthur, Tex.	James S. Fuller.
Floyd Allen Landrey	Beaumont, Tex.	Everett Bryan Lord.
Eugene L. Lefler	Beaumont, Tex.	Louis Henry Beard.
William Charles Lindsey	Port Neches, Tex.	George Sladczyk, Jr.
Alton J. Maraist, Jr.	Port Arthur, Tex.	Robert P. Walker.
Morris D. McCall	Port Neches, Tex.	George Sladczyk, Jr.
Bryan James McGinnis	Beaumont, Tex.	Dewey J. Gonsoulin.
Perry R. McPherson	Port Arthur, Tex.	James S. Fuller.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James William Mehaffy, Jr.	Port Arthur, Tex.	George Buford.
Ray M. Moore	Beaumont, Tex.	Everett Bryan Lord.
James A. Morris	Orange, Tex.	Ward Stephenson.
Jerome J. Nathan III	Beaumont, Tex.	John Henry Benckenstein.
Robert Haskell Nicholas, Jr.	Beaumont, Tex.	William M. Steger.
O. E. Reiney	Port Arthur, Tex.	Alva Augustus DeLee.
Calvin A. Rising	Port Arthur, Tex.	Alva Augustus DeLee.
Randolph G. Papich	Beaumont, Tex.	Carl D. Levy.
Gordon Ralph Pate	Beaumont, Tex.	James Dale Dowell.
Dexter Michael Patterson	Port Arthur, Tex.	Alva Augustus DeLee.
Wayne Patterson	Port Arthur, Tex.	George Buford.
James Hoke Peacock II	Beaumont, Tex.	John G. Tucker.
Jerry Bruce Peckman	Port Arthur, Tex.	H. Banker Phares.
Harold Peterson.	Beaumont, Tex.	Alva Augustus DeLee.
Royce Leon Pettis.	Beaumont, Tex.	Carl D. Levy.
Ralph Wayne Peveto	Orange, Tex.	Ward Stephenson.
Patrick T. Peyton, Jr.	Beaumont, Tex.	John P. Blair.
Harold Plessala	Port Arthur, Tex.	James S. Fuller.
John Pike Powers IV	Beaumont, Tex.	Louis V. Nelson.
Thomas J. Sibley	Beaumont, Tex.	Alva Augustus DeLee.
John Cash Smith	Orange, Tex.	Ward Stephenson.
Harry Wilkinson Stafford	Woodville, Tex.	Josiah Wheat.
Marlin Thompson	Orange, Tex.	Ward Stephenson.
Thomas Walter Umphrey	Port Arthur, Tex.	George Buford.
Carl Vaughan, Jr.	Port Arthur, Tex.	Alva Augustus DeLee.
Marion Lindsey Walker	Beaumont, Tex.	Louis Henry Beard.
William B. West	Beaumont, Tex.	Benny Harry Hughes.
Alvin E. Wiggins	Beaumont, Tex.	Benny Harry Hughes.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Daylee Wiggins	Beaumont, Tex.	Benny Harry Hughes.
Harry Payton Wright	Port Neches, Tex.	George Buford.
John S. Beeson	Vidor, Tex.	Michael D. Matheny.
Buddie J. Hahn	Vidor, Tex.	Michael D. Matheny.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Eileen McGinley Stein	Washington, D.C.	Solicitor General Erwin N. Griswold.
Alan Norris Schlaifer	Washington, D.C.	Solicitor General Erwin N. Griswold.
Jefrey Reed Whieldon	Washington, D.C.	Solicitor General Erwin N. Griswold.
William Richard Clough	Martinsville, N.J.	Solicitor General Erwin N. Griswold.
Daniel Leonard Schofield	New York, N.Y.	Solicitor General Erwin N. Griswold.
Harrison J. Sheppard	Fairfax, Calif.	Philip Elman.
William A. Schainker	Washington, D.C.	Douglas G. Robinson.
Daniel J. Higgins	Auburn, Calif.	Murray M. Chotiner.
Dorothy Kaplan Light	Middletown, N.J.	Eugene Ensign Stevens III.
Richard T. Lorenz, Jr.	Deerfield, Ill.	John J. Kilcullen.
Howard Michael Levin	San Jose, Calif.	Max M. Goldberg.
Dwight Alwin McKabney	Balboa Heights, Canal Zone.	David J. Markum.

## ORAL ARGUMENT

No. 59, **Original**. United States of America, plaintiff, *v.* States of Nevada and California. Argued by Mr. Solicitor General Erwin N. Griswold for the plaintiff, by Mr. E. Barrett Prettyman, Jr., for the



defendant State of Nevada, and by Mr. Roderick Walston for the defendant State of California.

No. 72-694. Committee for Public Education and Religious Liberty et al., appellants, *v.* Ewald B. Nyquist, as Commissioner of Education of the State of New York, et al.;

No. 72-753. Warren M. Anderson, as Majority Leader and President *pro tem* of the New York State Senate, appellant, *v.* Committee for Public Education and Religious Liberty et al.;

No. 72-791. Ewald B. Nyquist, as Commissioner of Education of the State of New York, et al., appellants, *v.* Committee for Public Education and Religious Liberty et al.; and

No. 72-929. Priscilla L. Cherry et al., appellants, *v.* Committee for Public Education and Religious Liberty et al. Two hours allowed for oral argument. Argued by Mr. Leo Pfeffer for the Committee for Public Education etc., et al., by Mrs. Jean M. Coon for Nyquist et al., by Mr. Porter R. Chandler for Priscilla L. Cherry et al., and by Mr. John F. Haggerty for Warren M. Anderson.

No. 72-459. Grace Sloan, as State Treasurer of the Commonwealth of Pennsylvania, et al., appellants, *v.* Alton J. Lemon et al.; and

No. 72-620. Henry E. Crouter, appellant, *v.* Alton J. Lemon et al. One and one half hours allowed for oral argument. Argued by Mr. Israel Packel for appellant Grace Sloan, etc., by Mr. William B. Ball for appellants Jose Diaz et al., by Mr. Henry T. Reath for appellant Henry E. Crouter and by Mr. Theodore R. Mann for the appellees.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

The Chief Justice said:

"Before proceeding with our regular matters this morning, we will pause for a moment to take note of an important anniversary of our Brother, Mr. Justice William O. Douglas. Thirty-four years ago today he took the oath of office as an Associate Justice of this Court and in the history of this Court, only Chief Justice Marshall, our late Brother Justice Black and Justice Field served longer. Very soon Justice Douglas will surpass the record of even those three Justices. In his long career on this Court he has been a strong, articulate individualist willing to blaze new trails whether in the majority or in dissent but also willing to tread ancient paths of the law.

"Several qualities distinguish Justice Douglas from many other illustrious predecessors on the Court but I will mention only one. He is possessed of a restless, questing mind and spirit not only in the law but in relation to the world around him and in the events of his time. On his vacations he has climbed mountains, visited strange parts of strange lands and he has written and lectured about them. He has also written of current developments on the social, economic and political scene and for all of his life he has been devoted to nature and the outdoor life. He was a student of ecology before the word had currency and in his concern for man's environment he was far ahead of his time. His service on the Court spans the tenure of five Chief Justices and by the end of this Term of Court his opinions will appear in 103 volumes or more than one-fourth of all volumes of reported cases of the Court.

"I know I speak for all Justices and retired Justices on this anniversary in extending to you, Bill, our best wishes for continued good health, long life and much happiness and many more mountains to climb."

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Lois P. Mitchell	San Jose, Calif.	Don Edwards.
John J. Dodd	Lansing, Mich.	Daniel M. Friedman.
Michael E. Rodgers	Morristown, N.J.	Clyde A. Szuch.
Al Jennings Daniel, Jr.	Prescott, Ark.	Wiley A. Branton.
Kenneth Alfred Ehrman	Monterey, Calif.	John B. Jones, Jr.

## OPINIONS

**No. 71-6481.** Clifford H. Davis, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed. Opinion by Mr. Justice Rehnquist. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Douglas and Mr. Justice Brennan join.

**No. 72-95.** Lewis S. Tollett, Warden, petitioner, *v.* Willie Lee Henderson. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rehnquist. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Douglas and Mr. Justice Brennan join.

**No. 71-6193.** Joseph Everette Brown and Thomas Dean Smith, petitioners, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment affirmed. Opinion by Mr. Chief Justice Burger.

## ORAL ARGUMENT

**No. 72-394.** Caspar W. Weinberger, Secretary of Health, Education and Welfare, et al., petitioners, *v.* Hynson, Westcott and Dunning, Incorporated;

**No. 72-414.** Hynson, Westcott and Dunning, Incorporated, petitioner, *v.* Caspar W. Weinberger, Secretary of Health, Education and Welfare, et al.;

**No. 72-528.** CIBA Corporation, petitioner, *v.* Caspar W. Weinberger, Secretary of Health, Education and Welfare, et al.;

**No. 72-555.** Caspar W. Weinberger, Secretary of Health, Education and Welfare, et al., petitioners, *v.* Bentex Pharmaceuticals, Inc., et al.; and

**No. 72-666.** USV Pharmaceutical Corporation, petitioner, *v.* Caspar W. Weinberger, Secretary of Health, Education and Welfare, et al. Three hours allowed for oral argument. Opening statement by Mr. Daniel M. Friedman for Caspar W. Weinberger, Secretary, HEW, in all five cases. Argued by Mr. Daniel M. Friedman for the respondents in No. 72-528 and the petitioners in No. 72-555, by Mr. Clyde A. Szucla for the petitioner in No. 72-528, by Mr. George F. Townes for the respondents in No. 72-555, by Mr. Andrew L. Frey for the petitioners in No. 72-394, for the respondents in No. 72-414, and for the respondents in No. 72-666, by Mr. Edward Brown Williams for the respondent in No. 72-394, for the petitioner in No. 72-414, and by Mr. Joel E. Hoffman for the petitioner in No. 72-666.

No. 72-792. New York State Department of Social Services et al., appellants, *v.* Dolores Dublino et al.; and

No. 72-802. Onondaga County Department of Social Services et al., appellants, *v.* Dolores Dublino et al. Argument commenced by Mrs. Jean M. Coon for the appellants.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present : Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

### ADMISSIONS TO THE BAR ON ORAL MOTIONS

Applicant	City and State	Movant
Warren Finely	Santa Ana, Calif.	Solicitor General Erwin N. Griswold.
Michael Robert McKinley	Ashland, Ohio	John Milan Ashbrook.
James Pappas	Chicago Heights, Ill.	John N. Erlenborn.
Earl W. Sutton	Des Moines, Iowa	Thomas G. Powers.

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### OPINIONS

**No. 71-1428.** Kirby J. Hensley, petitioner, *v.* Municipal Court, San Jose-Milpitas Judicial District, Santa Clara County, State of California. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the United States District Court for the Northern District of California to consider his petition for a writ of habeas corpus. Opinion by Mr. Justice Brennan. Separate opinion by Mr. Justice Blackmun concurring in the result. Dissenting opinion by Mr. Justice Rehnquist with whom Mr. Chief Justice Burger and Mr. Justice Powell join.

**No. 71-1021.** Employees of the Department of Public Health and Welfare, State of Missouri, et al., petitioners, *v.* Department of Public Health & Welfare, State of Missouri, et al. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment affirmed. Opinion by Mr. Justice Douglas. Separate opinion by Mr. Justice Marshall concurring in the result with whom Mr. Justice Stewart joins. Dissenting opinion by Mr. Justice Brennan.

**No. 71-1082.** Reubin O'D. Askew et al., appellants, *v.* The American Waterways Operators, Inc., et al. Appeal from the United States District Court for the Middle District of Florida. Judgment reversed and case remanded to the United States District Court for the Middle

District of Florida for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas.

ORAL ARGUMENT

No. 72-792. New York State Department of Social Services et al., appellants, *v.* Dolores Dublino et al.; and

No. 72-802. Onondaga County Department of Social Services et al., appellants, *v.* Dolores Dublino et al. Argument continued by Mr. Dennis R. Yeager for the appellees and concluded by Mrs. Jean M. Coon for the appellants.

No. 72-606. Oklahoma, petitioner, *v.* Archie L. Mason and Margaret R. Mason, etc., et al; and

No. 72-654. United States, petitioner, *v.* Archie L. Mason et al. Argued by Mr. Solicitor General Erwin N. Griswold for the petitioner in No. 72-654, by Mr. Paul C. Duncan for the petitioner in No. 72-606, and by Mr. Charles A. Hobbs for the respondents.

No. 72-658. City of Kenosha, Wisconsin, et al., appellants, *v.* Peter G. Bruno et al. Argued by Mr. LeRoy L. Dalton for the appellants and by Mr. James A. Walrath for appellees Sleepy's Inc., et al.

No. 72-804. William D. Ruckelshaus, Administrator of the Environmental Protection Agency, petitioner, *v.* Sierra Club et al. Argued by Mr. Lawrence G. Wallace for the petitioner and by Mr. Bruce J. Terris for the respondents.

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Adjourned until Monday, April 23, 1973, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## APPEALS—SUMMARY DISPOSITION

No. 71-1263. Edmund D. Kahn et ux., appellants, *v.* Arizona State Tax Commission. Appeal from the Court of Appeals of Arizona. Motion to dispense with printing jurisdictional statement granted. The appeal is dismissed for want of a substantial federal question. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan concurs.

No. 72-871. Michael Silvers, appellant, *v.* Clarence Dowling, Judge, Civil District Court, Orleans Parish, Louisiana, et al. Appeal from the Supreme Court of Louisiana. Motion to dispense with printing the jurisdictional statement and motion to dispense with printing motion to dismiss or affirm granted. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-993. Louis Sager et ux., appellants, *v.* Burgess and Borough Council of Pottstown et al. Appeal from the United States District Court for the Eastern District of Pennsylvania. Judgment affirmed.

No. 72-1104. R-C Motor Lines, Inc., appellant, *v.* United States et al. Appeal from the United States District Court for the Middle District of Florida. Judgment affirmed.

No. 72-1007. Joseph A. Mullarkey, Individually and as Administrator of the Estate of John B. Mullarkey, a minor, appellant, *v.* Florida Feed Mills, Inc., et al. Appeal from the Supreme Court of Florida. The appeal is dismissed for want of a substantial federal question.

No. 72-1206. Reader's Digest Association, Inc., appellant, *v.* Washington. Appeal from the Supreme Court of Washington. The appeal is dismissed for want of a substantial federal question.

No. **72-1234**. Jerome Silverman, as Administrator of the Estate of Harold Nathan, et al., appellants, v. Louis D. Browning et al. Appeal from the United States District Court for the District of Connecticut. Judgment affirmed. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

No. **72-6255**. L. G. Ruderer, appellant, v. United States et al. Appeal from the United States District Court for the Eastern District of Illinois. The appeal is dismissed for want of jurisdiction. Mr. Justice Blackmun took no part in the consideration or decision of this appeal.

#### CERTIORARI—SUMMARY DISPOSITION

No. **72-1130**. Ivo H. Denham and Geraldine A. Denham, dba The Denham Company, petitioners, v. National Labor Relations Board. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals with instructions to remand case to the National Labor Relations Board for such further proceedings as may be appropriate, in light of *Burns International Security Services, Inc. v. NLRB*, 406 U.S. 272 (1972). *FTC v. Sperry & Hutchinson Co.*, 405 U.S. 233, 245-250, (1972); *SEC v. Chenery Corp.*, 318 U.S. 80, 87-88 (1943).

No. **72-6347**. Robert Bumpus, petitioner, v. Massachusetts. On petition for writ of certiorari to the Supreme Judicial Court of Massachusetts. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Supreme Judicial Court of Massachusetts for reconsideration in light of *Ham v. South Carolina*, 409 U.S. 524 (1973).

#### ORDERS IN PENDING CASES

No. **72-550**. Carolyn Bradley et al., petitioners, v. State Board of Education of the Commonwealth of Virginia et al. The motion of Black Parents of Atlanta, Georgia, for leave to file an untimely brief, as *amici curiae*, in support of the petitioners is granted. ←

No. **72-694**. Committee for Public Education and Religious Liberty et al., appellants, v. Ewald B. Nyquist, as Commissioner of Education of the State of New York, et al.;

No. **72-753**. Warren M. Anderson, as Majority Leader and President *pro tem* of the New York State Senate, appellant, v. Committee for Public Education and Religious Liberty et al.;

No. **72-791**. Ewald B. Nyquist, as Commissioner of Education of the State of New York, et al., appellants, v. Committee for Public Education and Religious Liberty et al. ; and

MR. JUSTICE BREWER TOOK NO PART IN THE CONSIDERATION OR DECISION OF THE MATTER.



No. 72-929. Priscilla L. Cherry et al., appellants, *v.* Committee for Public Education and Religious Liberty et al. The motion of the National Jewish Commission on Law and Public Affairs for leave to file an untimely brief, as *amicus curiae*, is granted.

No. 72-5443. James Edward Barnes, petitioner, *v.* United States. The motion for the appointment of counsel is granted, and it is ordered that Malcolm H. Mackey, Esquire, of Los Angeles, California, a member of the Bar of this Court be, and he is hereby, appointed *nunc pro tunc* to serve as counsel for the petitioner in this case.

## CERTIORARI GRANTED

No. 72-671. Cecilia Espinoza and Rudolfo Espinoza, petitioners, *v.* Farah Manufacturing Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 72-1176. North Dakota State Board of Pharmacy, petitioner, *v.* Snyder's Drug Stores, Inc. Petition for writ of certiorari to the Supreme Court of North Dakota granted.

No. 72-1188. Elliot L. Richardson, Secretary of Defense, et al., petitioners, *v.* Reservists Committee to Stop the War et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

No. 72-777. Cleveland Board of Education et al., petitioners, *v.* Jo Carol LaFleur et al. Motion to dispense with printing petitioners' supplemental brief granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted and case set for oral argument with No. 72-1129.

No. 72-1129. Susan Cohen, petitioner, *v.* Chesterfield County School Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted and case set for oral argument with No. 72-777.

No. 72-1052. Rogers C. B. Morton, Secretary of the Interior, petitioner, *v.* Ramon Ruiz et ux. Motion of respondents for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 72-1148. Hoyt C. Cupp, Superintendent, Oregon State Penitentiary, petitioner, *v.* Hugh Kyle Naughten. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

## CERTIORARI DENIED

No. 72-1012. Wesley Parks, petitioner, *v.* Mississippi. Petition for writ of certiorari to the Supreme Court of Mississippi denied.

No. 72-1077. Henry Francis Walters, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1085. Elisha Combs, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1092. Ronald Lee Cassity, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1095. James Lee Stockwell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1098. Luis Gomez Ortega, petitioner, *v.* United States; and

No. 72-1103. Jean Orsini, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1099. Robert Rocco Russo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-1102. International Union of Operating Engineers, Local 57, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-1140. Nicholas Gasparino, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department denied.

No. 72-1184. Choctaw County Board of Education, petitioner, *v.* Virginia Cole. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1186. Top Vision Cable Co. of Ky., petitioner, *v.* City of Owensboro, Kentucky, et al. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 72-1205. Stove, Furnace & Allied Appliance Workers' International Union of North America, AFL-CIO, Local 123-B, petitioner, *v.* Gaffers & Sattler, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1233. Texas Mortgage Company, petitioner, *v.* Phillips Petroleum Company, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1269. Donald Davidson, petitioner, *v.* The Long Island Railroad Company. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6026. Richard Lee Davis, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6034. Anthony F. Pipito, petitioner, *v.* Elmer O. Cady, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-6038. Charles Duwayne Miller, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 72-6128. Joseph Lacey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6143. Clarence Duke McGann, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6158. David Bueno, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6166. Roy Kelly, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6173. Willie Hillman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-6174. Joseph Ragin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6176. Richard Justice, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6178. Charles Joseph Battaglia, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6181. Richard Plante, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-6192. Verda Lou Stevison, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-6194. Harold Gene McAnulty, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6195. Robert Nelson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6207. Julio Carballea-Cusidor and Ruben Rodriquez-Tirado, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6210. Hubert Arthur Huff, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-6297. Clarence Duke McGann, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth ~~Circuit~~ <sup>Circuit</sup> denied.

No. 72-6311. Lonzo Nutter, petitioner, *v.* Ronald Reagan, Governor, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6318. Burton R. Landes, petitioner, *v.* Pageant-Poseidon, Ltd. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6320. Paul C. Turner, petitioner, *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 72-6331. Ulysses Curtis Smith, petitioner, *v.* Missouri. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6333. Anthony Portelli, petitioner, *v.* J. Edwin LaVallee, Superintendent, Clinton Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6337. Boyd Henson Campbell, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 72-6339. Johnny Lee Howard, petitioner, *v.* Georgia. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 72-6340. Richard Rudman, petitioner, *v.* W. T. Stone, Superintendent. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6341. Albert F. Masqua, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 72-6343. Edward Bernatowicz, petitioner, *v.* John J. Twomey, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-6346. Fred Sowder, petitioner, *v.* City of Cincinnati. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 72-6354. Jerry Glenn Baker, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 72-6356. C. James Lombardi, Jr., petitioner, *v.* The New York Post et al. Petition for writ or certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6360. William M. Hallowell, petitioner, *v.* Delaware. Petition for writ of certiorari to the Supreme Court of Delaware denied.

No. 72-6361. Tames B. Bryant, petitioner, *v.* B. E. Prescott et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-6362. Theodore Dostal, petitioner, *v.* Joseph L. Novak, Administrator, Cleveland House of Correction. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-983. David M. Lightman, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Appeals of Maryland denied. Mr. Justice Douglas would grant certiorari.

No. 72-1096. Frank Nadaline et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1142. Bryan Melton et ux., on behalf of their minor son, Rod Melton, petitioners, *v.* Corley R. Young et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1274. Bruce W. Stilson et ux., etc., petitioners, *v.* The Reader's Digest Association, Inc., et al. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied. Mr. Justice Douglas would grant certiorari.

No. 72-6167. Dominic Nicholas Giordano, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6183. Milton James Smith, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Mr. Justice Douglas would grant certiorari.

No. 72-1208. Karol Porzuczek, etc., petitioner, *v.* Clydie M. Towner et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. **72-6083**. Louis Ray Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan concurs.

No. **72-6127**. Robert S. Egger, petitioner, *v.* United States. Motion for leave to amend petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-6190**. Van Otis Douver, petitioner, *v.* United States. Motions of Jack Harris, Jr., and Joe Mack Harris for leave to join in petition for writ of certiorari denied. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-6206**. Harold Neely, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Stewart and Mr. Justice Marshall concur.

#### LEAVE TO FILE PETITION FOR WRIT OF CERTIORARI DENIED

No. **72-6259**. Harry Theriault et al., petitioners, *v.* Establishment of Religion on Taxpayers' Money in the Federal Bureau of Prisons et al. Motion for leave to file petition for writ of certiorari denied.

#### LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. **72-6298**. Albert H. Carter, petitioner, *v.* U.S. Court of Appeals for the Fifth Circuit. Motion for leave to file petition for writ of mandamus denied.

#### REHEARINGS DENIED

No. **71-1332**. San Antonio Independent School District et al., appellants, *v.* Demetrio P. Rodriguez et al.;

No. **71-1371**. Pedro J. Rosario et al., petitioners, *v.* Nelson Rockefeller, Governor of the State of New York, et al.;

No. **72-842**. James Bradley, petitioner, *v.* Florida;

No. **72-1010**. Ohio Municipal Judges Association et al., appellants, *v.* Arthur Davis et al.;

No. **72-5860**. Bobby L. Murray, petitioner, *v.* Mississippi;

No. **72-6186**. Joseph P. Gerardi, petitioner, *v.* Robert Seamans, Secretary of the Air Force;

No. **72-6187**. Joseph P. Gerardi, petitioner, *v.* Donald Johnson, Administrator of Veterans Affairs; and

No. **72-6188**. Joseph P. Gerardi, petitioner, *v.* U.S. Department of Justice. Petitions for rehearing denied.

No. 71-6778. Theophilus Charles Williams, petitioner, *v.* California; and

No. 72-5161. Dominick Saffioti, appellant, *v.* U.S. Government. Motions for leave to file petitions for rehearing denied.

No. 72-794. Barbara Susan Papish, petitioner, *v.* The Board of Curators of the University of Missouri et al. Motion of Citizens for Decent Literature, Inc., for leave to file a brief, as *amicus curiae*, in support of rehearing granted. Petition for rehearing denied.

## ORDER

It is ordered that the call of the calendar, except for special assignments, be suspended for the term upon the conclusion of the arguments in the cases listed for hearing this week.

## RECESS ORDER

The Court will take a recess from Tuesday, April 24, 1973, until Monday, May 7, 1973.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
David Huntington Adams	Virginia Beach, Va.	Jerrold Gladstone Weinberg.
William Harold Albritton III	Andalusia, Ala.	William L. Dickinson.
Alan O. Amos	Northbrook, Ill.	Thomas H. Boer- schinger.
J. John Anderholt	Indio, Calif.	Gary Clyde Scherotter.
J. W. Baker	Knoxville, Tenn.	E. Bruce Foster.
Richard Gordon Baumann	Los Angeles, Calif.	Calvin Kolle Ashland.
Donald R. Black	Dallas, Tex.	James Keith Marks.
Alexander Browne Blair	Arlington, Va.	Allen H. Gardner.
Melvin Joseph Boneau	Port Arthur, Tex.	Jep S. Fuller.
Ralph Thomas Brandifino	New York, N.Y.	John P. Rung.
Norman L. Breland	Gulfport, Miss.	Jason H. Floyd.
Fred T. Cadmus III	West Chester, Pa.	John S. Halsted.
Conrad Theodore Carlson III	Albany, N.Y.	Richard R. Rowley.
H. A. Bud Carter	Oklahoma City, Okla.	Michael D. Martin.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Fred A. Carver	Beaumont, Tex.	Gilbert T. Adams.
Lyell Henry Carver	Bartlesville, Okla.	Donald James Quigg.
Robert Edward Castleberry.	St. Louis, Mo.	Frank W. Donaldson.
Samuel M. Clement	New York, N.Y.	Lawrence R. Bailey.
Jack F. Clifford	Chicago, Ill.	Harold Albert Liebenson.
Frank Joseph Connors	New York, N.Y.	Leonard Joseph.
Robert Lacey Crook	Ruleville, Miss.	Herman Brister Decell.
Aubrey M. Daniel III	Washington, D.C.	Harold Ungar.
James E. Davis	Texarkana, Ark.	John Thomas Lavey.
Sylvia M. Demarest (Miss)	Dallas, Tex.	Edward B. Cloutman III.
Kenneth Edmunds	Silver Spring, Md.	Kelley Litteral.
Charles C. Finch	Batesville, Miss.	Peter McKenzie Stockett, Jr.
Jay Weil Freedman	Washington, D.C.	Walter Freedman.
John F. Gisla	Sacramento, Calif.	Thomas W. Bell, Jr.
Kip Glasscock	Port Arthur, Tex.	Carl A. Parker.
Edward H. Green	Beaumont, Tex.	George A. Weller.
Paul B. Higgins	Beaumont, Tex.	Philip Bordages.
David Parks Hiller	Columbus, Ohio	David J. Young.
Fred J. Hyder	Phoenix, Ariz.	John P. Frank.
Michael H. Irvine	Cedar Rapids, Iowa	Stephen B. Jackson.
Harvey B. Jacobson, Jr.	Washington, D.C.	Martin Fleit.
Paula Ann Jameson (Miss).	Washington, D.C.	Robert Jeffry Sher.
Stanley George Kaffoglou	Port Arthur, Tex.	Jep S. Fuller.
Robert J. Kelly	Oxford, Miss.	H. M. Ray.
Clyde G. Killer	Fort Myers, Fla.	George Theophilus Swartz.
George M. Koshi	Denver, Colo.	Allen Bruce Hoppe.
Michael Robert Krinsky	New York, N.Y.	Victor Rabino- witz.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Paul S. Kuelthau	St. Louis, Mo.	Harold C. Hanke.
Samuel Maurice Laughlin, Jr.	Hobbs, N. Mex.	W. D. Girand, Jr.
Charles Robert Lindsay	Shreveport, La.	Clarence L. Yancey.
Shelby K. Long	Port Arthur, Tex.	Carl A. Parker.
Albert S. Lutz, Jr.	Shreveport, La.	Clarence L. Yancey.
David B. Lytle	Washington, D.C.	William A. Brad- ford, Jr.
Laurence James Madfis	Newton, Mass.	Herbert S. Swartz.
Theodore Peter Mavrick	Fort Lauderdale, Fla.	Earl Faircloth.
Lawrence McTurnan	Indianapolis, Ind.	Harold H. Bredell.
Kenneth R. Millisor	Akron, Ohio	C. G. Roetzel.
Douglas H. Morford	Jacksonville, Fla.	John Willis Ball.
Donald B. Moye	Nederland, Tex.	David A. Provost.
Joseph J. Mulvihill	Kansas City, Mo.	James P. Aylward, Sr.
Allan N. Niederman	Chicago, Ill.	Ray Jeffrey Cohen.
Charles A. Nugent, Jr.	West Palm Beach, Fla.	David Roth.
Richard Dennis O'Connor	Hartford, Conn.	Jay S. Siegel.
George M. Osborne	St. Petersburg, Fla.	John Wallace Hamilton.
William Lathan Osterhoudt.	San Francisco, Calif.	James Francis Hewitt.
Bert Padell	New York, N.Y.	Stanley R. Stern.
Ralph L. Palmesi	Bridgeport, Conn.	Robert Morris Zeisler.
Preble Ernest Pettit	Phoenix, Ariz.	John J. Rhodes.
John Francis Peyton, Jr.	Cincinnati, Ohio	John Steven Moraites.
Michael B. Pollack	Washington, D.C.	Charles Frederick Carson Ruff.
Frederick Mullen Pownall	San Francisco, Calif.	J. Varick Tunney.
Thomas Chase Primm	Houston, Tex.	James Edward Brill.
Wendell Conn Radford	Beaumont, Tex.	Leslie Munger Ball.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jeffrey Stephen Ramer	New York, N.Y.	Norman Roy Grutman.
Janet Elizabeth Rice (Miss).	Arlington, Va.	Bobby Ray Gay.
John A. Richardson	Shreveport, La.	Clarence L. Yancey.
Bernard Joshua Rosen	Los Angeles, Calif.	Gary Clyde Scherotter.
George D. Royster, Jr.	Hartford, Conn.	Joseph T. Sweeney.
Larry Howard Schatz	Miami, Fla.	William Louis Noriega.
Isadore Scher	Clayton, Mo.	Erwin J. Roesel.
John Herman Schomer	Jackson, Mich.	Ross N. Sterling.
Albert McGarvey Shelton	Gate City, Va.	Don T. McMurray.
Geoffrey C. Shepard	Washington, D.C.	President Richard M. Nixon.
Joseph L. Steinberg	Hartford, Conn.	Norris L. O'Neill.
Wilmer Franklin Stickle, Jr.	Bethesda, Md.	Paul Leonard O'Brien.
Joseph F. Thierman	Jericho, N.Y.	Floyd Sarisohn.
Charles M. Thompson	Pierre, S. Dak.	Ronald G. Schmidt.
Neil D. Thompson	New York, N.Y.	Martin I. Kaminsky.
S. Chandler Visher	Denver, Colo.	Michael A. Williams.
Carl Waldman	Beaumont, Tex.	George Buford.
Ronald L. Walker	Beaumont, Tex.	Everett Bryan Lord.
Jonathan David Weiner	Trenton, N.J.	Mrs. Virginia Long Annich.
Martin J. Whalen	Chicago, Ill.	Edward J. Egan.
Kyle Wheelus, Jr.	Beaumont, Tex.	George A. Weller.
John Roger Williams	New Haven, Conn.	Miss Catherine G. Roraback.
Reed L. Winbourn	Denver, Colo.	John Clinton Mott.
Hobart O. Worley, Jr.	Pensacola, Fla.	James R. McAtee.
Donald Hugh Zuckerman	New York, N.Y.	William E. Hellerstein.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Paul H. Schwartz	Buffalo, N.Y.	Michael J. McMorrow, Jr.
John Young Gallup	Buffalo, N.Y.	Michael J. McMorrow, Jr.
William Edward Elwood	Alexandria, Va.	Jack H. Harper.
S. Strother Smith III	Abingdon, Va.	J. Ray Dotson.
Kenneth Jesse Tuggle	Louisville, Ky.	Kenneth H. Tuggle.
Elana Maria Sullivan	Los Angeles, Calif.	James Perkins Parker.

## ORAL ARGUMENT

No. 72-549. School Board of the City of Richmond, Virginia, et al., petitioners, *v.* State Board of Education of the Commonwealth of Virginia et al.; and

No. 72-550. Carolyn Bradley et al., petitioners, *v.* State Board of Education of the Commonwealth of Virginia et al. Two hours allowed for oral argument. Argued by Mr. William T. Coleman, Jr., for the petitioners in No. 72-550, by Mr. George B. Little for the petitioners in No. 72-549, by Philip B. Kurland for the respondents in both cases, and by Mr. Solicitor General Erwin N. Griswold for the United States, as *amicus curiae*, by special leave of Court.

No. 72-534. United States Department of Agriculture et al., appellants, *v.* Jacinta Moreno et al. Argued by Mr. A. Raymond Randolph, Jr., for the appellants and by Mr. Ronald F. Pollack for the appellees.

No. 72-848. United States Department of Agriculture et al., appellants, *v.* Lula Mae Murry et al. Argued by Mr. Keith A. Jones for the appellants and by Ronald F. Pollack for the appellees.

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Adjourned until tomorrow at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## OPINIONS

No. 71-1585. United States, petitioner, *v.* Richard Russell. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rehnquist. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan concurs. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Brennan and Mr. Justice Marshall join.

No. 72-11. Roosevelt F. Palmore, appellant, *v.* United States. Appeal from the District of Columbia Court of Appeals. Appeal dismissed. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is granted, limited to the question of whether Palmore was entitled to be tried by a court ordained and established in accordance with Art. III, § 1, of the Constitution. Judgment affirmed. Opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Douglas.

No. 71-1031. Leonard Tonasket, appellant, *v.* Washington et al. Appeal from the Supreme Court of Washington. Judgment vacated and case remanded to the Supreme Court of Washington for reconsideration in light of §§ 6 and 7 of c. 157, 1972 Session Laws of the State of Washington and this Court's decision in *McClanahan v. Arizona State Tax Comm'n*, 410 U.S. — (1973). Opinion *per curiam* announced by Mr. Chief Justice Burger.

No. 71-829. Leila Mourning, petitioner, *v.* Family Publications Service, Inc. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Berger. Opinion by Mr. Justice Douglas dissenting in part with whom Mr. Justice Stewart and Mr. Justice Rehnquist concur. Dissenting opinion by Mr. Justice Powell.

## ORAL ARGUMENT

No. 72-656. Orval C. Logue et al., petitioners, *v.* United States. Argued by Mr. James DeAnda for the petitioners and by Mr. Mark L. Evans for the respondent.

No. 72-5521. Clarence Eugene Strunk, petitioner, *v.* United States. Argued by Mr. John R. Wideikis for the petitioner, *pro hac vice*, by special leave of Court, and by Mr. William Bradford Reynolds for the respondent.

## ORDER

## ORDERED :

1. That the rules and forms as approved by the Judicial Conference of the United States, to be known as the Bankruptcy Rules and Official Bankruptcy Forms, be, and they hereby are, prescribed pursuant to Section 2075, Title 28, United States Code, to govern the forms of process, writs, pleadings, and motions, and the practice and procedure under the Bankruptcy Act, in the proceedings and to the extent set forth therein, in the United States district courts, the District Court for the District of the Canal Zone, and the District Courts of Guam and the Virgin Islands.

2. That the aforementioned Bankruptcy Rules and Official Bankruptcy Forms shall take effect on October 1, 1973, and shall be applicable to proceedings then pending, except to the extent that in the opinion of the court their application in a particular proceeding then pending would not be feasible or would work injustice, in which event the former procedure applies.

3. That General Orders in Bankruptcy 1 to 7 inclusive, 9 to 12 inclusive, 14 to 26 inclusive, 28 to 40 inclusive, 42 to 45 inclusive, 47, 50, 51, 53, and 56 and Official Forms in Bankruptcy 1 to 13 inclusive, 15 to 20 inclusive, 22 to 47 inclusive, and 70 to 72 inclusive, heretofore prescribed by this Court, be, and they hereby are, abrogated, effective October 1, 1973.

4. That THE CHIEF JUSTICE be, and he hereby is, authorized to transmit the said new Bankruptcy Rules and Official Bankruptcy Forms to the Congress at its present session on or before the first day of May, 1973.

## ORDERED :

1. That the rules and forms as approved by the Judicial Conference of the United States, to be known as the Chapter XIII Rules and Official Chapter XIII Forms, be, and they hereby are, prescribed pursuant to Section 2075, Title 28, United States Code, to govern the forms of process, writs, pleadings, and motions and the practice and procedure under Chapter XIII of the Bankruptcy Act, in the proceedings and to the extent set forth therein, in the United States

district courts, the District Court for the District of the Canal Zone, and the District Courts of Guam and the Virgin Islands.

2. That the aforementioned Chapter XIII Rules and Official Chapter XIII Forms shall take effect on October 1, 1973, and shall be applicable to proceedings then pending, except to the extent that in the opinion of the court their application in a particular proceeding then pending would not be feasible or would work injustice, in which event the former procedure applies.

3. That General Order in Bankruptcy 55 and Official Forms in Bankruptcy 58 to 62 inclusive, heretofore prescribed by this Court, be, and they hereby are, abrogated, effective October 1, 1973.

4. That THE CHIEF JUSTICE be, and he hereby is, authorized to transmit the said new Chapter XIII Rules and Official Chapter XIII Forms to the Congress at its present session on or before the first day of May, 1973.

Mr. Justice Douglas dissents.

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Adjourned until Monday, May 7, 1973, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## ORDER IN PENDING CASE

No. A-1110. Jane Doe et al., applicants, *v.* Bellin Memorial Hospital. The application to vacate the stay order of Honorable John Paul Stevens of the United States Court of Appeals for the Seventh Circuit, dated May 3, 1973, presented to Mr. Justice Rehnquist, and by him referred to the Court, is denied. Mr. Justice White and Mr. Justice Marshall took no part in the consideration or decision of this order.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## OPINIONS PER CURIAM

No. 72-6011. Frank X. Gaca, petitioner, *v.* United States. On petition for writ of certiorari to the United States Court of Appeals for the Third Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals with instructions that the appeal be reinstated. Opinion *per curiam*.

No. 72-6258. New Jersey Welfare Rights Organization et al., appellants, *v.* William T. Cahill, etc., et al. Appeal from the United States District Court for the District of New Jersey. Motion for leave to proceed *in forma pauperis* granted, judgment reversed, and case remanded to the United States District Court for the District of New Jersey for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. The Chief Justice concurs in the result. Dissenting opinion by Mr. Justice Rehnquist.

## APPEALS—SUMMARY DISPOSITION

No. 72-1003. Thomas S. Mertes, appellant, *v.* Victorine S. Mertes et al. Appeal from the United States District Court for the District of Delaware. Judgment affirmed. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

No. 72-1334. Fred W. Fincher, appellant, *v.* J. Brian Scott et al. Appeal from the United States District Court for the Middle District of North Carolina. Judgment affirmed. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.



No. 72-1238. Evelyn Beene et al., appellants, *v.* Louisiana. Appeal from the Supreme Court of Louisiana. The appeal is dismissed for want of a substantial federal question.

No. 72-6149. Carroll M. House, appellant, *v.* St. Agnes Hospital, Inc., et al. Appeal from the United States Court of Appeals for the Fourth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-6260. Valerie A. Witzkowski, appellant, *v.* Illinois. Appeal from the Supreme Court of Illinois. The appeal is dismissed for want of a final judgment.

No. 72-6271. L. G. Ruderer, appellant, *v.* Cyrus R. Vance et al. Appeal from the United States District Court for the District of Columbia. The appeal is dismissed for want of jurisdiction. Mr. Justice Blackmun took no part in the consideration or decision of this appeal.

#### CERTIORARI—SUMMARY DISPOSITION

No. 71-1562. George Choung, petitioner, *v.* Duane H. Lowe, Sheriff, Sacramento County. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Hensley v. Municipal Court, San Jose-Milpitas Judicial District*, 411 U.S. — (1973).

No. 71-6836. Leo J. Gunston, petitioner, *v.* Superior Court of Alameda County, etc. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Hensley v. Municipal Court, San Jose-Milpitas Judicial District*, 411 U.S. — (1973).

#### ORDERS IN PENDING CASES

No. D-9. In the Matter of the Disbarment of Seymour R. Thaler. It having been reported that Seymour R. Thaler of New York, New York, has been disbarred from the practice of law in all of the courts of the State of New York, and this Court by order of February 20, 1973, having suspended the said Seymour R. Thaler from the practice of law in this Court and directed that a rule issue requiring him to show cause why he should not be disbarred:

And it appearing that the said rule was duly issued and served upon the respondent and that the time within which to file a return to the rule has expired;

It is ordered that the said Seymour R. Thaler be, and he is hereby, disbarred from the practice of law in this Court and that his name be stricken from the roll of attorneys admitted to practice before the Bar of this Court.

No. 72-812. Thomas Tone Storer et al., appellants, *v.* Edmund G. Brown, Jr., et al. The motion of the Committee for Democratic Election Laws for leave to file a brief, as *amicus curiae*, in support of the appellants, is granted.

No. 72-1428. Jesse Alexander Eller et al., petitioners, *v.* Sylvester J. Vaughns, Jr., by his father and next friend, Sylvester J. Vaughns, et al. The motion to advance and for *pendente lite* relief is denied.

#### APPEALS—JURISDICTION NOTED

No. 72-1058. Edward F. O'Brien et al., appellants, *v.* Albert Skinner, Sheriff, Monroe County, et al. Appeal from the Court of Appeals of New York. In this case probable jurisdiction noted.

No. 72-1125. A. Y. Allee et al., appellants, *v.* Francisco Medrano et al. Appeal from the United States District Court for the Southern District of Texas. In this case probable jurisdiction noted.

#### CERTIORARI GRANTED

No. 72-1019. Helen Stein Gaudet, Administratrix of the Estate of Awtrey C. Gaudet, Sr., petitioner, *v.* Sea-Land Services, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted.

No. 72-1195. American Pipe and Construction Co., et al., petitioners, *v.* Utah et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

No. 72-1231. National Labor Relations Board, petitioner, *v.* Savair Manufacturing Company. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

No. 72-1168. United States, petitioner, *v.* Thomas E. Maze. Motion of respondent for leave to proceed in forma pauperis and petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted.

No. 72-1264. Mayor of the City of Philadelphia et al., petitioners, *v.* Educational Equality League et al. Motion of respondents to dispense with printing response and petition for writ of certiorari to the United States Court of Appeals for the Third Circuit granted.

No. 71-6852. Donald Paul Lubin, etc., petitioner, *v.* James S. Allison Registrar-Recorder, County of Los Angeles. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of California granted. In addition to the questions presented in the petition the parties should address themselves to the question of whether it is the candidate's indigency or the indigency of his supporting group that is the relevant issue in this case.

## CERTIORARI DENIED

No. 72-274. Allen Cohen, petitioner, *v.* Richard Hongisto, Sheriff of City and County of San Francisco et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. *M.C. JUSTICE DOUGLAS WOULD GRANT CERTIORARI.*

No. 72-786. Robert Stephen Basey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-951. Salem Equipment, Inc. and Earl R. Hitchman, petitioners, *v.* Kockum Industries, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-981. Albert Pierro, petitioner, *v.* United States; and

No. 72-6266. Victor Panica, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1068. Carl N. Svejcar, petitioner, *v.* United States; and

No. 72-1069. Bernard Grizaffi et al., petitioners, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-1086. DeLong Corporation et al., petitioners, *v.* Oregon, by and through its State Highway Commission. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 72-1091. George S. Heitzler, Jr., petitioner, *v.* C. William O'Neill, Chief Justice of Ohio, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1100. Richard B. Jenning, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1124. Hydrocraft, Inc., et al., petitioners, *v.* Panther Pumps & Equipment Company, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-1127. The O. M. Scott and Sons Company, petitioner, *v.* Clyde M. Noll and S. Joseph Fortunato, as Trustees. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1133. Robert Morris et al., petitioners, *v.* Werner-Continental<sup>INC</sup> et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1137. City of New Haven, petitioner, *v.* Town of East Haven et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1138. Harold W. Harrison, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1141. Albert DePompeis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1144. Frank Lomprez, Jr. and Joseph William Smith, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-1156. John C. Parenti, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-1160. Charles Lucas, petitioner, *v.* United States; and

No. 72-6232. Jerome Jiminez, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1174. Carmine Saglimbene, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1175. Luigi Lobue, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1189. Ronald W. Johnson and Terry Eugene Cushenbery, petitioners, *v.* John W. Warner, Secretary of the Navy, et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1192. William Bostic, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-1216. Charles Baker et al., petitioners, *v.* F & F Investment et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1226. Joseph R. Brierley, Warden, petitioner, *v.* Frank Phelan. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-1230. John Henry Young, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District.

No. 72-1237. Service Investment Co., Inc., petitioner, *v.* State Mutual Life Assurance Co. of America. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1241. Harry R. Illman, petitioner, *v.* Toledo Bar Association. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 72-1242. Durell Products, Inc., petitioner, *v.* Ajax Realty Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-1248. Multari Equipment Corporation and Salvatore Multari, petitioners, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department.

No. 72-1253. George S. Heitzler, Jr., petitioner, *v.* Cincinnati Bar Association. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 72-1261. Detroit Typographical Union No. 18, International Typographical Union, petitioner, *v.* Detroit Newspaper Publishers Association et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1263. William Wilk et al., petitioners, *v.* Yellow Freight System, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1273. Jack Cohen, petitioner, *v.* Frank Mongiardo et al. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 72-1276. Coleman Oil Company, Inc., petitioner, *v.* Cities Service Oil Company. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-1277. Robert V. Rafter, petitioner, *v.* Floyd Blackmon et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1278. Board of Junior College District No. 515 et al., petitioners, *v.* Richard W. Hostrop. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-1280. Damco Testers, Inc., et al., petitioners, *v.* Superior Testers, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1283. Mr. Boston Distiller Corp., et al., petitioners, *v.* Richard A. Pallot et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1286. Vincent Anthony Ciraolo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1326. Donald Buford et al., petitioners, *v.* Southeast Dubois County School Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5797. Ray Arnold Williams, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 72-5964. Holice Black and Richard Black, petitioners, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 72-5995. Ronald Earl Haywood, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 72-6066. Bruce Darryl Richard, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-6080. William H. Kruse, petitioner, *v.* John R. Gagnon, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-6084. Donald Gene Boag, petitioner, *v.* Walter E. Craven. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6086. Eddie White, Sr., petitioner, *v.* Franklin W. Brough, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6092. Jerry L. Jones, petitioner, *v.* Missouri. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6093. Albert H. Carter, petitioner, *v.* Thurman Gupton, Judge, etc., et al. Petition for writ of certiorari to the Supreme Court of Texas denied.

No. 72-6094. John P. Brittain, petitioner, *v.* Lawrence F. Whalen, Clerk of LaSalle County Circuit Court, et al. Petition for writ of

certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-6096. Larry Bernard Cole, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied.

No. 72-6112. Lawrence D. Conklin, petitioner, *v.* Samuel J. Britton, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-6151. Lynwood Morris, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 72-6162. Robert Nelson, petitioner, *v.* California. Petition for writ of certiorari to the Supreme Court of California denied.

No. 72-6171. James F. Dempsey, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6175. Jackie L. Dean, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-6177. George John Ellis, petitioner, *v.* John J. Twomey, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-6179. Kenneth Kermit Hayles et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6202. Darrell R. Page, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-6209. Ulton Jerome Rivers, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6216. Robert B. Anderson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6218. Newt W. Goodwin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6228. Vincente Baltierra-Frausto, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6229. Walter James Walker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6234. Francisco Rodriquez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6236. David Mitchell Jarratt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6239. Joseph Arthur Bozada, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6243. David Anthony Leach, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6245. Colleen Angela Colletti, a minor, etc., Frank Colletti, petitioner, *v.* Kenneth F. Fare, Chief Probation Officer, County of San Diego, California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 72-6248. David George Culp, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6250. David Lawrence Faulkenbery, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6268. Wilbert Will Smith, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6278. Roberto Vasquez-Velasco, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6279. Carl George Smith, Jr., petitioner, *v.* Charles M. Rodgers, Superintendent of the District of Columbia Jail. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-6280. Don Garriga Chapman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6284. Charles Richard Rootes, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6285. Angel Del Valle-Rojas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.



No. 72-6296. Daniel Lee Sappington, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6300. Irby Sprouse, Jr., petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6305. John Paul Malinowski, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6307. James Edward Pigg, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-6330. Aline Beatrice McCloud, petitioner, *v. Joseph A. Gowan, etc., et al.* Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6369. Louis D. Cosco, petitioner, *v. Lenard F. Meacham et al.* Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 72-6371. Confessor Rodriguez Padilla, petitioner, *v. California et al.* Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6380. James N. Mock, Jr., petitioner, *v. Jim Rose, Warden*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6381. Young B. Jones, petitioner, *v. New York*. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. 72-6382. Laura Neal, petitioner, *v. Howard Johnson, Inc., et al.* Petition for writ of certiorari to the Court of Appeals of Georgia denied.

No. 72-6383. Alfred Stahl, petitioner, *v. C. Murray Henderson, Warden*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6387. Harold Woolsey, petitioner, *v. W. J. Estelle, Jr., Director, Texas Department of Corrections*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6397. Glenn Robert Oller, petitioner, *v. Walter E. Craven, Warden*. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6399. Jessie Ellison, petitioner, *v. W. J. Estelle, Jr., Director, Texas Department of Corrections*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6403. Alvera M. Aldabe, petitioner, *v.* Charles D. Aldabe et al. Petition for writ of certiorari to the Court of Appeal of California, Third Appellate District, denied.

No. 72-6409. Pauline Kilpatrick Hawkins, petitioner, *v.* Archie Ralph Hawkins. Petition for writ of certiorari to the Supreme Court of North Carolina denied.

No. 72-6416. Robert W. Muery, petitioner, *v.* Barbara Darlene Muery. Petition for writ of certiorari to the Supreme Court of Alabama denied.

No. 72-6417. Dianne Richardson, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 72-6423. Cesar Mendes, petitioner, *v.* Brotherhood of Railway and Airline Clerks, Freight Handlers, Express and Station Employees, AFL-CIO-CLC, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6471. Anthony Pizzolato, petitioner, *v.* Secretary of Department of Health, Education and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-992. Edward Thomas Murray, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied. Mr. Justice Douglas would grant certiorari.

No. 72-1136. Michael J. Weatherford et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1159. Arnold F. Habig et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1244. L. Verdelle Clark, petitioner, *v.* Leslie Holmes et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6106. Melvin J. Blackman, petitioner, *v.* Florida. Petition for writ of certiorari to the District Court of Appeal of Florida, Third District, denied. Mr. Justice Douglas would grant certiorari.

No. 72-6257. Ronald C. Mitchell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6262. Paul J. Harvey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6374. Richie Sonny Rando, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6378. Sylvester James Thomas, petitioner, *v.* Henry E. Cowan, Superintendent, Kentucky State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6472. Leo D. Turner, petitioner, *v.* Clinchfield Railroad Company. Petition for writ of certiorari to the Court of Appeals of Tennessee, Eastern Division, denied. Mr. Justice Douglas would grant certiorari.

No. 72-976. Ronnie Woodbury and Thomas Woodbury, petitioners, *v.* Floyd A. Coller, Judge, et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Supreme Court of Ohio denied.

No. 72-1149. Leslie E. Carter et al., petitioners, *v.* Joseph E. Straight et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Court of Appeals of Ohio, Gallia County, denied.

No. 72-1161. General Motors Corporation, petitioner, *v.* Devex Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 72-1272. Dorothy C. Beltrone, petitioner, *v.* General Motors Corporation and Paul Brothers, Inc. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 72-6213. Samuel Hunter, petitioner, *v.* General Motors et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 72-1253. Edward M. Walsh, Trustee in Bankruptcy of Estate of Michael W. Cedor, et al., petitioners, *v.* Michael W. Cedor, Bankrupt, et al. Motion of respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit ~~denied~~ Mr. Justice Blackmun would grant ~~the petition~~.

*CERTIORARI.*

*Denied.*

No. 72-5572. John R. Gay, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan, Mr. Justice Stewart, and Mr. Justice Marshall concur.

LEAVE TO FILE PETITION FOR WRIT OF CERTIORARI DENIED

No. 72-6272. William Higgs, petitioner, *v.* James R. Schlesinger et al. Motion for leave to file petition for writ of certiorari denied.

LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 72-6348. In the Matter of Richard Stypmann, petitioner;

No. 72-6407. John Richard Majchszak, aka Johnny Majors, petitioner, *v.* United States;

No. 72-6421. Delbert D. Loddy, petitioner, *v.* Wyoming et al.; and

No. 72-6437. Harvey M. Hawkins, petitioner, *v.* Lenard F. Meacham, Warden, et al. Motions for leave to file petitions for writs of habeas corpus denied.

LEAVE TO FILE PETITION FOR WRIT OF PROHIBITION DENIED

No. 72-1171. Roy D. Garner, petitioner, *v.* Richard H. Chambers, Chief Judge, United States Court of Appeals for the Ninth Circuit, et al. Motion for leave to file petition for writ of prohibition and/or mandamus denied.

REHEARINGS DENIED

No. 60, **Original.** Commonwealth of Pennsylvania, plaintiff, *v.* State of New York et al.;

No. 71-1515. Harold S. Rodovich, petitioner, *v.* United States;

No. 72-921. Newport Associates, Inc., petitioner, *v.* Sheldon H. Solow;

No. 72-1015. Tred-Air of California, Inc., petitioner, *v.* National Labor Relations Board;

No. 72-1080. Archie Peltzman, petitioner, *v.* American Radio Association et al.;

No. 72-1082. Ruth Hagaman Benners, Independent Executrix of the Estate of Daisy Purnell Simpson, appellant, *v.* The City of University Park, Texas;

No. 72-5066. William Ernest Ross, petitioner, *v.* United States;

No. 72-5707. James K. Bassett, petitioner, *v.* S. Lamont Smith, Warden;

No. 72-5725. Walter F. Polak, petitioner, *v.* Walter E. Craven, Warden;

No. 72-5811. Richard Givens Large, petitioner, *v.* Ohio;

No. 72-5897. James W. Brown, petitioner, *v.* Harold J. Cardwell, Warden;

No. 72-5985. Ethel S. Harris, petitioner, *v.* Caspar W. Weinberger, Secretary of Health, Education, and Welfare;

No. 72-5986. William W. Penix, petitioner, *v.* Caspar W. Weinberger, Secretary of Health, Education, and Welfare;

No. 72-6091. Huey R. Lee, petitioner, *v.* Alabama; and

No. 72-6170. Howard Kaplan, petitioner, *v.* Judges and Officers of the United States Court of Appeals for the Second Circuit. Petitions for rehearing denied.

No. 71-6742. Felipe Juarez Hurtado et al., petitioners, *v.* United States. Motion for leave to file petition for rehearing denied.

No. 72-1115. F. McQueen Rozelle, petitioner, *v.* Connecticut General Life Insurance Company et al. Motion tendering payment of money judgment presented to Mr. Justice White, and by him referred to the Court, is denied. Motion to stay decision on petition for rehearing denied. Motion to dispense with printing petition for rehearing granted. Petition for rehearing denied.

#### RECESS ORDER

The Court will take a recess from today until Monday, May 14, 1973.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John B. Abercrombie	Houston, Tex.	Tom M. Davis.
Roland H. Allen	Austin, Tex.	Jack Sparks.
Robert S. Belovin	Corona, N. Y.	Martin Gallin.
Raymond E. Belstner	Chicago, Ill.	Robert Mitten.
Arthur A. Benson II	Kansas City, Mo.	James Canada Morris.
David H. Berg	Houston, Tex.	Arthur J. Mandell.
Jerry E. Berg	Palo Alto, Calif.	Jay S. Linderman.
Peter A. Bernard	Rockville, Md.	Sol. Gen. Erwin N. Griswold.
Sheldon D. Beychok	Baton Rouge, La.	Edwin W. Edwards
Harry Sabbath Bodin	New York, N. Y.	Henry Hofheimer.
Alex A. Bohm	New York, N. Y.	Stevens G. Nicholson, Jr.
Jerome T. Bollato	St. Louis, Mo.	Myron D. Mills.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard Alan Bradley	Juneau, Alaska	John E. Havelock.
Richard E. Brennan	Caldwell, N.J.	Thomas F. Camp- ion.
Lindsay Edward Brew	Sells, Ariz.	Winton deRuyter Woods, Jr.
Robert Charles Brogan	Billings, Mont.	Lee Metcalf.
Gary Randall Brown	Woodstock, Vt.	Russell Allen Clark.
Leonard N. Bucklin	Bismarck, N. Dak.	Lee Loevinger.
Willard Martin Bushman	Portland, Oreg.	Joseph L. Eber- sole.
Charles Francis Carletta	Troy, N.Y.	William F. Ruth- erford.
Peter C. Carstensen	Washington, D.C.	Robert W. Kasten- meier.
Robert J. Cathcart	Wethersfield, Conn.	Alex Lloyd.
Robert Frederick Clark	Miami, Fla.	John S. Lloyd.
Neil Howard Cogan	New York, N.Y.	Simon H. Rifkind.
Edward I. Cohen	New York, N.Y.	Gray Thoron.
Michael Marks Cohen	New York, N.Y.	Elkan Turk, Jr.
William Irwin Cohen	Palo Alto, Calif.	Laughlin E. Waters.
Thomas J. Condon	Ansonia, Conn.	Bronislaw Win- nick.
John J. Connolly	Mill Valley, Calif.	George R. Nock III.
Richard David Cooper- smith.	New York, N.Y.	David A. Pravda
Raymond Douglas Cotton	Cambridge, Mass.	Sol. Gen. Erwin N. Griswold.
JoAnn Moore Dahl (Miss)	Houston, Tex.	Clarence S. East- ham.
Alan S. Dale	Houston, Tex.	Clarence S. East- ham.
Cornelius Walter Daniel III.	Wall, N.J.	Edward G. Bennett.
Robert C. Davee	Houston, Tex.	Clarence S. East- ham.
Carl Warren Davis	Oklahoma City, Okla.	Fred Melville Black.
John Wesley Days	Washington, D.C.	Charles Tignor Duncan.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John Thomas DeFazio	Niles, Ohio	Charles Sterling Babcock.
David Alan Dorinson	Berkeley, Calif.	Thomas J. Cunningham.
John Gregory Dorsey	North Kansas City, Mo.	John G. Brannon.
Ward Adrian Dorsey	North Kansas City, Mo.	John G. Brannon.
David Noah Dubrow	South Orange, N.J.	Michael H. Stieber.
Joseph Marc Epstein	Parsippany, N.J.	George Kandravy.
Frank Joseph Ferlita	Tampa, Fla.	(Mrs.) June W. Auerbach.
Henry Blanchard Fischer	Cleveland, Ohio	Laurence E. Oliphant, Jr.
Barton Fleishman	Monroe, N.Y.	Martin Gallin.
John P. Forney, Jr.	Houston, Tex.	Clarence S. Eastham.
Robert Roy Frankenstein	Chicago, Ill.	Arnold Fredric Block.
Philip J. Franks	Ridgefield, Conn.	Joel Elihu Hoffman.
Henry Frank Fredeman II	Port Arthur, Tex.	Howard C. Sadler.
Elmer Robert Fristoe	Olympia, Wash.	John S. Lynch, Jr.
Emil Lamar Gammage, Jr.	Cedartown, Ga.	William W. Mundy, Jr.
Edwin James Gehres	Denver, Colo.	Marvin Tullius Scott.
Alan M. Gelb	New York, N.Y.	Norman Roy Grutman.
Garbeth Columbus Graham	Oklahoma City, Okla.	Harry L. James II.
John Chipman Gray, Jr.	Brooklyn, N.Y.	Martie Louis Thompson.
Melvyn Henri Greenberg	New York, N.Y.	Edwin Friend Rains.
Edward Harrison Grove III.	Fairfax, Va.	Adelard L. Brault.
Jonathan Lance Goldstein	Short Hills, N.J.	James Bayard Smith.
Gayle F. Haglund	Chicago, Ill.	Daniel Pascale.
Floyd Clifford Hale	Atlanta, Ga.	Mrs. Nancy S. Cheves.
R. Michael Haynes	New York, N.Y.	Lewis Richard Friedman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
M. Rogue Hemley	Santa Ana, Calif.	Austin H. Peck, Jr.
Cyril Mehrle Hendricks	Memphis, Tenn.	Wayne C. Marsh
Sondra Parkoff Henry (Miss)	Great Neck, N.Y.	Paul A. Weiss.
John Robert Hieber	Western Springs, Ill.	John J. O'Toole.
Jesse Boyce Holleman	Gulfport, Miss.	David Cottrell, Jr.
Fredrik Davidson Holth	Lyme, Conn.	Endicott Peabody.
William M. Horner	Monmouth, Oreg.	K. Scott McArthur.
Gary W. Hudiburgh	Dillon, Colo.	Chester Shatz.
Gary Blaine Hurt	Aurora, Ill.	John Donald Bolger.
Herschel Jaffe	West Chester, Pa.	Richard Adams Rosan.
Duncan Marshall James	Ukiah, Calif.	W. H. Brunner.
Richard James	Stroud, Okla.	Marian P. Opala.
Robert D. Joffe	New York, N.Y.	Robert S. Rifkind.
Jerold Kaplan	Phoenix, Ariz.	John Willard Nelson.
James Robert Kavanaugh	Chicago, Ill.	James Brian Haddad.
Herbert P. Kenway	Boston, Mass.	Robert J. Horn, Jr.
Peter Wheeler Kersker	St. Petersburg, Fla.	John Charles Lenderman.
Joel Kessler	Chicago, Ill.	Seymour Zaban.
Jon M. Kinnamon	Cedar Rapids, Iowa.	Phillip Dennis Klinger.
Albert Joseph Knopp	Cleveland, Ohio	Russell E. Leasure.
Isidore Krohn	Great Neck, N.Y.	Louis Schultz.
Milton P. Kroll	Washington, D.C.	Walter Freedman.
Anne Elizabeth Kutak (Miss).	Hammond, Ind.	Harold L. Rock.
Gary H. Lange	St. Louis, Mo.	Myron D. Mills.
James J. Leonard, Jr.	Phoenix, Ariz.	Michael J. O'Melia.
Harry Lieberman	Houston, Tex.	James A. Crouch.
Carl Donald Liggio	New York, N.Y.	David Hartfield, Jr.
David P. Lindsey	Houston, Tex.	Carroll Dale Smyers.
Alfred Reiter Lipton	Chicago, Ill.	Richard L. Mandel.
William Albers Long	Los Angeles, Calif.	Richard F. Alden.
Carl Erwin Lovell, Jr.	Las Vegas, Nev.	Roger D. Foley.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Marlin Vance MacLaughlin, Jr.	Montgomery, Ala.	William L. Dickinson.
Henry Stephen Madsen	Cleveland, Ohio	Norman A. Sugarman.
Jesse Manzanares	Denver, Colo.	Douglass B. Auer.
Robert S. Marcus	South Orange, N.J.	R. Benjamin Cohen.
Robert Stillwell Marquis	Knoxville, Tenn.	Robert S. Young, Jr.
William Gage McAfee	New York, N.Y.	Lawrence E. Walsh.
Kendall D. McCleery	Los Angeles, Calif.	Chester P. Guziel.
Marion Embree McDaniel, Jr.	Houston, Tex.	Clarence S. Eastham.
M. Lane McDaniel	Dallas, Tex.	Walter L. Abbey.
Edward C. McLean, Jr.	New York, N.Y.	Harold L. Warner, Jr.
James B. McMahan	Washington, D.C.	Martin J. Linsky.
George Karl Meier III	Portland, Oreg.	Ernest Bonyhadi.
Jon W. Montague	Houston, Tex.	Clarence S. Eastham.
Richard Morton	Miami, Fla.	Neal R. Sonnett.
Dick H. Mudge, Jr.	Edwardsville, Ill.	Milton Richard Allen.
Harry K. Mulholland	Santa Monica, Calif.	Albert Sidney Golbert.
James L. Mullaney	Baltimore, Md.	Robert S. Rody.
Gerald Wayne Murphy	Los Angeles, Calif.	Thomas J. Casa- massima.
John H. Murphy	Rochester, Mich.	James S. Thor- burn.
Norman B. Murphy	Grandview, Mo.	Joseph R. Lowry.
Howard Bruce Myers	Hopkinton, N.H.	David Hackett Souter.
Richard A. Novak, Sr.	Saginaw, Mich.	Maurice L. van Benschoten.
Walter Louis O'Neal	Arlington, Va.	Norman Frederick Slenker.
Parker Murray Orr	Cleveland, Ohio	Russell E. Leasure.
Charles Callis Owen	Little Rock, Ark.	Marion B. Burton.
Nat P. Ozmon	Chicago, Ill.	Francis D. Morrissey.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles Anthony Packard	Chicago, Ill.	(Miss) Judith A. Lonnquist.
Robert L. Pasekoff	Miami, Fla.	Walter S. Pesetsky.
Philip Victor Permut	Fairfax, Va.	Joseph A. Marino.
Thomas Francis Phalen, Jr.	Cincinnati, Ohio	William H. Clendenen, Jr.
Sidney Irving Picker, Jr.	Cleveland, Ohio	Sidney B. Jacoby.
James Edwin Pittenger	Denver, Colo.	Horace B. Van Valkenburgh.
Stephen P. Pokart	New York, N.Y.	Morton Birnbaum.
William Lane Porter, Jr.	Topeka, Kans.	Erle William Francis.
John Edwards Prewitt	Stuart, Fla.	T. T. Oughterson.
R. Neal Quigley	Denver, Colo.	Wayne Dearmond Williams.
Richard S. Rhodes	Orlando, Fla.	Edward R. Kirkland.
John Ellsworth Roth	Silver Spring, Md.	John J. McCarthy.
J. Leonard Samansky	New York, N.Y.	Irving D. Lipkowitz.
Bluford Bradford Sanders, Jr.	El Paso, Tex.	Joseph Abraham, Jr.
Herbert S. Savitt	Ansonia, Conn.	Bronislaw Winnick.
Charles Thorfin Schillberg	Moses Lake, Wash.	Clairmont F. Hormel.
Theodore Duane Schultz	Olympia, Wash.	John S. Lynch, Jr.
Sidney M. Schwartzfield	Minneapolis, Minn.	Sherman Bergstein.
Gordon H. S. Scott	Chicago, Ill.	Arthur K. Young.
John Richard Sherman	Boston, Mass.	John C. O'Byrne.
Robert Dwight Simpson	Amarillo, Tex.	A. J. Robinson.
William D. Sparks	Cedartown, Ga.	William W. Mundy, Jr.
Herbert J. Stern	Bloomington, N.J.	Richard Merritt Langway.
Morris Stern	South Orange, N.J.	R. Benjamin Cohen.
William Cameron Stone	Louisville, Ky.	Charles S. Cassis.
Don Peter William Taylor	Olympia, Wash.	John S. Lynch, Jr.
J. Blan Taylor	Naples, Fla.	Harold Stanhope Smith.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Owen Treacy	Fort Walton Beach, Fla.	Thomas George Pitus.
Carlton James Trosclair	New Orleans, La.	Charles Paul Barker.
Robert G. Stinchcomb	Cleveland, Ohio	Richard Fulling- ton Stevens.
Carl J. Traub	Oklahoma City, Okla.	Fred Melville Black.
George T. Tyler	Baltimore, Md.	Randall C. Cole- man.
Edward C. Vandenburg III.	Arlington Heights, Ill.	Louis Robertson.
Martin Andries Voet	Los Angeles, Calif.	John M. Lee.
John H. Wallace	Oakland, Calif.	Hon Chew.
Mack Wallace	Austin, Tex.	Robert C. Flowers, Jr.
Kathleen A. Warwick (Miss)	New York, N.Y.	Robert M. Loeffler.
Harold H. Wedig	New Orleans, La.	Frank S. Normann.
Tracy Andrew Westen	Washington, D.C.	William Ramsey Clark.
James Randall Wyatt, Jr.	Nashville, Tenn.	Harold D. Hardin.
Albert E. Zarlengo	Denver, Colo.	John Clinton Mott.
Scott F. Zimmerman	Pittsburgh, Pa.	Nicholas Unkovic.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ralph George Langley	San Antonio, Tex.	O. Clark Fisher.
Morris Nathan Karch	Los Angeles, Calif.	James William Lawson.
Frederick Albert Nicoll	Ridgewood, N.J.	William Thomas Bullinger.
Janet Carol McCaa	Washington, D.C.	Marcel Mallet-Prevost.
Howard Charles Kaplan	Stamford, Conn.	Michael H. Gottesman.
Donald Godfrey Avery	Washington, D.C.	Frederick S. Hird, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John O'Brien Clarke, Jr. Alexander Younger	Washington, D.C. Washington, D.C.	John Alfred Terry. William G. Kanter.
Franklin D. Arness	Falls Church, Va.	Joseph Edward Donahue.
Maurice R. Barnes, Jr.	Washington, D.C.	Maurice R. Barnes.
Gary L. Bohlke	Washington, D.C.	John P. Jellico.
Rocco J. Ciforelli	Brooklyn, N.Y.	John P. Jellico.
Charles Joseph Sheridan	Olney, Md.	John P. Jellico.
John H. Ryan	Springfield, Va.	John P. Jellico.
E. Manning Seltzer	Washington, D.C.	John P. Jellico.
Raymond Lester Wolitz	New York, N.Y.	Justice Tom C. Clark.
Paul G. Giguere	Washington, D.C.	Justice Tom C. Clark.
Marcia Kaplan	Washington, D.C.	Justice Tom C. Clark.
Marilyn Giltner Morrison	Washington, D.C.	Jutsice Tom C. Clark.
Thomas Coffey Morrison	Washington, D.C.	Justice Tom C. Clark.
Benjamin Henry Mahoney	Hyattsville, Md.	Justice Tom C. Clark.
Samuel Aaron Orandle	Baltimore, Md.	Justice Tom C. Clark.
John Fenner Atwood	Washington, D.C.	Justice Tom C. Clark.
Norman W. King	Woodbridge, Va.	Justice Tom C. Clark.
Leon X. C. Ludwig	Detroit, Mich.	Justice Tom C. Clark.
John Alvin Mathis	Knoxville, Tenn	Justice Tom C. Clark.
Robert C. Albino	Stamford, Conn.	Lowell P. Weicker, Jr.
Stephen J. Anderson	New Britain, Conn.	Lowell P. Weicker, Jr.
Raynald B. Cantin	Hartford, Conn.	Lowell P. Weicker, Jr.
Burton Carlson	Bristol, Conn.	Lowell P. Weicker, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Gerald E. Farrell	Wallingford, Conn.	Lowell P. Weicker, Jr.
Richard Thomas Fitzgerald	Lakeville, Conn.	Lowell P. Weicker, Jr.
Thomas A. Frizzell	Danbury, Conn.	Lowell P. Weicker, Jr.
Dennis F. Gaffney	Meriden, Conn.	Lowell P. Weicker, Jr.
Leo Gold	Stamford, Conn.	Lowell P. Weicker, Jr.
William E. Grace	South Windsor, Conn.	Lowell P. Weicker, Jr.
Charles Craig Greenwald	Glastonbury, Conn.	Lowell P. Weicker, Jr.
Kenneth S. Halpern	West Hartford, Conn.	Lowell P. Weicker, Jr.
Dana S. Hawthorne	New Canaan, Conn.	Lowell P. Weicker, Jr.
Jonathan D. Kantrowitz	Fairfield, Conn.	Lowell P. Weicker, Jr.
Daniel Eliot Kleinman	Hartford, Conn.	Lowell P. Weicker, Jr.
W. Wilson Keithline	West Hartford, Conn.	Lowell P. Weicker, Jr.
Charles C. Kingsley	New Haven, Conn.	Lowell P. Weicker, Jr.
Catherine Petersen Kligerman	West Hartford, Conn.	Lowell P. Weicker, Jr.
Raymond G. LeFoll	Rocky Hill, Conn.	Lowell P. Weicker, Jr.
Henry Lyons III	Bridgeport, Conn.	Lowell P. Weicker, Jr.
Kenneth W. Mango	Meriden, Conn.	Lowell P. Weicker, Jr.
Jeffrey V. McCormick	Bridgeport, Conn.	Lowell P. Weicker, Jr.
Arthur M. Nassau	Hartford, Conn.	Lowell P. Weicker, Jr.
Richard G. Patterson	Wethersfield, Conn.	Lowell P. Weicker, Jr.
Edward P. Plaze	Terryville, Conn.	Lowell P. Weicker, Jr.
David Gill Proctor	Niantic, Conn.	Lowell P. Weicker, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Victor S. Riccio	Bridgeport, Conn.	Lowell P. Weicker, Jr.
Michael L. Robbins	East Hartford, Conn.	Lowell P. Weicker, Jr.
Edward Maum Sheehy	Bridgeport, Conn.	Lowell P. Weicker, Jr.
Mark S. Shipman	Hartford, Conn.	Lowell P. Weicker, Jr.
Allen Sims	New Haven, Conn.	Lowell P. Weicker, Jr.
Martin S. Stillman	Rocky Hill, Conn.	Lowell P. Weicker, Jr.
Grove W. Stoddard	Bridgeport, Conn.	Lowell P. Weicker, Jr.
Charles Townsend, Jr.	Stamford, Conn.	Lowell P. Weicker, Jr.
Walter A. Twachtman, Jr.	Hartford, Conn.	Lowell P. Weicker, Jr.
Thomas Fisher Upson	Woodbury, Conn.	Lowell P. Weicker, Jr.
Russell Dickinson Webb	Farmington, Conn.	Lowell P. Weicker, Jr.
Thomas Buck Wilson	New London, Conn.	Lowell P. Weicker, Jr.

## OPINIONS

**No. 71-1665.** United States, petitioner, *v.* Douglas B. Cartwright, as Executor of the Estate of Ethel B. Bennett. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Stewart with whom Mr. Chief Justice Burger and Mr. Justice Rehnquist join.

**No. 71-653.** Thomas S. Gibson et al., appellants, *v.* L. M. Berryhill et al. Appeal from the United States District Court for the Middle District of Alabama. Judgment vacated and case remanded to the United States District Court for the Middle District of Alabama for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Concurring opinion by Mr. Chief Justice Burger. Concurring opinion by Mr. Justice Marshall with whom Mr. Justice Brennan joins.

No. 71-1059. Kern County Land Company, petitioner, *v.* Occidental Petroleum Corporation. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan and Mr. Justice Stewart concur.

No. 71-1369. Peter Preiser, Commissioner of Correctional Services, et al., petitioners, *v.* Eugene Rodriguez et al. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Douglas and Mr. Justice Marshall join.

No. 72-75. Georgia et al., appellants, *v.* United States. Appeal from the United States District Court for the Northern District of Georgia. Judgment affirmed and case remanded to the United States District Court for the Northern District of Georgia for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Opinion by Mr. Chief Justice Burger concurring in the result. Dissenting opinion by Mr. Justice White with whom Mr. Justice Powell and Mr. Justice Rehnquist join. Dissenting opinion by Mr. Justice Powell.

No. 72-486. Federal Power Commission, petitioner, *v.* Memphis Light, Gas and Water Division et al.; and

No. 72-488. Texas Gas Transmission Corporation, petitioner *v.* Memphis Light, Gas and Water Division, et al. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas.

No. 71-1583. Edmund G. Brown, Jr., Secretary of State of California, appellant, *v.* Raymond G. Chote. Appeal from the United States District Court for the Northern District of California. Action taken by the District Court in granting interim relief affirmed and case remanded to the United States District Court for the Northern District of California for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Burger.

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Adjourned until Monday, May 14, 1973, at 10 o'clock.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## APPEALS—SUMMARY DISPOSITION

No. 72-264. Mary Evelyn Parker, Treasurer of the State of Louisiana, et al., appellants, *v.* Bernard B. Levy et al. Appeal from the United States District Court for the Middle District of Louisiana. Judgment affirmed.

No. 72-6446. Anita Winston and Gwendolyn Jackson, appellants, *v.* William J. Scott, Attorney General of Illinois, et al. Appeal from the United States District Court for the Northern District of Illinois. Judgment affirmed.

No. 72-1112. Coffee-Rich, Inc., et al., appellants, *v.* Jerry W. Fielder et al. Appeal from the Court of Appeal of California, Second Appellate District. The appeal is dismissed for want of a substantial federal question.

No. 72-1287. Charles J. Mager et ux., appellants, *v.* Hilltown Township. Appeal from the Commonwealth Court of Pennsylvania. The appeal is dismissed for want of a substantial federal question.

## CERTIORARI—SUMMARY DISPOSITION

No. 72-965. United States, petitioner, *v.* Willie Lee Knight. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *U.S. v. Russell*, 411 U.S. — (1973).

No. 72-1240. Spitzer Akron, Inc., petitioner, *v.* National Labor Relations Board. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals with instructions to remand case to the National Labor Relations Board for such further proceedings as may be appropriate



in light of *Burns International Security Services, Inc. v. NLRB*, 406 U.S. 272 (1972). *FTC. v. Sperry & Hutchinson Co.*, 405 U.S. 233, 245-250 (1972); *SEC v. Chenery Corp.*, 318 U.S. 80, 87-88 (1943); *Bachrodt Chevrolet Co. v. NLRB*, 411 U.S. — (1973); *Denham v. NLRB*, 411 U.S. — (1973).

**No. 72-6303.** Model Cities Policy Board of Ann Arbor et al., petitioners, *v. James T. Lynn*, Secretary of Housing and Urban Development, et al. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals to consider the question of mootness.

#### ORDERS IN PENDING CASES

**No. A-1111.** Friends of the Earth et al., applicants, *v. Ellis L. Armstrong*, Commissioner, Bureau of Reclamation, et al. The application to vacate the stay order of the United States Court of Appeals for the Tenth Circuit, dated May 1, 1973, presented to Mr. Justice White and by him referred to the Court, is denied.

**No. 71-1332.** San Antonio Independent School District et al., appellants, *v. Demetrio P. Rodriguez* et al. The motions of respondents for leave to proceed *in forma pauperis, nunc pro tunc* and to retax costs are denied.

**No. 72-1441.** Joseph Phillips, petitioner, *v. United States*. The application for bail presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

#### APPEAL—JURISDICTION POSTPONED

**No. 72-1297.** Donald E. Johnson, Administrator of Veterans' Affairs et al., appellants, *v. William Robert Robison*, etc. Appeal from the United States District Court for the District of Massachusetts. In this case further consideration of the question of jurisdiction postponed to the hearing of the case on the merits. Case set for oral argument with No. 72-700.

#### CERTIORARI GRANTED

**No. 72-1328.** United States, petitioner, *v. Irving Kahn* and Minnie Kahn. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

**No. 72-700.** Henry Hernandez et al., petitioners, *v. Veterans' Administration* et al. Motion to dispense with printing petition and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted. Case set for oral argument with No. 72-1297.

No. 72-948. National Cable Television Association, Inc., petitioner, *v.* United States and Federal Communications Commission. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit granted and case set for oral argument with No. 72-1162.

No. 72-1162. Federal Power Commission, petitioner, *v.* New England Power Company et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted and case set for oral argument with No. 72-948.

No. 72-1289. National Railroad Passenger Corporation et al., petitioners, *v.* National Association of Railroad Passengers. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted. Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 72-6160. Lawrence Mitchell, petitioner, *v.* W. T. Grant Company. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the Supreme Court of Louisiana granted.

#### CERTIORARI DENIED

No. 72-846. B. Dale Ball, Director of the Department of Agriculture of Michigan, et al., petitioners, *v.* Armour and Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1046. San Jacinto Junior College et al., petitioners, *v.* Lecil Hander. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1172. Kent Milner, dba Belvedere Driving School, et al., petitioners, *v.* R. H. Burson, Director of the Georgia Department of Public Safety, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1191. Irving B. Kahn, petitioner, *v.* United States; and

No. 72-1193. Teleprompter Corporation, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1199. Bobby Jerald Culpepper, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-1204. Pearson Candy Co., a Division of W. R. Grace & Co., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1214. Milton Silverman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1282. Bernard Bowser, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. 72-1288. United Pacific Insurance Company, petitioner, *v.* Discount Company, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1292. International Association of Machinists and Aerospace Workers, petitioner, *v.* Reeve Aleutian Airways, Inc. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1294. Washington Kelpers Association, petitioner, *v.* Washington et al. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 72-1303. Juanelle Tubbs, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1308. Norman Shutler et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-1348. Aaron L. Kuhlman et al., petitioners, *v.* Mrs. Jacob Siegler, individually and as Administratrix of the Estate of Carol J. House. Petition for writ of certiorari to the Supreme Court of Washington denied.

No. 72-6090. Dennis Jan King, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Alameda, denied.

No. 72-6182. Junior H. Cordle, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6200. Woodrow Wilson Varner, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District, denied.

No. 72-6205. Eugene Ford, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 72-6211. Glenn Lucas, petitioner, *v.* Wyoming et al. Petition for writ of certiorari to the Supreme Court of Wyoming denied.

No. 72-6240. Guy Wilmer Lanham, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **72-6254**. Robert Eugene Harvell, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **72-6270**. Elmo C. Tatum, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **72-6275**. Julius Patrick Temple, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-6283**. Inett Branch, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-6301**. Harry William Theriault, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-6302**. Stephen Luther Evans, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **72-6304**. Johnny D. Williams, petitioner, *v. United States*. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. **72-6313**. Thomas L. Patterson, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-6314**. David J. Tucker, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **72-6317**. Gene Allen Stamps, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-6319**. Eddie L. Derks, petitioner, *v. United States*. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. **72-6323**. Benjamin Franklin Pye, petitioner, *v. Florida*. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. **72-6325**. Harry William Theriault, petitioner, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-6326**. Charles B. Biddle and McArthur Simmons, petitioners, *v. United States*. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6327. Carl Dean Knox, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6328. Minor Jones, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6334. Rose Hurt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6338. Sonny Brooks DeGraffenreid, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6349. Frank Catanio, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6352. Elin N. Lowes, petitioner, *v.* Caspar W. Weinberger, Secretary of Health, Education, and Welfare. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6410. Aristotle Walters, petitioner, *v.* Johnnie M. Walters, Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6422. Patrick Joseph Fullen, petitioner, *v.* Washington et al. Petition for writ of certiorari to the Court of Appeals of Washington, Division One, denied.

No. 72-6431. William Chester Craig, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6433. Henry Rogers, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied.

No. 72-6438. Leon Claude Fritz, petitioner, *v.* Missouri. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 72-6439. Walter Williams, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 72-6441. Neville P. Matthews, petitioner, *v.* John J. Wingo, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6444. Herman Salazar, petitioner, *v.* New Mexico. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-6452. Bessie T. Morris, petitioner, *v.* Nannie Rose Sparrow, et al. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 72-6453. William Keith Flint, petitioner, *v.* Carl L. Glasgow, State's Attorney of Piatt County, Illinois. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-6544. Leon Bennie Elliott, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-470. A. E. Slayton, Jr., Superintendent, Virginia State Penitentiary, petitioner, *v.* King Hairston. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-1113. Pennsylvania, petitioner, *v.* Jack Lopinson. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 72-1323. J. W. Norvell, Warden, petitioner, *v.* J. W. Jones et al. Motion of respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1054. Tyler Junior College et al., petitioners, *v.* Joe Richard Lansdale et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1145. J. A. Newsome, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1152. Cement Masons Union Local 337, Operative Plasterers' and Cement Masons' International Association of United States and Canada, AFL-CIO, et al., petitioners *v.* National Labor Relations Board et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1194. Irving Kahn et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-1203**. Johnny Simpson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-1220**. James M Richardson, petitioner, *v.* Hamilton International Corporation et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-1257**. United New York Sandy Hook Pilots Association et al., petitioners, *v.* Frederick B. Dent, Secretary of Commerce, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-5695**. Carl Mack Keeton, petitioner, *v.* R. K. Procnier et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-6168**. William Foxworth, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Mr. Justice Douglas would grant certiorari.

No. **72-6345**. Jules Ron Kimbel, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-1185**. Murray Fields et al., petitioners, *v.* William E. Schuyler, Jr., Commissioner of Patents. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Stewart and Mr. Justice White would grant certiorari.

No. **72-1315**. Colorado Pump & Supply Company, petitioner, *v.* Febco, Incorporated and Thompson Pipe & Steel Company. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice Douglas and Mr. Justice White would grant certiorari.

#### LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. **72-6191**. Albert H. Carter, petitioner, *v.* Wyatt H. Heard, Judge, District Court of Harris County, Texas, 190th Judicial District;

No. **72-6406**. Jackie L. Dean, petitioner, *v.* United States Court of Appeals for the First Circuit; and

No. **72-6426**. Robert Leslie Wilson, petitioner, *v.* Luther M. Swygert, Chief Judge, United States Court of Appeals for the Seventh

Circuit, et al. Motions for leave to file petitions for writs of mandamus denied.

#### REHEARINGS DENIED

No. **36, Original.** State of Texas, plaintiff, *v.* State of Louisiana;

No. **72-5831.** Edna Rothstein et al., petitioners, *v.* George K. Wyman, Commissioner, Department of Social Services of the State of New York, et al.;

No. **72-6117.** Paul B. Owens, petitioner, *v.* United States; and

No. **72-6204.** Phillip Allen LeBrun, petitioner, *v.* Hoyt C. Cupp, Superintendent, Oregon State Penitentiary. Petitions for rehearing denied.

No. **72-797.** Jesse Frank Bowers and Ben T. Phillips, petitioners, *v.* United States. Motion to dispense with printing petition for rehearing granted. Petition for rehearing denied.

No. **72-5456.** Procoro Flores, etc., petitioner, *v.* Employers' Fire Insurance Company of San Antonio, Texas. Motion for leave to file petition for rehearing denied.

#### RECESS ORDER

The Court will take a recess from today until Monday, May 21, 1973.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ronald Claude Barker	Salt Lake City, Utah.	Victor G. Sagers.
Henry Newton Bell III	Bastrop, Tex.	Thomas Hawthorne Phillips.
Edward Bendik	Syosset, N.Y.	Marvin Malin.
Albert S. Bill, Jr.	Old Wethersfield, Conn.	William R. Moller.
Herman G. Bodewes	Springfield, Ill.	Alfred F. Newkirk.
William Roderick Breetz, Jr.	Hartford, Conn.	Clifford S. Burdge, Jr.
James Edward Brown	Capitol Heights, Md.	Miss Marilyn Cohen.
Charles D. Butts, Sr.	San Antonio, Tex.	Fred A. Semaan.
Lawrence Chandler	Calhoun City, Miss.	John C. Satterfield.
Mary A. Ciabattari (Miss)	Ardsley, N.Y.	Albert Jacobs.
James L. Cottrell	Cape Coral, Fla.	James Franklin. Garner III.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John McNaught Cramer	Pittsburgh, Pa.	Gilbert J. Helwig.
Richard Dannay	New York, N.Y.	Morton David Goldberg.
Sutherland W. G. Denlinger	Newton, Conn.	Sanford D. Katz.
Dennis Clark Donnelly	St. Louis, Mo.	Gaylord Church Burke.
Robert N. Dugan	Towson, Md.	James D. Nolan.
John J. Dunn, Sr.	Scranton, Pa.	Carlton M. O'Malley, Sr.
Richard Thomas Eisenbeis	Williamsport, Pa.	Anthony C. Morella.
John L. Endicott	Los Angeles, Calif.	Samuel O. Pruitt, Jr.
Amadeo Fernandes	Brooklyn, N.Y.	Joseph Fontana.
Gerald D. Fischer	New York, N.Y.	Alvin K. Hellerstein.
Edward F. Fogarty	Omaha, Neb.	Paul M. Brown.
Henry I. Frohsin	Birmingham, Ala.	Wayman Gray Sherrer.
John D. Fuchs	Torrence, Calif.	Larry L. Fries.
Judson Paul Garrett, Jr.	Baltimore, Md.	Joel Joseph Rabin.
Gordon Goodbee	Covington, La.	Horace R. Alexius, Jr.
Stuart G. Green	Orlando, Fla.	Samuel Edwin Murrell, Jr.
Marshall Groce	San Antonia, Tex.	Justice Tom C. Clark, retired.
Barry S. Grossman	Chicago, Ill.	Mitchell H. Caplan.
Harl H. Haas	Portland, Oreg.	Robert W. Packwood.
Sam F. Hamra, Jr.	Springfield, Mo.	John Weston Miller.
Maurice H. Harris	St. Louis, Mo.	Judge Roy W. Harper.
Robert Glenn Jarvis	McAllen, Tex.	James Cole Abbott.
Walter Roderick Johnson	Gulfport, Miss.	Eaton Adlai Lang, Jr.
Robert L. Julianelle	Milford, Conn.	J. Daniel Sagarin.
John Louis Juliano	Hauppauge, N.Y.	Vincent G. Berger, Jr.
Michael Allen Kanner	Los Angeles, Calif.	Joseph P. Busch, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Irving Kellogg	Beverly Hills, Calif.	Arthur Groman.
Thomas O. Kloehn	Milwaukee, Wis.	Maxwell H. Herriott.
Henry Hughes King	New Albany, Miss.	Jamie L. Whitten.
Richard N. League	Raleigh, N.C.	Andrew A. Vanore, Jr.
Saul R. Leibowitz	Chicago, Ill.	Harry George Fins.
Michael P. Lendino	Brooklyn, N.Y.	Joseph Fontana.
Jerry Leonard Lippe	Columbus, Ohio	Joseph C. Cizmadia, IV.
Anthony E. Maglio	Brooklyn, N.Y.	Joseph Fontana.
George Nick Manis	Annapolis, Md.	Morris Turk.
Clyde Henderson Martin	Steilacoom, Wash.	James S. Witt, III.
Orland Murray McNeely	Jackson, Miss.	James Leon Young.
Emil Wukovich Milan	Rochester, N.Y.	Roberts Browning Larson.
Harvey Robert Miller	New York, N.Y.	Charles Seligson.
Patrick H. Mitchell	Wash., D.C.	C. Emerson Duncan, II.
Francis G. Morgan	Oklahoma City, Okla.	Fred Melville Black.
Allen Ray Morris	Dallas, Tex.	Alton Don Crowder.
Alva Jarrett Morris	Eugene, Oreg.	Clarence Edwin Luckey.
Daniel Oran	Washington, D.C.	Edgar S. Cahn
Gregg S. K. Orwoll	Rochester, Minn.	Henry Earnest Halladay.
Louis H. Parent	Milwaukee, Wis.	Maxwell H. Herriott.
Jordon Leonard Peiper	Philadelphia, Pa.	Warren J. Kauffman.
Irving Robert Pellman	Silver Spring, Md.	Frederick Earl McKelvey.
Julius G. Petruska	Orlando, Fla.	Jackson A. Cargill.
Clyde H. Potter, Jr.	Los Angeles, Calif.	Frank DeMarco, Jr.
Morton L. Price	New York, N.Y.	David E. Schwab II
H. Hollis Rankin III	McAllen, Tex.	Morris Atlas.
June Ann Resnick (Miss)	New York, N.Y.	Murray J. Chikofsky

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
William Dixon Reynolds	Gainesville, Fla.	Sam T. Dell, Jr.
Robert S. Ryan	Philadelphia, Pa.	Henry W. Sawyer III
Willie Everett Sanderson	Nederland, Tex.	Alva Augustus DeLee.
Lawrence Sherwood Schaffner	Washington, D.C.	Judge Charles Fahy.
Edwin Ayer Sheridan	Alexandria, Va.	Anthony C. Morella
Henry J. Silberberg	New York, N.Y.	Alvin K. Heller- stein.
Larry Nelson Smith	Santa Fe, N.M.	Anthony C. Morella.
M. James Spitzer, Jr.	New York, N.Y.	Ronald J. Offenkrantz.
Ruth Ann Stachler (Mrs.)	Palo Alto, Calif.	Paul N. McCloskey, Jr.
Albert Q. Taylor, Jr.	Greenville, S.C.	Fletcher C. Mann.
Thomas W. Thagard, Jr.	Montgomery, Ala.	William L. Dickinson.
Stanley T. Tomita	San Jose, Calif.	Robert Liddell Webb.
Verl R. Topham	Salt Lake City, Utah	Sidney G. Baucom.
Neal A. Waldrop	Detroit, Mich.	Cyrus G. Minkler.
Robert James Woody	Alexandria, Va.	James B. Pearson.
Lee Davis Yates	Seattle, Wash.	Christopher Tappan Bayley.
Larry F. York	Austin, Tex.	John L. Hill.
Kennard K. Weaver	Elkhart, Ind.	James T. Halverson.

ADMISSIONS TO THE BAR ON ORAL MOTIONS

Bernard H. Meyers	Philadelphia, Pa.	Solicitor General Erwin N. Griswold.
Carlton Ray Stoiber	Boulder, Colo.	Solicitor General Erwin N. Griswold.
Richard Friedrich Homan	Mountain Home, Ark.	Solicitor General Erwin N. Griswold.
Richard J. Kubinieć	Buffalo, N.Y.	Solicitor General Erwin N. Griswold.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Frank E. Gafney	Cleveland, Ohio	Solicitor General Erwin N. Griswold.
Robert Allen Connors	Edgerton, Wis.	Solicitor General Erwin N. Griswold.
Daniel Ellis Gulden	Washington, D.C.	Sarah A. W. Garrett.
Emmett John Gavin	Albany, N.Y.	John Nicholas Nassikas.
Ronald John Rakowsky	Tampa, Fla.	Will H. Carroll.
James P. Cullen	Minneapolis, Minn.	Melvin Bert Goldberg.
Herbert Cohen	Silver Spring, Md.	Justice Tom C. Clark.
Robert Edward Ginsberg	Arlington, Va.	Justice Tom C. Clark.
John Timothy Hobbs	Washington, D.C.	Justice Tom C. Clark.
Mary Joan Leahy	Falls Church, Va.	Justice Tom C. Clark.
Gale Sanders Molovinsky	Seabrook, Md.	Justice Tom C. Clark.
Yan Michael Ross	Bethesda, Md.	Justice Tom C. Clark.
Dennis John Taylor	Washington, D.C.	Justice Tom C. Clark.
Jack Emory Farley	Pikeville, Ky.	Justice Tom C. Clark.
Joseph Thomas Chalhoub	Laurel, Md.	Justice Tom C. Clark.
Thomas L. Craven	Rockville, Md.	Justice Tom C. Clark.
Alan Norman Kanter	Baltimore, Md.	Justice Tom C. Clark.
Michael Alan Olshonsky	Silver Spring, Md.	Justice Tom C. Clark.
Susan Elizabeth Pfeifer	Chevy Chase, Md.	Justice Tom C. Clark.
Ronald E. Recht	Washington, D.C.	Justice Tom C. Clark.
L. William Bertelsen	Boston, Mass.	Justice Tom C. Clark.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Paul J. Cook	Boston, Mass.	Justice Tom C. Clark.
John A. Lahive, Jr.	Boston, Mass.	Justice Tom C. Clark.
W. Hugo Liepmann	Boston, Mass.	Justice Tom C. Clark.
Anthony M. Lorusso	Boston, Mass.	Justice Tom C. Clark.
Henry D. Pahl, Jr.	Boston, Mass.	Justice Tom C. Clark.
Charles Raymond Engle	Mount Vernon, Va.	Justice Tom C. Clark.
William Peyton George, Jr.	Alexandria, Va.	Justice Tom C. Clark.
Anastasios Christos Soutzos.	Fairfax, Va.	Justice Tom C. Clark.
John David Hughes	Lubbock, Tex.	Justice Tom C. Clark.
John Harrison Abt	New York, N.Y.	Joseph Goldstein.
John J. Barnosky	Mineola, N.Y.	Joseph Goldstein.
Edmund M. Baron	New Hyde Park, N.Y.	Joseph Goldstein.
Harvey L. Bernhardt	Hicksville, N.Y.	Joseph Goldstein.
George Lewis Borden	Massapequa, N.Y.	Joseph Goldstein.
Howard Cohen	Dix Hills, N.Y.	Joseph Goldstein.
Benjamin A. Cooke	Manhasset, N.Y.	Joseph Goldstein.
James P. Duffy III	East Williston, N.Y.	Joseph Goldstein.
Aobert J. Fiorella	Mineola, N.Y.	Joseph Goldstein.
Marilyn R. Friedenber	Carle Place, N.Y.	Joseph Goldstein.
Stanley Friedenber	New York, N.Y.	Joseph Goldstein.
Peter J. Graham	Port Jefferson, N.Y.	Joseph Goldstein.
Irving Grass	Lawrence, N.Y.	Joseph Goldstein.
Bernard Hyman	Roslyn, N.Y.	Joseph Goldstein.
Montague Allan Hyman	Melville, N.Y.	Joseph Goldstein.
Thelma Kampel	Lynbrook, N.Y.	Joseph Goldstein.
Richard B. Kelly	Long Island, N.Y.	Joseph Goldstein.
Martin J. Kruman	Franklin Square, N.Y.	Joseph Goldstein.
Gerard H. Magee, Jr.	Babylon, N.Y.	Joseph Goldstein.
Felix H. McGorry	Glen Cove, N.Y.	Joseph Goldstein.
Arthur H. Miller	New York, N.Y.	Joseph Goldstein.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Myron M. Nagelberg	Bellmore, N.Y.	Joseph Goldstein.
Richard James Osterndorf	Mineola, N.Y.	Joseph Goldstein.
Albert C. Pitcher	Richmond Hill, N.Y.	Joseph Goldstein.
Benedict J. Pollio	Garden City, N.Y.	Joseph Goldstein.
Stephen G. Remuzzi, Jr.	Rocky Point, N.Y.	Joseph Goldstein.
Harvey J. Sealove	Hempstead, N.Y.	Joseph Goldstein.
Geoffrey Eric Serwer	Selden, N.Y.	Joseph Goldstein.
Edward J. Scheel	West Hempstead, N.Y.	Joseph Goldstein.
J. Timothy Shea	Port Jefferson, N.Y.	Joseph Goldstein.
Richard L. Stracher	Lido Beach, N.Y.	Joseph Goldstein.

## OPINIONS

No. **71-1225**. John R. Gagnon, Warden, petitioner, *v.* Gerald H. Scarpelli. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment affirmed in part and reversed in part and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Powell. Statement by Mr. Justice Douglas dissenting in part.

No. **72-490**. McDonnell Douglas Corporation, petitioner, *v.* Percy Green. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment vacated and case remanded to the United States District Court for the Eastern District of Missouri for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Powell.

No. **71-1178**. Gulf States Utilities Company, petitioner, *v.* Federal Power Commission et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed. Opinion by Mr. Justice Blackmun. Dissenting opinion by Mr. Justice Powell with whom Mr. Justice Stewart and Mr. Justice Rehnquist join.

No. **72-10**. David Moor et al., petitioners, *v.* County of Alameda et al. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed in part and reversed in part and case remanded to the United States District Court for the Northern District of California for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Marshall. Dissenting opinion by Mr. Justice Douglas.

No. 71-1647. Federal Maritime Commission, petitioner, *v.* Seastrain Lines, Inc., et al. On the writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed. Opinion by Mr. Justice Marshall.

No. 72-624. United States, petitioner, *v.* Pennsylvania Industrial Chemical Corporation. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment modified and, as modified, remanded to the United States District Court for the Western District of Pennsylvania for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brennan. Statement by Mr. Chief Justice Burger, Mr. Justice Stewart and Mr. Justice Powell dissenting from Part I. Statement by Mr. Justice Blackmun and Mr. Justice Rehnquist dissenting from the judgment and Part II.

No. 71-1694. Sharron A. Frontiero and Joseph Frontiero, appellants, *v.* Elliot L. Richardson, Secretary of Defense, et al. Appeal from the United States District Court for the Middle District of Alabama. Judgment reversed and case remanded to the United States District Court for the Middle District of Alabama for further proceedings in conformity with the judgment of this Court. Mr. Justice Brennan announced the judgment of this Court and delivered an opinion in which Mr. Justice Douglas, Mr. Justice White, and Mr. Justice Marshall join. Statement by Mr. Justice Stewart concurring in the judgment. Opinion by Mr. Justice Powell with whom Mr. Chief Justice Burger and Mr. Justice Blackman join, concurring in the judgment. Dissenting statement by Mr. Justice Rehnquist.

No. 71-1637. City of Burbank et al., appellants, *v.* Lockheed Air Terminal, Inc., et al. Appeal from the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Rehnquist with whom Mr. Justice Stewart, Mr. Justice White, and Mr. Justice Marshall join.

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Adjourned until Monday, May 21, 1973, at 10 o'clock.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the clerk, and will not be announced orally."

## APPEALS—SUMMARY DISPOSITION

No. 70-42. I. I. Rosen, M. D., appellant, *v.* The Louisiana State Board of Medical Examiners. Appeal from the United States District Court for the Eastern District of Louisiana. Judgment vacated and case remanded to the United States District Court for the Eastern District of Louisiana for further consideration in light of *Roe v. Wade*, 410 U.S. 113 (1973) and *Doe v. Bolton*, 410 U.S. 179 (1973).

No. 72-1105. Stephens Truck Line, Inc., et al., appellants, *v.* United States et al. Appeal from the United States District Court for the Eastern District of Tennessee. Judgment affirmed.

No. 72-1215. William Diamond et al., appellants, *v.* United States et al. Appeal from the United States District Court for the District of Columbia. Motion to dispense with printing jurisdictional statement granted. Judgment affirmed. Mr. Justice Powell took no part in the consideration or decision of this case.

No. 72-1313. Ronald Silverton, appellant, *v.* California. Appeal from the Court of Appeal of California, Second Appellate District. The appeal is dismissed for want of a substantial federal question.

No. 72-1342. David Kaplan et al., appellants, *v.* James B. Milliken, Judge, et al. Appeal from the United States District Court for the Western District of Kentucky. Judgment affirmed. For the reasons stated in their dissent in *Wells v. Edwards*, No 72-621 of this term, 409 U.S. 1095 (1973), Mr. Justice White and Mr. Justice Marshall would note probable jurisdiction and give plenary consideration to this case.

No. 72-6197. Clarence W. Shoemaker, appellant, *v.* Robert A. Dwyer et al. Appeal from the United States Court of Appeals for the Seventh Circuit. The appeal is dismissed for want of jurisdiction.



Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

#### CERTIORARI—SUMMARY DISPOSITION

No. 71-939. Fred Joiner et ux., et al., petitioners, *v.* City of Dallas, Texas, et al. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals for further consideration in light of *Mitchum v. Foster*, 407 U.S. 225 (1972); *Lynch v. Household Finance Corporation*, 405 U.S. 538 (1972); and *Younger v. Harris*, 401 U.S. 37 (1971).

No. 72-498. Roy Tinder, petitioner, *v.* Virginia. It appearing that petitioner, a defendant in a state criminal proceeding, died on March 17, 1973, petition for a writ of certiorari to the Corporation Court of Norfolk, Virginia, dismissed. *Gersewitz v. New York*, 326 U.S. 687 (1945).

No. 72-6241. Joe Ben Webb, petitioner, *v.* United States. Motion for leave to proceed *in forma pauperis* granted. Motion for leave to file petition for writ of habeas corpus denied. Treating the papers submitted as a petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit, certiorari granted. Upon the representation of the Solicitor General as set forth in his memorandum for the United States filed April 24, 1973, judgment vacated and case remanded to the Court of Appeals for further consideration in light of the position presently asserted by the Government.

#### ORDERS IN PENDING CASES

No. 61, **Original**. Quimet J. Petersen, plaintiff, *v.* Timoleon S. Spiliotopoulos, Individually and as Chancellor of the Consulate Royal of Greece at New Orleans, Louisiana. The motion of the plaintiff for leave to proceed *in forma pauperis* is granted. The motion for leave to file bill of complaint is denied.

No. A-1069. Alvin F. Applegate et al., applicants, *v.* New Jersey. The application for stay of the judgment of the Appellate Division of the Superior Court of New Jersey presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. A-1118. John Miceli et al., applicants *v.* United States et al. The application for stay of the mandate of the United States Court of Appeals for the Sixth Circuit presented to Mr. Justice Stewart, and by him referred to the Court, is denied. Mr. Justice Douglas would grant the stay.

No. A-1123. Elisha Reid, Jr., applicant, *v.* Marquette University et al. The application for stay of the mandate of the United States

Court of Appeals for the Seventh Circuit presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

**No. A-1136.** Irving Greensphan, applicant, *v.* United States. The application for recall of the mandate of the United States Court of Appeals for the Seventh Circuit presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

**No. 72-586.** Elmer O. Cady, Warden, petitioner, *v.* Chester J. Dombrowski. The motion of the State of Florida for leave to file a brief, as *amicus curiae*, in support of the petitioner, after argument, is granted.

**No. 72-782.** Gateway Coal Company, petitioner, *v.* United Mine Workers of America et al. The motion of the National Association of Manufacturers for leave to file a brief, as *amicus curiae*, in support of the petitioner, is granted.

**No. 72-812.** Thomas Tone Storer et al., appellants, *v.* Edmund G. Brown, Jr., et al.; and

**No. 72-6050.** Laurence H. Frommhagen, appellant, *v.* Edmund G. Brown, Jr., et al. The motion of appellants in No. 72-812 for divided argument is granted, and it is ordered that Paul N. Halvonik, Esquire, and Joseph Remcho, Esquire, be permitted to present oral argument in the consolidated cases. The motion of appellant in No. 72-6050 to argue orally *pro se* is denied.

**No. 72-822.** The Renegotiation Board, petitioner, *v.* Bannercraft Clothing Company, Inc., et al. The motion of the respondents to permit two counsel to argue orally is granted.

**No. 72-887.** American Party of Texas et al., appellants, *v.* Mark White, Jr., Secretary of State of Texas. The motion of appellant Dunn for leave to proceed further herein *in forma pauperis* is granted only to the extent that a typewritten brief may be filed.

**No. 72-1148.** Hoyt C. Cupp, Superintendent, Oregon State Penitentiary, petitioner, *v.* Hugh Kyle Naughten. The motion of respondent for the appointment of counsel is granted, and it is ordered that Ross R. Runkel, Esquire, of Salem, Oregon, a member of the Bar of this Court, be, and he is hereby, appointed to serve as counsel for the respondent in this case.

#### APPEAL—JURISDICTION NOTED

**No. 72-1254.** Joseph Smith, Sheriff of Worcester County, appellant, *v.* Valarie Goguen. Appeal from the United States Court of Appeals for the First Circuit. In this case probable jurisdiction noted.

#### CERTIORARI GRANTED

**No. 72-1319.** United States, petitioner, *v.* Umberto Jose Chavez et al. Motion of respondent George Apodaca for leave to proceed *in*

*forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

## CERTIORARI DENIED

No. 72-1097. Walter A. Burks, Jr., et al., petitioners, *v.* Ralph Perk, Mayor of the City of Cleveland, Ohio. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1153. Albert Sander Brick, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-1200. Lelon D. Lindsey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1211. Alfred Mendoza, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1222. Curtis Cope et al., petitioners, *v.* Allstate Insurance Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1224. Steven Teresi, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1239. Gerard Allyn Olson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-1250. Ed J. Hagen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-1265. Simas Bros., petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1298. Commissioner of Internal Revenue, petitioner, *v.* Charles E. Moritz. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-1312. James Aossey, petitioner, *v.* Iowa. Petition for writ of certiorari to the Supreme Court of Iowa denied.

No. 72-1314. Lee J. Snitoff, petitioner, *v.* Board of Managers of Chicago Bar Association, etc. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 72-1335. Robert Bruce Moore, Jr., petitioner, *v.* Arizona. Petition for writ of certiorari to the Supreme Court of Arizona denied.

No. 72-1336. Edward Francis Kearney, petitioner, *v.* District of Columbia. Petition for writ of certiorari to the Superior Court of the District of Columbia denied.

No. 72-1337. W. J. Jones & Son, Inc., petitioner, *v.* Weyerhaeuser Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1358. Robert W. O'Meara et al., petitioners, *v.* Albert J. McDonald. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6152. Gale Mixen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6189. Robert Richard Hensley, petitioner, *v.* Ray Hardy, District Clerk of Harris County, Texas. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6291. Albert Connors, petitioner, *v.* Gus Harrison, Director, Michigan Department of Corrections, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6332. James Lee Argo, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6335. Eugene Vernee Denman, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6353. Ernest DiMario, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6366. Bruce Eugene DeBetham, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6367. Sam Frank Mandina, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6368. Leo Thurston Butler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6373. Richard Hauff, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-6376. Robert Harry Miles, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6457. John H. Washington, petitioner, *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6458. Bartholomew J. O'Shea, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6461. Leslie Canty, Jr., petitioner, *v.* The Board of Education of the City of New York. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6462. Willie E. Thompson, petitioner, *v.* Lamberts Point Docks, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6465. David C. Sander, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, ██████ County, denied. *DARKE*

No. 72-6474. William O'Neill, petitioner, *v.* Superior Court of Alameda County. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 72-6487. Victor Rivera, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 72-6493. Virgil G. Bonafini, petitioner, *v.* New Jersey et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6494. Thomas Farese et ux., petitioners, *v.* Home Savings & Loan Association et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6496. Julius Earl German, petitioner, *v.* Florida et al. Petition for writ of certiorari to the Supreme Court of Florida denied.

No. 72-6501. James Richardson, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6502. Jackie Layman, petitioner, *v.* Lewis S. Tollett, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6508. David Mitchell, petitioner, *v.* J. P. Conboy, Superintendent, Great Meadow Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1064. Bernard I. Barton, Superintendent, Mansfield Reformatory, petitioner, *v.* Charles A. Tabasko, Jr. Motion to dispense with printing petition and motion of respondent for leave to proceed in forma pauperis granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1209. Denis Hanly et al., petitioners, *v.* Attorney General of the United States et al. Application for stay presented to Mr. Justice Marshall, and by him referred to the Court, denied. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1232. John Glendal Willis, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1311. California, etc., petitioner, *v.* Frito-Lay, Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6201. Bruce G. Eldridge, petitioner, *v.* New York. Petition for writ of certiorari to the Court of Appeals of New York denied. Mr. Justice Douglas would grant certiorari.

No. 72-6287. Charles Rosenthal, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1331. Willie Allen et al., petitioners, *v.* City of Mobile et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas and Mr. Justice Marshall would grant certiorari.

No. 72-1349. Helen L. Freeman, petitioner, *v.* Superior Court of California, County of Alameda. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied.

No. 72-6075. Jerome T. Bland, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan and Mr. Justice Marshall concur.

No. 72-6491. Robert Love Beckner, petitioner, *v.* Sears, Roebuck and Co. and William Thompson. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

## LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

- No. 72-6575. George T. Johnson, petitioner, *v.* Wyoming et al.;  
 No. 72-6578. Delbert D. Loddy, petitioner, *v.* Lenard F. Meacham et al.; and  
 No. 72-6601. Harvey M. Hawkins, petitioner, *v.* Wyoming et al.  
 Motions for leave to file petitions for writs of habeas corpus denied.

## LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

- No. 72-6432. Irby Sprouse, Jr., petitioner, *v.* United States.  
 Motion for leave to file petition for writ of mandamus denied.

## REHEARINGS DENIED

- No. 71-1097. George S. Yumich and Philip Steven Shear, etc., petitioners, *v.* City of Chicago;  
 No. 72-1025. B.P.O.E. Lodge No. 2043 of Brunswick et al., appellants, *v.* Keith H. Ingraham et al.;  
 No. 72-1087. John Rodney Card, petitioner, *v.* United States;  
 No. 72-1114. John A. Hutter et ux., appellants, *v.* Bernard J. Korzen, County Treasurer. etc.;  
 No. 72-1134. Delbert C. Reibert et al., petitioners, *v.* Atlantic Richfield Company et al.;  
 No. 72-6040. Ruth Fayne, petitioner, *v.* Charles M. Berg;  
 No. 72-6052. Lloyd A. Landry, petitioner, *v.* United States; and  
 No. 72-6318. Burton R. Landes, petitioner, *v.* Pageant-Poseidon, Ltd. Petitions for rehearing denied.  
 No. 71-1270. Mary McKee, petitioner, *v.* United States. Motion to dispense with printing petition for rehearing granted. Motion for leave to file third petition for rehearing denied.  
 No. 72-5175. Karl Meyer, petitioner, *v.* Daniel Weil, Executive Director, Cook County House of Correction, et al. Motion for leave to file petition for rehearing denied.

## RECESS ORDER

The Court will take a recess from today until Tuesday, May 29, 1973.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Robert M. Abel	San Diego, Calif.	William Henry Low.
Peter A. Agelasto III	Norfolk, Va.	Robert Clinton Stackhouse.
Glenn Richard Anderson	Winter Haven, Fla.	Peter G. Kalogridis.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Brian Eric Appel	Philadelphia, Pa.	Louis M. Natali, Jr.
Edward Francis Baca	Los Angeles, Calif.	Paul R. Dorsey.
Richard B. Baer	Bismarck, N. Dak.	Irvin B. Nodland.
John E. Bakke III	San Antonio, Tex.	Jack Caldwell Hebdon.
William J. Beiswanger	Palm Beach, Fla.	Robert Owen Rogers.
Lester Berkelhamer	New York, N.Y.	Irving D. Lipkowitz.
Alan D. Berlin	New York, N.Y.	William D. Randolph.
Martin S. Bieber	Chicago, Ill.	Lester Shapiro.
Jonathan D. Blake	Herndon, Va.	Robert Nelson Saylor.
Roger Stewart Bottum	Alexandria, Va.	William Thomas Dooley, Jr.
William Paul Bringman	Fredericktown, Ohio.	Henry Ellwood Hellung III.
John M. Casey	South Windsor, Conn.	Richard G. Pat- terson.
Anthony John Catalano	Sarasota, Fla.	George Hunter Gibbons.
John R. Clayton	Dumas, Ark.	Marion Sherman Gill.
Frank M. Coates, Jr.	Baton Rouge, La.	Benjamin Brown Taylor, Jr.
Nataleno Coco	Wethersfield, Conn.	Anthony M. Tapogna.
Michael Jay Cohen	Phoenix, Ariz.	Stephen Arthur Gerst.
Thomas P. Cole II	Greensburg, Pa.	John Neil Scales.
Michael Lewis Cook	New York, N.Y.	Charles Seligson.
Philip Richard Currier	Pelham, N.H.	Kimon S. Zachos.
John H. Dawson	Dayton, Ohio	Jacob A. Myers.
Charles Dickens	Fort Worth, Tex.	Peter Perez.
Alan Theodore Dimond	Miami, Fla.	Stuart L. Simon.
Patrick R. Doyle	La Crosse, Wis.	Joseph D. Becker.
W. A. Eldredge, Jr.	Little Rock, Ark.	Herschel H. Friday, Jr.
Walter J. Federlein	Troy, Mich.	Judge William R. Beasley.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Bernard E. Gegan	Brooklyn, N. Y.	John J. Murphy.
Pierce J. Gerety	Southport, Conn.	Lowell P. Weicker, Jr.
Marshall Jay Gluck	New York, N. Y.	Edwin L. Gasperini.
Morton B. Goldstein	Oakland, Calif.	Herman W. Mintz.
Denis Francis Gordon	Falls Church, Va.	David L. Rose.
George H. Hagle, Jr.	Houston, Tex.	Alfred H. Ebert, Jr.
William M. Hames	Atlanta, Ga.	Joseph B. Brennan.
Morton C. Hansen, Jr.	Simsbury, Conn.	Morton N. Katz.
Hoover Revere Harvey	San Jose, Calif.	Frederick J. Weitkamp.
Charles Rutherford Hayes	San Diego, Calif.	Terry J. Knoepp.
Robert Horowitz	Madison, Wis.	Ralph Wm. Bushnell.
John L. Hutchinson	Wheaton, Ill.	John D. Dewey.
Montgomery K. Hyun	Washington, D.C.	Miles Janney Brown.
David Thomas Ingram	Oklahoma City, Okla.	Roy H. Semtner.
Robert Henry Joost	Newton, Mass.	Sol. Gen. Erwin N. Griswold.
Cyril David Kasmir	Dallas, Tex.	David Howard Rosenberg.
Gabriel P. Katona	New York, N. Y.	Isaac Jarkovsky.
Michael P. King	Beverly Hills, Calif.	Thomas Henry Kuchel.
Richard C. Losh	Albuquerque, N. Mex.	John B. Tittmann.
Boyce R. Love	Little Rock, Ark.	W. J. Smith.
A. William Lucas	Bismarck, N. Dak.	Vance K. Hill.
Gregory Jerome Maier	Rockville, Md.	Marvin Jay Spivak.
Donovan Matthews Main	Montrose, Calif.	John Hassel Larson.
Michael Leroy May	Corpus Christi, Tex.	Charles M. Coussons, Jr.
Thomas D. McCann	New York, N. Y.	Robert McKenzie Gibson.
Robert DeWitt McIntosh	Fort Lauderdale, Fla.	William M. O'Bryan.
Thomas W. Meissner	Phoenix, Ariz.	Stephen Arthur Gerst.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Peter Jo Messitte	Chevy Chase, Md.	Theodore A. Kleinman.
Charles E. Millikan, Jr.	Pasadena, Calif.	Loyd Earl Wright.
Sheridan Neimark	Washington, D.C.	Alvin Browdy.
Benjamin Hilborn Oehlert III	Atlanta, Ga.	Benjamin H. Oehlert, Jr.
Paul Eugene Overton	San Diego, Calif.	Paul D. Engstrand.
Arturo Aponte Pares	Humacao, P.R.	Albert Picó.
C. Neal Pope	Phenix City, Ala.	Charles E. Floyd, Jr.
William Prentiss Porter	Oklahoma City, Okla.	Harold C. Theus.
David D. Ring	San Francisco, Calif.	Raymond B. Haizlip.
Jon Gilbert Roach	Knoxville, Tenn.	Russell Arnold Kramer.
L. Lawton Rogers III	Alexandria, Va.	Alva Donald Messenheimer.
James Martin Rose	Scarsdale, N.Y.	Carl A. Vergari.
Gerald Elliott Ross	New York, N.Y.	John E. F. Wood.
Andrew Philip Saltis	Boston, Mass.	Earl C. Parks.
Richard Lee Spire II	Bethesda, Md.	Courtland Ken- nard Townsend, Jr.
William Rupert Swain	Jacksonville, Fla.	Philip Augustus Webb III.
Stuart Hammond Theis	Cleveland, Ohio	Stephen G. Doig, Jr.
Gilbert Ernest Tietz	Rockville, Md.	Joseph A. Kenary.
Andrew Peter Trakas	Winter Haven, Fla.	Peter G. Kalo- gridis.
Joseph T. Tuggle, Jr.	Dalton, Ga.	Mrs. Valeria White Watts
Timothy J. Ucker	Columbus, Ohio	Rankin M. Gibson.
Mart R. Vogel	Fargo, N. Dak.	Norman G. Tenneson.
Warren Wallace Wagoner	Los Angeles Calif.	Harold T. Garfield.
Paul J. Walstad	Sterling, Va.	James T. Lewis.
Francis Ignatius Wesolowski	Wheaton Ill.	John N. Erlenborn.
Thomas Fort Williamson	Fairfax, Va.	Paul Gerald Dembling.
Ronald J. Wilson	Washington, D.C.	James McClure. Johnstone.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles Curtis Yon	Oklahoma City, Okla.	Murray Cohen.
David Young	Los Angeles, Calif.	Henry B. Weaver, Jr.
Thomas Paul Zolezzi	Albany, N.Y.	Louis J. Lefkowitz.
Paul H. Zuckerman	Brooklyn, N.Y.	Rubin Huffman.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James Alan Glasgow	McLean, Va.	Solicitor General Erwin N. Griswold.
Michael Leonard Barrett	Washington, D.C.	Solicitor General Erwin N. Griswold.
James Richard Walpole	Springfield, Va.	Solicitor General Erwin N. Griswold.
Charles Dodson Bennett, Jr.	Danville, Va.	Solicitor General Erwin N. Griswold.
Frank Vaccaro	Brooklyn, N.Y.	Hugh L. Carey.
Joseph M. Sussillo	Brooklyn, N.Y.	Hugh L. Carey.
William R. Morrow, Jr.	New York, N.Y.	Hugh L. Carey.
Richard A. Caserta	Brooklyn, N.Y.	Hugh L. Carey.
Raymond McKaba	Brooklyn, N.Y.	Hugh L. Carey.
Raymond L. Ferrier	Brooklyn, N.Y.	Hugh L. Carey.
Joseph I. Kelly	San Francisco, Calif.	James C. Corman.
John William Baldante	Colonia, N.J.	Edward J. Patten.
Eugene Alan Hechtkopf	Norfolk, Va.	Merlin Howard Staring.
Eugene Patrick Hines	Washington, D.C.	Ira M. Lowe.
Bruce Eric Kaufman	Sante Fe, N. Mex.	Kenneth Perry McKinnon.
Thomas A. Pursley III	Washington, D.C.	Michael G. Kushnick.
Daniel Dudley Smith	Springfield, Va.	John W. Barbner- Smith.
William David Smullin	San Francisco, Calif.	Norton Jay Come.
Robert W. Corlett	San Rafael, Calif.	Norton Jay Come.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Harry C. Benton	Hollidaysburg, Pa.	Solicitor General Erwin N. Griswold.
Nathan T. Cohen	Pittsburgh, Pa.	Solicitor General Erwin N. Griswold.
John Daley	Pittsburgh, Pa.	Solicitor General Erwin N. Griswold.
Ralph Harding Dougherty	Pittsburgh, Pa.	Solicitor General Erwin N. Griswold.
Robert G. Greseman	Pittsburgh, Pa.	Solicitor General Erwin N. Griswold.
Grace S. Harris	Pittsburgh, Pa.	Solicitor General Erwin Griswold.
Phyllis L. Kramer	Pittsburgh, Pa.	Solicitor General Erwin N. Gris- wold.
Ronald Leslie	Murrysville, Pa.	Solicitor General Erwin N. Gris- wold.
Marvin Sidney Lieber	Pittsburgh, Pa.	Solicitor General Erwin N. Gris- wold.
Charles M. Lorin	Pittsburgh, Pa.	Solicitor General Erwin N. Gris- wold.
Ralph W. McIntire, Jr.	Murrysville, Pa.	Solicitor General Erwin N. Gris- wold.
James Russell McGregor	Pittsburgh, Pa.	Solicitor General Erwin N. Gris- wold.
Thomas D. MacMullan	Pittsburgh, Pa.	Solicitor General Erwin N. Gris- wold.
Bernard Markovitz	Pittsburgh, Pa.	Solicitor General Erwin N. Gris- wold.
Thomas Harrison Nichols, Jr.	Pittsburgh, Pa.	Solicitor General Erwin N. Gris- wold.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Leonard E. Price	Pittsburgh, Pa.	Solicitor General Erwin N. Griswold.
Harvey Earl Robins	Pittsburgh, Pa.	Solicitor General Erwin N. Griswold.
Howard E. Sandler	Pittsburgh, Pa.	Solicitor General Erwin N. Griswold.
Sandy W. Scichilone	Pittsburgh, Pa.	Solicitor General Erwin N. Griswold.
June Schilit Schulberg	Pittsburgh, Pa.	Solicitor General Erwin N. Griswold.
Robert H. Stevenson	Pittsburgh, Pa.	Solicitor General Erwin N. Griswold.
Charles C. Stoops, Jr.	Pittsburgh, Pa.	Solicitor General Erwin N. Griswold.
Harry Nicholas Sydor	Pittsburgh, Pa.	Solicitor General Erwin N. Griswold.
Robert D. Yeager	Pittsburgh, Pa.	Solicitor General Erwin N. Griswold.
Paul-Joseph Richard Adams.	Hamtramck, Mich.	Robert P. Griffin.
Casey K. Ambrose	Detroit, Mich.	Robert P. Griffin.
David Gray Barnett	Bloomfield Hills, Mich.	Robert P. Griffin.
Bruce B. Benson	Grayling, Mich.	Robert P. Griffin.
Fred John Roberts	Pontiac, Mich.	Robert P. Griffin.
Arthur G. Brauer	Detroit, Mich.	Robert P. Griffin.
Christopher C. Brown	Pontiac, Mich.	Robert P. Griffin.
David Buckfire	Detroit, Mich.	Robert P. Griffin.
Boyd Ethan Chapin, Jr.	Grosse Pointe Farms, Mich.	Robert P. Griffin.
Martin G. Chapin	Detroit, Mich.	Robert P. Griffin.
Marvin Charles Daitch	Detroit, Mich.	Robert P. Griffin.
Stephen G. Danko	Southgate, Mich.	Robert P. Griffin.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Lawrence Robert Donaldson	Detroit, Mich.	Robert P. Griffin.
William F. Dorn	Romeo, Mich.	Robert P. Griffin.
Eileen L. Kelly Dossin	Grosse Pointe Farms, Mich.	Robert P. Griffin.
Maxwell H. Elgot	Southfield, Mich.	Robert P. Griffin.
Richard Burke Fossee	Grosse Pointe Woods, Mich.	Robert P. Griffin.
Angus Gerald Goetz, Jr.	Birmingham, Mich.	Robert P. Griffin.
Leo Goldstein	Southfield, Mich.	Robert P. Griffin.
Eugene A. Goreta	Ecorse, Mich.	Robert P. Griffin.
Ronald Y. Gutman	Southfield, Mich.	Robert P. Griffin.
Harvey I. Hauer	Berkley, Mich.	Robert P. Griffin.
Stephen L. Kinsley	Grosse Pointe, Mich.	Robert P. Griffin.
John Douglas Korney	Detroit, Mich.	Robert P. Griffin.
John R. Mann	Detroit, Mich.	Robert P. Griffin.
Michael Victor Marston	Detroit, Mich.	Robert P. Griffin.
Peter G. Mekas	Detroit, Mich.	Robert P. Griffin.
Jchn Robert Monaghan	Port Huron, Mich.	Robert P. Griffin.
Terrence Edward Monaghan.	Mount Clemens, Mich.	Robert P. Griffin.
Joel S. Morse	Detroit, Mich.	Robert P. Griffin.
Noel Garth Petersen	Marshall, Mich.	Robert P. Griffin.
Bruce Lewis Randall	Huntington Woods, Mich.	Robert P. Griffin.
James P. Sheehy	Rochester, Mich.	Robert P. Griffin.
Hunter D. Stair	Mount Clemens, Mich.	Robert P. Griffin.
Larry A. Weingarden	Berkley, Mich.	Robert P. Griffin.
John F. Wolnewitz	Mount Clemens, Mich.	Robert P. Griffin.
Jchn K. Yoveff	Detroit, Mich.	Robert P. Griffin.

## OPINIONS

No. 71-1607. National Labor Relations Board, petitioner, *v.* The Boeing Company et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rehnquist. Dissenting opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Douglas with whom Mr. Chief Justice Burger and Mr. Justice Blackmun concur.

No. 71-6732. James Chaffin, petitioner, *v.* LeRoy Stynchcombe, Sheriff of Fulton County. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment affirmed. Opinion by Mr. Justice Powell. Dissenting statement by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Brennan joins.

No. 71-1005. Michigan, petitioner, *v.* Leroy Payne. On writ of certiorari to the Supreme Court of Michigan. Judgment reversed and case remanded to the Supreme Court of Michigan for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Powell. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Marshall in Part III of which Mr. Justice Stewart joins.

No. 72-630. Paul Hall, etc., et al., petitioners, *v.* John Cole. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment affirmed. Opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice White with whom Mr. Justice Rehnquist joins. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 71-1417. Booster Lodge No. 405, International Association of Machinists and Aerospace Workers, AFL-CIO, petitioner, *v.* National Labor Relations Board et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed. Opinion *per curiam* announced by Mr. Chief Justice Burger. Opinion by Mr. Justice Blackmun concurring in the judgment.

No. 72-549. School Board of the City of Richmond, Virginia, et al., petitioners, *v.* State Board of Education of the Commonwealth of Virginia et al.; and

No. 72-550. Carolyn Bradley et al., petitioners, *v.* State Board of Education of the Commonwealth of Virginia et al. On writs of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment affirmed by an equally divided Court. Opinion *per curiam* announced by Mr. Chief Justice Burger. Mr. Justice Powell took no part in the consideration or decision of these cases.

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Adjourned until Tuesday, May 29, 1973, at 10 o'clock.

## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## APPEALS—SUMMARY DISPOSITION

No. 72-287. Alan D. Miller, Commissioner of Mental Hygiene of the State of New York, et al., appellants, *v.* Luis Gomez et al.; and

No. 72-5272. Anthony De Mundo et al., appellants, *v.* Alan D. Miller, Commissioner of Mental Hygiene of the State of New York, et al. Appeals from the United States District Court for the Southern District of New York. Motion of appellees for leave to proceed *in forma pauperis* in No. 72-287 granted. Judgment affirmed.

No. 72-1302. Joel Edelman, Director of Illinois Department of Public Aid, appellant, *v.* Georgia Townsend et al. Appeal from the United States District Court for the Northern District of Illinois. Motions of appellees Alexander and Hucher for leave to proceed *in forma pauperis* granted. Judgment vacated and case remanded to the United States District Court for the Northern District of Illinois so that it may enter a fresh judgment from which a timely appeal may be taken to the Court of Appeals.

No. 72-1338. Giant of Maryland, Inc., appellant, *v.* State's Attorney for Prince George's County, Maryland. Appeal from the Court of Appeals of Maryland. The appeal is dismissed for want of a substantial federal question.

No. 72-1365. Lillian B. A., appellant, *v.* Arthur O. S. Appeal from the Court of Appeals of New York. The appeal is dismissed for want of a substantial federal question.

No. 72-6506. Tyler Smith, appellant, *v.* California. Appeal from the Court of Appeal of California, First Appellate District. The appeal is dismissed for want of a substantial federal question.

No. 72-5924. Andrew King, appellant, *v.* West Virginia. Appeal from the Circuit Court of West Virginia, Marion County. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.



No. 72-6412. Jimmie Quinn, Jr., appellant, *v.* United States. Appeal from the United States Court of Appeals for the Sixth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-6047. Raymond Ross Laursen, appellant, *v.* California. Appeal from the Supreme Court of California. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Mr. Justice Douglas would note probable jurisdiction, and set the case for oral argument.

No. 72-6344. Katherine Bell et al., appellants, *v.* Richard W. Heim, Executive Director, New Mexico Health and Social Services Department, et al. Appeal from the United States District Court for the District of New Mexico. Judgment affirmed.

#### CERTIORARI—SUMMARY DISPOSITION

No. 72-780. California Adult Authority et al., petitioners, *v.* Jesse Lee Griffin et al.; and

No. 72-5770. Charles G. M'Clary, petitioner, *v.* California Adult Authority et al. On petitions for writs of certiorari to the United States Court of Appeals for the Ninth Circuit. Motion of respondents in No. 72-780 and motion of petitioner in No. 72-5770 for leave to proceed *in forma pauperis* granted. Petitions for writs of certiorari granted, judgments vacated and cases remanded to the Court of Appeals for further consideration in light of *Gagnon v. Scarpelli*, 411 U.S. — (1973).

No. 72-5398. Robert Newton Gardner, Jr., petitioner, *v.* D. J. McCarthy, Superintendent, CMC-East Facility, San Luis Obispo, California. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Gagnon v. Scarpelli*, 411 U.S. — (1973).

#### ORDERS IN PENDING CASES

No. A-1137. Dudley Darrington Smith, applicant, *v.* Texas. The application for a stay of the mandate of the Court of Criminal Appeals of Texas, presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. A-1164. Carl L. Marburger, State Commissioner of Education of New Jersey, et al., applicants, *v.* Public Funds for Public Schools of New Jersey et al. The application for a stay of the preliminary

injunction ordered by the United States District Court for the District of New Jersey presented to Mr. Justice Brennan, and by him referred to the Court, is granted pending further order of this Court.

**No. A-1173.** L. G. Ruderer, applicant, *v.* United States, etc.; United States through U.S. Army Judge Advocate General; Henry S. Wise; and Morris Dittman. The applications for immediate equitable and all other relief presented to Mr. Justice Rehnquist, and by him referred to the Court, are denied. Mr. Justice Blackmun took no part in the consideration or decision of these applications.

**No. 72-782.** Gateway Coal Company, petitioner, *v.* United Mine Workers of America et al. The motion of the Chamber of Commerce of the United States for leave to file a brief, as *amicus curiae*, in support of the petitioner is granted.

**No. 72-1118.** Howard Phillips, Acting Director, Office of Economic Opportunity, et al., appellants, *v.* Wayne Kennedy, etc., et al. The motion of Michael Kaye for leave to intervene and to file a brief on the merits is denied.

**No. 72-6773.** Kathleen Shaver, petitioner, *v.* Sharon Sandell et al. The motion of the petitioner to expedite is denied.

#### APPEAL—JURISDICTION NOTED

**No. 72-1180.** Old Dominion Branch No. 496, National Association of Letter Carriers, AFL-CIO, et al., appellants, *v.* Henry M. Austin et al. Appeal from the Supreme Court of Virginia. In this case probable jurisdiction noted and case set for oral argument in tandem with No. 72-617.

#### CERTIORARI GRANTED

**No. 72-1355.** United States, petitioner, *v.* William Earl Mattlock. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

#### CERTIORARI DENIED

**No. 72-304.** James F. Howard, Warden, petitioner, *v.* Parker Hemphill. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

**No. 72-679.** United Mine Workers of America et al., petitioners, *v.* Kenneth J. Yablonski et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

**No. 72-1059.** Screen Extras Guild, petitioner, *v.* Ed Kerr. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1119. Golden Grain Macaroni Company, petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1165. Mike Kaprelian, petitioner, *v.* Illinois. Petition for writ of certiorari to the Appellate Court of Illinois, First District, denied.

No. 72-1181. Andrew V. Prim, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 72-1183. Angelo E. Gianone and Josephine R. Van Epps, dba Gianone's Steak House, petitioners, *v.* Alcoholic Beverage Control Board of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1268. Roy Williams, petitioner, *v.* Aetna Life & Casualty Company. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1271. Joseph Frank Brumbaugh, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1281. Syntha Essex, Administratrix of the Estate of Harry E. Judd, petitioner, *v.* Johnnie M. Walters, Commissioner of Internal Revenue, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-1295. Consolidated Freightways Corporation of Delaware, petitioner, *v.* Thomas C. Gilstrap, Collector of Revenue of the State of Missouri, et al. Petition for writ of certiorari to the Supreme Court of Missouri denied.

No. 72-1299. Billy Joe Garris, petitioner, *v.* United States; and

No. 72-6389. Bobby Gene Wilhelm, petitioner, *v.* United States; and

No. 72-6429. Ralph Leon Terry, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-1332. George Loevsky et al., petitioners, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-1344. California, petitioner, *v.* Judith Krivda and ~~\_\_\_\_\_~~ T. Minor. Petition for writ of certiorari to the Supreme Court of California denied. *Rosen*

No. 72-1347. Dominic M. Lombardi, petitioner, *v.* G. Joseph Tauro et al. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-1352. In re Maribeth Baker, petitioner. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1357. Western Dealer Management, Inc., petitioner, *v.* John M. England, Trustee in Bankruptcy. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1364. Westroads, Inc., petitioner, *v.* Ed Pedersen et al. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 72-1372. Henry E. Dailey, petitioner, *v.* Katherine V. Liszka, M.D., aka Katherine V. Greene, M.D. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-1373. Homer Trimble, petitioner, *v.* Texas State Board of Registration for Professional Engineers. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Eighth Supreme Judicial District, denied.

No. 72-1376. The Permian Corporation et al., petitioners, *v.* Charles Wendell Coffee. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-5709. Jose Mario Martinez, petitioner, *v.* Noah L. Alldredge. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6203. Wilbert Hall, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6224. Raymond J. Berkley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6230. Sheldon Irving Martin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6244. William Escobar, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6295. Charles Boysaw, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Ashtabula County denied.

No. 72-6309. Charles E. Larsen, petitioner, *v.* Raymond K. Procnier et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6315. David Rodrigues, petitioner, *v.* Warden Dagget, McNeil Island Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6324. Carl Keith O'Dell, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. **72-6336**. Russell Eugene Jacobs, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **72-6351**. Ronald L. Studt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **72-6357**. James D. Maxwell, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied.

No. **72-6363**. Harry Lee Matney, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **72-6370**. Dan W. Rance, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Fourth Judicial Department, denied.

No. **72-6375**. Caesar Stansel, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-6384**. Dickie Robert O'Clair, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. **72-6386**. Julian Betancourt, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **72-6392**. James H. Wheeler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **72-6393**. Aurelio S. Alvarez, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-6394**. John Ansel Bright, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-6395**. Harry F. Kaczynski, petitioner, *v.* United States and Jack Duvall, F.B.I. Agent. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **72-6404**. Edward J. Fisch, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-6405**. James Heard, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6408. Willie G. Burns, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6415. Luther Curtis Duckworth, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6420. Clarence Tate, Jr., petitioner, *v.* Olin G. Blackwell, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6516. John J. Reardon, petitioner, *v.* Lenard F. Meacham. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-6517. John David, petitioner, *v.* Maryland. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6521. Wayland Earl Bryant and Ronald Williams, petitioners, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 72-6525. Jimmy Lee, petitioner, *v.* Stanley Blackledge, Warden, etc. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6536. Albert E. Reese, petitioner, *v.* Michael D. Marsino, Superintendent, Chillicothe Correctional Institute. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6545. Edward George Potter, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-1207. Brandywine-Main Line Radio, Inc., petitioner, *v.* Federal Communications Commission et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1212. County of Nassau et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1367. Keith Milton Rhinehart, petitioner, *v.* B. J. Rhay et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6308. George Sanders, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Douglas would grant certiorari.

No. 72-6528. Robert E. "Buck" Solomon, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Middle Division, denied. Mr. Justice Douglas would grant certiorari.

No. 72-6541. John C. Sullivan, petitioner, *v.* Pennsylvania. Petition for writ of certiorari to the Supreme Court of Pennsylvania Eastern District, denied. Mr. Justice Douglas would grant certiorari.

No. 72-1341. Placid Oil Company et al., petitioners, *v.* Lankford J. McIlwain et al. Motion of respondent McIlwain for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1343. Frederick H. Lenny, petitioner, *v.* Patrick J. Melody et al. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Commonwealth Court of Pennsylvania denied.

No. 72-1353. Corporacion del Cobre et al., petitioners, *v.* The Anaconda Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas took no part in the consideration or decision of this petition.

No. 72-1375. Hobart Brothers Company, petitioner, *v.* Malcolm T. Gilliland, Inc. Motion of the Ohio Manufacturers Association for leave to file a brief, as *amicus curiae*, granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

#### LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 72-6551. Elroy X. Lewis, petitioner, *v.* United States Court of Appeals for the District of Columbia Circuit et al. Motion for leave to file a petition for writ of mandamus denied.

No. 72-6553. James M. Dixon, petitioner, *v.* Don J. Young, Judge, etc. Motion of petitioner to add Friberg et al. as parties respondent granted. Motion for leave to file petition for writ of mandamus denied.

#### REHEARINGS DENIED

No. 72-871. Michael Silvers, appellant, *v.* Clarence Dowling, Judge, Civil District Court, Orleans Parish, Louisiana, et al.;

No. 72-5961. John Edison Kelly, petitioner, *v.* United States;

No. 72-6264. Georgs Krikmanis, petitioner, *v.* Nelson A. Rockefeller, Governor of New York, et al.;

No. 72-6273. Elmer Rheford Boyd, petitioner, *v.* New Mexico: and

No. 72-6409. Pauline Kilpatrick Hawkins, petitioner, *v.* Archie Ralph Hawkins. Petitions for rehearing denied.

No. 71-6873. Robert Summers Neely, Jr., petitioner, *v.* John A. Field, Jr., etc., et al. Motion for leave to file third petition for rehearing denied.

No. 72-1294. Washington Kelpers Association, petitioner, *v.* Washington et al. Motion to dispense with printing petition for rehearing granted. Petition for rehearing denied.

## RECESS ORDER

The Court will take a recess from today until Monday, June 4, 1973.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jonathan L. Alpert	Miami, Fla.	H. Robert Koltnow.
Mark Lemle Amsterdam	New York, N.Y.	Miss Nancy Stearns.
Cromwell A. Anderson	Miami, Fla.	Hervey H. Yancey, Jr.
James Martin Anderson	Kansas City, Mo.	Harry P. Thomson, Jr.
Stanley S. Arkin	New York, N.Y.	Michael Robin Juviler.
Norman J. Bergman	New York, N.Y.	Allen Jay Hershberg.
Alfred Bernard III	Norfolk, Va.	David H. Adams.
Walter C. Boyuk	Columbus, Ohio	Carl Thompson Wolfrom.
Edward Bransilver	Washington, D.C.	John William Via, Jr.
Howard B. Brown	Los Angeles, Calif.	Edward I. Pollock.
Richard B. Caifano	Chicago, Ill.	Melvin B. Lewis.
Walter Gene Carlton	Shreveport, La.	John Miller Shuey.
M. Robert Carr	East Lansing, Mich.	Robert A. Derengoski.
Nathan Cass	Los Angeles, Calif.	Robert D. Hornbaker.
William John Cosgriff	St. Paul, Minn.	Eugene M. Warlich.
Walter Crane	Homestead, Fla.	Herman Kaner.
Michael Donald Daniels	Los Angeles, Calif.	Peter J. Samuelson.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Geoffrey B. Dobson	Tallahassee, Fla.	Philip Stephen Bennett, Jr.
J. Warren Eberhardt	Baltimore, Md.	Simon Schonfield.
Martin D. Eile	New York, N.Y.	Stephen Andrew Block.
Larry Lee Eubanks	Winston-Salem, N.C.	Clyde C. Randolph, Jr.
Francis J. Foley III	Norwich, Conn.	Wayne G. Tillinghast.
Eric R. Fox	Washington, D.C.	H. Stewart Dunn, Jr.
Michael James Fox	Seattle, Wash.	Charles E. Ehlert.
Philip Charles Freije	New London, Conn.	Robert P. Jaye.
James Giller	Oakland, Calif.	Herman W. Mintz.
David Michael Greenberg	San Francisco, Calif.	Sidney H. Greenberg.
Fred F. Gregory	Los Angeles, Calif.	Willard Zeller Carr, Jr.
LeRue James Grim	San Francisco, Calif.	Nathan Cohn.
Clarence A. Hadden	New Haven, Conn.	Robert M. Taylor, Jr.
John Hardy	San Francisco, Calif.	Michael E. Wald.
Jacko Hargrove	Houston, Tex.	John J. Browne.
Jerome Joseph Harris	Washington, D.C.	James Brent Clarke, Jr.
Dennis Michael Hart	Long Beach, Calif.	William T. Dalessi.
Morris William Hassell	Rusk, Tex.	James William Summers.
Bernard L. Hebinck	Houston, Tex.	Charles David Kipple.
Gary Ray Hermon	Lima, Ohio	Lawrence S. Huffman.
John Delbert Hobday	Columbus, Ohio	Larry A. Ford.
Daniel Brunson Hollingsworth	Hillsboro, Mo.	Thomas G. Eagleton.
Marian Blank Horn	Washington, D.C.	Daniel J. Sullivan.
James G. Huber	Santa Fe, N. Mex.	Mrs. Mary McDonald Dunlap.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Bruce Andrew Hyslop	Columbus, Ohio.	Larry A. Ford.
Theodore Mead Jones, Jr.	Hope, Ark.	Alfonso Everette MacIntyre.
William Henry Jordan, Jr.	Houston, Tex.	Ralph McDuffie Sharpe, Jr.
Steven Carrel Kany	New York, N.Y.	Judson A. Parson, Jr.
Sherman Elliott Katz	Washington, D.C.	George Alfred Tesoro.
Anna Marie Kelly (Miss)	Chicago, Ill.	Robert H. Bierma.
Glenn Robert Lawrence	Alexandria, Va.	Samuel Fishman.
John F. Markert	St. Paul, Minn.	William R. Consedine.
James Frederick Matthews	San Jose, Calif.	Marchisio Charles Cali.
Victor Eugene McMichen	Austell, Ga.	Walter O'Neal Allanson.
Thomas Robert Oglevie	Goodland, Kans.	Robert J. Dole.
Rosemary S. Page (Mrs.)	Huntington, N.Y.	Carl Jay Nathanson.
Charles Theodore Paster- nack	San Francisco, Calif.	Graham B. Moody, Jr.
Robert Neil Peccole	Las Vegas, Nev.	Jeffrey David Sobel.
John S. Pfeiffer	Denver, Colo.	Leland E. Modesittt.
John A. Pino	Boston, Mass.	Walter J. Hurley.
John E. Powers	Austin, Tex.	George Hume Cofer.
Thomas C. Raup	Williamsport, Pa.	Clyde Edward Williamson.
Harvey I. Saferstein	Los Angeles, Calif.	Charles E. Rickershauser, Jr.
Quintin Byrne San Hamel	Chicago, Ill.	L. Bow Pritchett.
Stephen H. Schoenfeld	Madison, Wis.	William Alexander Platz.
Sheldon H. Sloan	Beverly Hills, Calif.	Michael Thomas Sauer.
Julia Chapman Souther- land (Miss)	Santa Fe, N. Mex.	Mrs. Mary McDonald Dunlap.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Richard Stephen Sparrow	Sarasota, Fla.	Phillip A. Wolff.
Thomas R. Spencer, Jr.	Miami, Fla.	Edward Ellis Levinson.
John Ellsworth Stein	Washington, D.C.	Gerhard A. Gesell.
Francis John Stolarz	Boston, Mass.	R. Ammi Cutter.
James George Szymanski	Hicksville, N.Y.	Daniel Wayne Shimek.
Paul L. Tractenberg	Newark, N.J.	Robert E. Knowlton.
Joseph Algernon Wallace	Elkins, W. Va.	James F. Cain.
Harold Weisblatt	New York, N.Y.	Robert J. Seymour.
Calvin W. Wesch	Kermit, Tex.	W. O. Shafer.
David William West	Phoenix, Ariz.	John J. Rhodes.
Richard N. Williams	Evanston, Ill.	William Saxbe.
Michael David Wims	Austin, Tex.	Allan Richard Knight.
John Lewis Wingate	Anna, Ill.	Jack Williamson.

#### ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Katherine Elizabeth Parry Davenport.	Paris, Ky.	Peter Malcolm Davenport.
Gary E. Garbis	Miami, Fla.	Peter Malcolm Davenport.
William X. Parsons	Wytheville, Va.	Peter Malcolm Davenport.
Mildred Virginia Rucker Rollocks.	Detroit, Mich.	Burton Victor Wides.
Harold Berman	New York, N.Y.	Nester Shea Foley.
James Neill Wilkerson	Austin, Tex.	Thomas Michael Crean.
Carl D. Lawson	Washington, D.C.	Solicitor General Erwin N. Griswold.
Edward Norman Bomsey	Washington, D.C.	Solicitor General Erwin N. Griswold.
Michael William Dolan	Alexandria, Va.	Solicitor General Erwin N. Gris- wold.
Charles D. Doyle	Arlington, Va.	Solicitor General Erwin N. Gris- wold.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Mary Martin Garner	Washington, D.C.	Solicitor General Erwin N. Griswold.
Edward Jeremy Hutton	Columbia, Md.	Solicitor General Erwin N. Griswold.
Myra Kammerman Kurz- bard.	Arlington, Va.	Solicitor General Erwin N. Griswold.
Edward P. McGroarty	Washington, D.C.	Solicitor General Erwin N. Griswold.
Charles Edward Mitchell	Philadelphia, Pa.	Solicitor General Erwin N. Griswold.
Leonard Kenyon Portu- guese	Silver Spring, Md.	Solicitor General Erwin N. Griswold.
Reid E. Smith, Jr.	Ormond Beach, Fla.	Solicitor General Erwin N. Griswold.
William Earl Bertholf	Houston, Tex.	Solicitor General Erwin N. Griswold.
Harry Louis Gastley	Frederick, Md.	Solicitor General Erwin N. Griswold.
Edward J. Dauber	Bloomfield, N.J.	Solicitor General Erwin N. Griswold.
Thomas Francis Martin	Audubon, Pa.	Solicitor General Erwin N. Griswold.
Judith Hale Norris	Arlington, Va.	Solicitor General Erwin N. Griswold.
Jeffrey Lane Dow	Philadelphia, Pa.	Solicitor General Erwin N. Griswold.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
James Raymond Prochnow	Washington, D.C.	Solicitor General Erwin N. Griswold.
Paul Starett Wallace, Jr.	Washington, D.C.	Solicitor General Erwin N. Griswold.
John W. Bissell	Newark, N.J.	Solicitor General Erwin N. Griswold.
Stanley W. Kallmann	Caldwell, N.J.	Solicitor General Erwin N. Griswold.
Emanuel H. Ludmer	Rockville, Md.	Solicitor General Erwin N. Griswold.
Ronald Dennis Nicola	Wayne, N.J.	Solicitor General Erwin N. Griswold.
Richard J. Plaza	Union City, N.J.	Solicitor General Erwin N. Griswold.
William Withers Robertson	East Brunswick, N.J.	Solicitor General Erwin N. Griswold.
Miriam N. Span	Westfield, N.J.	Solicitor General Erwin N. Griswold.
Gerald Span	Westfield, N.J.	Solicitor General Erwin N. Griswold.
Carl R. Woodward III	Newark, N.J.	Solicitor General Erwin N. Griswold.
Joan Verna Arrowsmith	Washington, D.C.	Solicitor General Erwin N. Griswold.
Steven J. Brooks	Upper Saddle River, N.J.	Solicitor General Erwin N. Griswold.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Melvin Sheldon Kracov	Millburn, N.J.	Solicitor General Erwin N. Griswold.
Edward J. Plaza	New Shrewsbury, N.J.	Solicitor General Erwin N. Griswold.
Elaine Roemisch Crane	Cleveland, Ohio	Solicitor General Erwin N. Griswold.
D. Charles Valsing	Harrisburg, Pa.	Solicitor General Erwin N. Griswold.
Bertram Ullman Weinberg	Philadelphia, Pa.	Solicitor General Erwin N. Griswold.
Travis L. Mills	Bethesda, Md.	Solicitor General Erwin N. Griswold.
Joe Alan Shull	Washington, D.C.	Solicitor General Erwin N. Griswold.
Joseph Wilden Gorrell	Alexandria, Va.	Solicitor General Erwin N. Griswold.
Herber Clare Wamsley	Arlington, Va.	Solicitor General Erwin N. Griswold.

## OPINIONS

No. 71-1698. United States, petitioner, *v.* Cecil J. Bishop. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Blackmun. Dissenting statement by Mr. Justice Douglas.

No. 71-6356. John Doe et al., petitioners, *v.* John L. McMillan et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed in part and affirmed in part and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Concurring opinion by Mr. Justice Douglas with whom Mr. Justice Brennan and Mr. Justice Marshall join. Opinion by Mr. Justice White. Opinion by Mr. Chief Justice Burger concurring in part and dissenting in

part. Opinion by Mr. Justice Blackmun concurring in part and dissenting in part, with whom Mr. Chief Justice Burger joins. Opinion by Mr. Justice Rehnquist concurring in part and dissenting in part, with whom Mr. Chief Justice Burger and Mr. Justice Blackmun join, and with whom Mr. Justice Stewart joins as to Part 1.

**No. 71-732.** Merle R. Schneckloth, Superintendent, California Conservation Center, petitioner, *v.* Robert Clyde Bustamonte. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Concurring opinion by Mr. Justice Blackmun. Concurring opinion by Mr. Justice Powell with whom Mr. Chief Justice Burger and Mr. Justice Rehnquist join. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Marshall.

**No. 72-212.** Hoyt C. Cupp, Superintendent, Oregon State Penitentiary, petitioner, *v.* Daniel P. Murphy. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Concurring statement by Mr. Justice White. Concurring opinion by Mr. Justice Marshall. Concurring opinion by Mr. Justice Blackmun with whom Mr. Chief Justice Burger joins. Concurring opinion by Mr. Justice Powell with whom Mr. Chief Justice Burger and Mr. Justice Rehnquist join. Opinion by Mr. Justice Douglas dissenting in part. Opinion by Mr. Justice Brennan dissenting in part.

**No. 72-5323.** Francis A. Keeble, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Eighth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Powell and Mr. Justice Rehnquist join.

**No. 71-863.** Columbia Broadcasting System, Inc., petitioner, *v.* Democratic National Committee;

**No. 71-864.** Federal Communications Commission et al., petitioners, *v.* Business Executives' Move for Vietnam Peace et al.;

**No. 71-865.** Post-Newsweek Stations, Capital Area, Inc., petitioner, *v.* Business Executives' Move for Vietnam Peace; and

**No. 71-866.** American Broadcasting Companies, Inc., petitioner, *v.* Democratic National Committee. On writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the judgment of this Court. Mr. Chief Justice Burger announced the judgment of this Court and delivered an opinion with respect to Parts I, II, and IV, in which Mr. Justice White, Mr. Justice Blackmun, Mr. Justice Powell and Mr. Justice Rehnquist join, and with respect to Parts I, II, and III, in which Mr. Justice Stewart and Mr. Justice Rehnquist join. Opinion by Mr. Justice Stewart concurring in Parts I, II, and III. Opinion by Mr. Justice White concurring in Parts I, II, and IV. Opinion by Mr. Justice Blackmun concurring in Parts I, II, and IV, with whom Mr. Justice Powell joins. Opinion by Mr. Justice Douglas concurring in the judgment. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Marshall concurs.

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Adjourned until Monday, June 4, 1973, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, and Mr. Justice Powell.

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The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## OPINIONS PER CURIAM

No. 72-1164. Deborah A. Northcross et al., petitioners, *v.* Board of Education of the Memphis City Schools et al. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Petition for writ of certiorari granted, judgment vacated insofar as it relates to the denial of costs and attorneys' fees, and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion *per curiam*. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 72-6198. James R. Douglas, petitioner, *v.* William E. Buder, Judge. On petition for writ of certiorari to the Supreme Court of Missouri. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment reversed and case remanded to the Supreme Court of Missouri for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*. Mr. Chief Justice Burger and Mr. Justice Rehnquist concur in the result. Mr. Justice Blackmun took no part in the consideration or decision of this case.

## APPEALS—SUMMARY DISPOSITION

No. 72-745. Ada Biffar Ryan, etc., appellant, *v.* Elizabeth Linda Klein et al. Appeal from the United States District Court for the Eastern District of New York. Judgment affirmed.

No. 72-770. Commissioner of Social Services of the State of New York et al., appellants. *v.* Elizabeth Linda Klein et al.; and

No. 72-803. Nassau County Medical Center et al., appellants, *v.* Elizabeth Linda Klein et al. Appeals from the United States District Court for the Eastern District of New York. Judgment vacated and cases remanded to the United States District Court for the Eastern District of New York for further consideration in light of *Roe v. Wade*, 410 U.S. 113 (1973), and *Doe v. Bolton*, 410 U.S. 179 (1973).

No. 72-943. Dean Fisher et al., appellants, *v.* Martin Graves et al. Appeal from the United States District Court for the District of Maine. Motion of appellees for leave to proceed *in forma pauperis* granted. Judgment affirmed.

No. 72-1408. Robert B. Carleson, Director, California State Department of Social Welfare, appellant, *v.* Joyce Yee-Litt et al. Appeal from the United States District Court for the Northern District of California. Motion of appellees for leave to proceed *in forma pauperis* granted. Judgment affirmed.

No. 72-1178. J. G. Stein, etc., appellant, *v.* Michael J. Howlett, Auditor of Public Accounts of Illinois, et al. Appeal from the Supreme Court of Illinois. The appeal is dismissed for want of a substantial federal question.

No. 72-1413. Leo Itz et ux., appellants, *v.* Vernon E. Penick, President, Fredericksburg Independent School District, et al. Appeal from the Supreme Court of Texas. The appeal is dismissed for want of a substantial federal question.

No. 72-1447. James Edwin Blackburn, appellant, *v.* Indiana. Appeal from the Supreme Court of Indiana. The appeal is dismissed for want of a substantial federal question.

No. 72-1251. Standard Oil Company of California, appellant, *v.* United States. Appeal from the United States District Court for the Northern District of California. Judgment affirmed. Mr. Justice White took no part in the consideration or decision of this appeal.

No. 72-1406. Kenneth Oldroyd et al., appellants, *v.* George F. Kugler, Jr., Attorney General and Chief Prosecutor of New Jersey, et al. Appeal from the United States District Court for the District of New Jersey. Judgment affirmed. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

No. 72-1415. William Richter et ux., appellants, *v.* Commissioner of Internal Revenue. Appeal from the United States Court of Appeals for the Second Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-6221. Geneva H. Sayles, appellant, *v.* Albert Mirman & Associates, Inc. Appeal from the District of Columbia Court of Appeals. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 72-6293. Mickey Gemmill et al., appellants, *v.* California. Appeal from the Superior Court of California, County of Shasta. The

appeal is dismissed for want of a substantial federal question. Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

## ORDERS IN PENDING CASES

**No. A-1124.** Daniel Edward Henry et al., applicants, *v.* John E. Warner, Individually and in his capacity as Secretary of Navy, et al. The application for an order to vacate in part the order of the United States Court of Appeals for the Ninth Circuit, dated May 8, 1973, presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

**No. 71-1255.** United States, petitioner, *v.* Charles J. Ash, Jr. The motion of the respondent for leave to file a supplemental brief, after argument, is granted.

## APPEAL—JURISDICTION NOTED

**No. 72-6156.** Mallie Lewis, appellant, *v.* City of New Orleans. Appeal from the Supreme Court of Louisiana. Motion for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted.

## CERTIORARI GRANTED

**No. 72-851.** The Oneida Indian Nation of New York State et al., petitioners *v.* The County of Oneida, New York, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

**No. 72-1061.** Windward Shipping (London) Limited et al., petitioners, *v.* American Radio Association, AFL-CIO, et al. Petition for writ of certiorari to the Court of Civil Appeals of Texas, Fourteenth Supreme Judicial District, granted.

**No. 72-1371.** Johnnie M. Walters, Commissioner of Internal Revenue, petitioner, *v.* "Americans United" Inc., et al. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit granted.

## CERTIORARI DENIED

**No. 71-6416.** Leroy Harris, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

**No. 71-6770.** Ronald Monroe Fields, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-267. Jon Joseph Kelly and Patrick W. McCann, III, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1117. Gus J. Prosch, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1219. Robert K. Ballard, petitioner, *v.* California. Petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of San Francisco, denied.

No. 72-1243. Hal F. Rachal, petitioner, *v.* United States; and

No. 72-6364. Edward B. Hunnicutt, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1262. The Stanley Works, petitioner, *v.* Federal Trade Commission. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1266. Harry F. Seuss, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-1270. Richard L. Cundy, petitioner, *v.* South Dakota. Petition for writ of certiorari to the Supreme Court of South Dakota denied.

No. 72-1290. Russell Bufalino, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-1293. Selb Manufacturing Co., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-1324. Robert E. Gooding, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1354. Benjamin T. Graci, Jr., et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1363. Monroe Auto Equipment Company, Hartwell Division, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1381. United States, petitioner, *v.* Dennis Eugene Tinney. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-1384. Gregory T. Dumon, petitioner, *v.* Kentucky. Petition for writ of certiorari to the Court of Appeals of Kentucky denied.

No. 72-1397. John P. Lopez, petitioner, *v.* Walter E. Washington and District of Columbia. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-1400. Carter-Wallace, Inc., petitioner, *v.* William N. Otte, as Trustee, etc. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5496. Timmy Lee Brumley et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-5691. Bobby J. Young, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5776. Rex A. Spross, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. 72-6288. Jerry Dean Jones, petitioner, *v.* Harold R. Swenson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6321. Alfred Rojas, petitioner, *v.* Arizona et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6322. Bernt Meyer, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6358. Frederick Isiah Granger, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6388. Hipolita R. vda De Martin, petitioner, *v.* Administrator of Veterans Affairs. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit.

No. 72-6398. Willie L. Allen, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-6400. James R. Burroughs, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-6402. Ralph Lemons, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6411. Cecilia Mae Tucker, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6418. Gene Roy Trexler, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6424. Charles Earl Stroud, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6425. Virgie Washington, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6427. Charles Ray Smith, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6435. Stephen Allen Novak, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-6436. Tyrone Alexander Savage, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6440. Edmund J. Rowe, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6445. Jon Tetsuro Sumida, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6450. William Prezzi, petitioner, *v.* William P. Berzak et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6488. Bobby R. Barfield, petitioner, *v.* C. E. Harris, Warden, et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-6543. Lonzy Oliver, petitioner, *v.* Milton Shapp, Governor of Pennsylvania, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6557. James Smiley, petitioner, *v.* J. Edwin LaVallee, Superintendent, Clinton Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6558. James Smiley, petitioner, *v.* J. Edwin LaVallee, Superintendent, Clinton Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6571. T. Mac Tanner, petitioner, *v.* John J. Twomey, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-6572. Phillip Licon, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-6577. Gregory Wheeler, petitioner, *v.* New York. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, Second Judicial Department, denied.

No. 72-6581. Clinton Dodge, petitioner, *v.* Perry Johnson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6584. Willis H. Scott, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 72-6590. Paul T. Hinson, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Court of Appeals of North Carolina denied.

No. 72-6603. Mary Frances Jaynes, petitioner, *v.* Manly W. Jaynes, Jr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1108. Mobil Oil Corporation, petitioner, *v.* Federal Power Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1169. Environmental Defense Fund, Inc., et al., petitioners, *v.* Corps of Engineers of United States Army et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1247. Doreen Jean Two, petitioner, *v.* United States et al. Petition for writ of certiorari to the United States Court of Appeals for the North Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1291. Patricia Atkins, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6355. Russell Mosley, petitioner, *v.* S. Lamont Smith, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6391. Billy Gene Thomas, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals

for the Tenth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6503. Jerome Dragonette, petitioner, *v.* City of East Cleveland, Ohio. Petition for writ of certiorari to the Supreme Court of Ohio denied. Mr. Justice Douglas would grant certiorari.

No. 72-6529. Elizabeth Anna Duke, petitioner, *v.* North Texas State University et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6559. Doris Williams, petitioner, *v.* Clinchfield Coal Co. Petition for writ of certiorari to the Supreme Court of Virginia denied. Mr. Justice Douglas would grant certiorari.

No. 72-1048. Harold J. Cardwell, Warden, petitioner, *v.* Scott S. Workman; and

No. 72-6600. Scott S. Workman, petitioner, *v.* Harold J. Cardwell, Warden. Motion to dispense with printing petition and motion of respondent for leave to proceed in forma pauperis in No. 72-1048 are granted. Petitions for writs of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1279. James Neil Diamond, petitioner, *v.* United States. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1425. United States, petitioner, *v.* Hollis K. Leathers, III, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas and Mr. Justice Blackmun took no part in the consideration or decision of this petition.

No. 72-1436. United Transportation Union Lodge Number 550 and United Transportation Union, petitioners, *v.* Robert Rock et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied. Mr. Justice Powell took no part in the consideration or decision of this petition.

#### LEAVE TO FILE PETITIONS FOR WRITS OF HABEAS CORPUS DENIED

No. 72-6660. Walter Buckles, petitioner, *v.* Lenard F. Meacham, Warden, et al.;

No. 72-6662. Arley Ward, petitioner, *v.* Park J. Anderson, Warden; and

No. 72-6682. Mervin Carlos McKinney, petitioner, *v.* Walter E. Craven, Warden. Motions for leave to file petitions for writs of habeas corpus denied.



## LEAVE TO FILE PETITION FOR WRIT OF MANDAMUS DENIED

No. 72-6537. Anthony Acarino, petitioner, *v.* Jacob Mishler, Chief Judge, United States District Court for the Eastern District of New York. Motion for leave to file petition for writ of mandamus denied.

## REHEARINGS DENIED

No. 71-1082. Reubin O'D. Askew et al., appellants, *v.* The American Waterways Operators, Inc., et al. ;

No. 71-1545. Earl L. Butz, Secretary of Agriculture, et al., petitioners, *v.* Glover Livestock Commission Company, Inc.; and

No. 72-6133. Gordon Dean Landis, petitioner, *v.* United States. Petitions for rehearing denied.

No. 72-5024. William B. Campbell, petitioner, *v.* Georgia et al.; and

No. 72-5921. Luther H. Stokes, petitioner, *v.* United States Postal Service et al. Motions for leave to file petitions for rehearing denied.

## RECESS ORDER

The Court will take a recess from today until Monday, June 11, 1973.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
John M. Abramson	Miami, Fla.	Arthur Roth.
Alva S. Arnall	Atlanta, Ga.	Allen I. Hirsch.
G. Leroy Blankenship	Walnut Ridge, Ark.	W. D. Murphy, Jr.
Frank Carbo Bonilla	San Juan, P.R.	Gerardo Ortiz Del Rivero.
James Patrick Brennan	Milwaukee, Wis.	Richard J. Palmersheim.
James M. Bush	Phoenix, Ariz.	Denison Kitchel.
Henry Merritt Chapin	Rochester, N.Y.	Roberts Browning Larson.
Mortimer S. Cohen	Miami, Fla.	Martin Roth.
J. L. Covington	Brownsville, Tex.	Mrs. Nancy Duff Levy.
Frederick John Deyeso, Jr.	San Antonio, Tex.	Miles Hartman Appleberry.
Jack R. Durland, Jr.	Oklahoma City, Okla.	V. P. Crowe.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Lawrence D. Ehrlich	Chicago, Ill.	Jerry Kronenberg.
Howard Frederick Ford	Nashville, Tenn.	Joseph Vault Crockett, Jr.
Robert Brandeis Freedman	Oakland, Calif.	Michael E. Wald.
John J. Hanson	Los Angeles, Calif.	Willard Zeller Carr, Jr.
Richard John Heafey	Oakland, Calif.	Peter W. Davis.
Frederick Wm. Heath	Birmingham, Mich.	Robert J. Solner.
Robert Frederick Howarth, Jr.	Columbus, Ohio.	J. Roth Crabbe.
John Kincaide Jepson	Simsbury, Conn.	Robert K. Killian.
Donald Henry Lees	Oklahoma City, Okla.	Otto Pluess III.
James Michael Lock- hart, Jr.	Metairie, La.	Leon Irving Brainis.
Frank J. Marcellino	Brooklyn, N.Y.	James Edward Darst.
Daniel D. McDonald	Bridgeport, Conn.	Albert L. Coles.
M. Mark Mendel	Philadelphia, Pa.	David Berger.
Lynn Franklin Meyers	Hagerstown, Md.	Charles F. Waga- man.
Martin Michaelson	Washington, D.C.	Lee Loevinger.
John G. Minniece III	Houston, Tex.	W. Carlross Morris, Jr.
Guy B. Moss	Boston, Mass.	Frank L. Kozol.
R. Kenneth Mundy	Washington, D.C.	Arthur M. Rey- nolds.
Sol J. Schwartz	Detroit, Mich.	Peter M. Cooper.
Paul Allen Scott	Columbus, Ohio	George E. Tyack.
S. Jay Sklar	Philadelphia, Pa.	Joseph N. Bongio- vanni, Jr.
Donald Edward Sovie	San Francisco, Calif.	Clarke E. Herbert.
John G. Spann	Las Vegas, Nev.	Paul Charles Parraguirre.
David Sol Sperber	Los Angeles, Calif.	Alan Saltzman.
Roger G. Stanway	Omaha, Nebr.	Herbert M. Fitle.
Carl Ray Stephens	Memphis, Tenn.	Miss Louise Dumas.
Carl Waldman	Beaumont, Tex.	Walter J. Craw- ford, Jr.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Joseph DiStefano	Washington, D.C.	Solicitor General Erwin N. Griswold.
Allen Warren Hausman	Washington, D C.	Solicitor General Erwin N. Griswold.
Charles Duane Orvik	Rugby, N. Dak.	Solicitor General Erwin N. Griswold.
Claude S. Sitton	Morganton, N.C.	Samuel J. Ervin, Jr.
Bruce Irwin Cornblum	Sunnyvale, Calif.	Paul N. McCloskey.
Texas S. Ward	El Paso, Tex.	Richard C. White.
George Colin Aucoin	Denver, Colo.	Donald G. Brotzman.
Philip Thomas Paris	Phoenix, Ariz.	John B. Conlan, Jr.
Richard Alan Hauser	Washington, D.C.	Joseph T. Sneed.
Axel-Felix H. Kleiboemer	Kensington, Md.	Joseph T. Sneed.
Laurin Arthur Wollan, Jr.	Springfield, Ill.	Joseph T. Sneed.
Ollie L. Evans, Jr.	Tallahassee, Fla.	Bennett C. Feldman.
Thomas D. O'Malley, Jr.	Tallahassee, Fla.	Bennett C. Feldman.
Thomas Alton Waddell	Tallahassee, Fla.	Bennett C. Feldman.
Jerold Lance Jacobs	Burke, Va.	Irving Jacobs.
Bobby Dorris Bell Spears	Watertown, Tenn.	Harold C. Nystrom.
Alvin Bramow	Silver Spring, Md.	Harold C. Nystrom.
Enid Rubenstein	New York, N.Y.	Lawrence Robert Schneider.
Stephen I. Danzansky	Washington, D.C.	Raymond R. Dickey.
Robert Allan Klein	Rockville, Md.	Raymond R. Dickey.
Edward Ross Levin	Washington, D.C.	Raymond R. Dickey.
Ian Karl Portnoy	Washington, D.C.	Raymond R. Dickey.
Ernest Braun	Los Angeles, Calif.	Daniel Albert Rezneck.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Edward J. Lieber	Los Angeles, Calif.	Daniel Albert Rezneck.
Donald Dewitt Luck	Birmingham, Ala.	Justice Tom C. Clark.
Edwin L. Nelson.	Fort Payne, Ala.	Justice Tom C. Clark.
Thomas A. Reynolds	Los Angeles, Calif.	Justice Tom C. Clark.
James Albert Wayne	Orange, Calif.	Justice Tom C. Clark.
Douglas Joseph Rykhus, Sr.	Washington, D.C.	Justice Tom C. Clark.
John Remon Wenzel	Bethesda, Md.	Justice Tom C. Clark.
John Ryckman Bonner, Sr.	Clearwater, Fla.	Justice Tom C. Clark.
William Elwood Hogan, Jr.	Clearwater, Fla.	Justice Tom C. Clark.
Peter S. Schwedock	Miami, Fla.	Justice Tom C. Clark.
William Hannah Wolfe	Clearwater, Fla.	Justice Tom C. Clark.
David Luther Woodward	Tampa, Fla.	Justice Tom C. Clark.
Floyd Boberg Harman	Crystal Lake, Ill.	Justice Tom C. Clark.
John Louis Price	Indianapolis, Ind.	Justice Tom C. Clark.
William H. Small	Fort Wayne, Ind.	Justice Tom C. Clark.
Wayne Foster Millward	Rockville, Md.	Justice Tom C. Clark.
James Russell Robinson II	Hagerstown, Md.	Justice Tom C. Clark.
Richard L. Dusbury	Minneapolis, Minn.	Justice Tom C. Clark.
Kevin Joseph Collins	Wyckoff, N.J.	Justice Tom C. Clark.
John J. Fallon	Walden, N.Y.	Justice Tom C. Clark.

<u>Applican</u>	<u>City and State</u>	<u>Movant</u>
Joe L. Koerber	Yorktown Heights, Md.	Justice Tom C. Clark.
William Strasser	Brooklyn, N.Y.	Justice Tom C. Clark.
John Edward Giles	Morganton, N.C.	Justice Tom C. Clark.
James L. Hoover	Galion, Ohio	Justice Tom C. Clark.
William Edward Powers, Jr.	Cleveland, Ohio	Justice Tom C. Clark.
Arthur Donald Rhoads	McLean, Va.	Justice Tom C. Clark.
Anna Carylon Fox Hinds	Knoxville, Tenn.	Justice Tom C. Clark.
David V. Herin	Corpus Christi, Tex.	Justice Tom C. Clark.
Francis Leo Young	Reston, Va.	Justice Tom C. Clark.
Richard M. Holt	Issaquah, Wash.	Justice Tom C. Clark.
Charles Reeves Taylor	Keyser, W. Va.	Justice Tom C. Clark.
James Martin Miles	Springfield, Va.	Justice Tom C. Clark.

## OPINIONS

No. 72-90. United States, petitioner, *v.* Chicago, Burlington & Quincy Railroad Company. On writ of certiorari to the United States Court of Claims. Judgment reversed and case remanded to the United States Court of Claims for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Blackmun. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Douglas joins. Mr. Justice Powell took no part in the consideration or decision of this case.

No. 72-350. United States, appellant, *v.* State Tax Commission of Mississippi et al. Appeal from the United States District Court for the Southern District of Mississippi. Judgment vacated and case remanded to the United States District Court for the Southern District of Mississippi for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Marshall. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Rehnquist concurs.

No. 72-654. United States, petitioner, *v.* Archie L. Mason et al.,  
and

No. 72-606. Oklahoma, petitioner, *v.* Archie L. Mason and Margaret R. Mason, etc., et al. On writs of certiorari to the United States Court of Claims. Judgment reversed and cases remanded to the United States Court of Claims for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Marshall. Mr. Justice Douglas concurs in the result.

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Adjourned until Monday, June 11, 1973, at 10 o'clock.

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SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## ORDER IN PENDING CASE

No. A-1219. Edwin H. Helfant, applicant, *v.* George F. Kugler, Attorney General of New Jersey, et al. The application for an injunction pending disposition of appeal in the United States Court of Appeals for the Third Circuit presented to Mr. Justice Brennan, and by him referred to the Court, is denied. Mr. Justice Brennan took no part in the consideration or decision of this motion.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

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Mr. Justice Douglas said:

"Today's orders of the Court have been certified, filed with the Clerk, and will not be announced orally."

## OPINION PER CURIAM

No. 72-1310. Sam Dean, petitioner, *v.* The Gadsden Times Publishing Corporation. On petition for writ of certiorari to the Court of Civil Appeals of Alabama. Petition for writ of certiorari granted, judgment reversed, and case remanded to the Court of Civil Appeals of Alabama for further proceedings not inconsistent with the opinion of this Court. Opinion *per curiam*.

## APPEALS—SUMMARY DISPOSITION

No. 72-1327. REA Express, Inc., appellant, *v.* Alabama Great Southern Railroad Company et al. Appeal from the United States District Court for the Southern District of New York. Judgment affirmed. Mr. Justice Powell took no part in the consideration or decision of this appeal.

No. 72-1405. Moses Lake School District No. 161 et al., appellants, *v.* Big Bend Community College, District No. 18, et al. Appeal from the Supreme Court of Washington. The appeal is dismissed for want of a substantial federal question.

No. 72-1438. Kenneth Michael Smith, appellant, *v.* Virginia. Appeal from the Supreme Court of Virginia. The appeal is dismissed for want of a substantial federal question.

No. 72-6611. Katherine Ander, appellant, *v.* Saul Ander. Appeal from the Court of Appeals of New York. The appeal is dismissed for want of a substantial federal question.

No. 72-1594. William Diamond et al., appellants, *v.* United States et al. Appeal from the United States District Court for the District of Columbia. Motion to dispense with printing jurisdictional statement granted. Judgment affirmed. Motion for an injunction denied. Mr.



Justice Powell took no part in the consideration or decision of this appeal and these motions.

**No. 72-6350.** Irvin H. Mason, appellant, *v.* Panama Canal Company. Appeal from the United States Court of Appeals for the Fifth Circuit. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied. Mr. Justice Douglas dissents from the denial of the petition believing that the case is not moot, and would vacate judgment and remand cause to the trial court for resolution of respondent's counterclaim.

**No. 72-6725.** Dorothy D. Ross et al., appellants, *v.* Brown Title Corporation et al. Appeal from the United States District Court for the Eastern District of Louisiana. Judgment affirmed. Mr. Justice Douglas dissents from the affirmance.

#### CERTIORARI—SUMMARY DISPOSITION

**No. 71-1245.** A. E. Slayton, Jr., Superintendent, Virginia State Penitentiary, petitioner, *v.* James C. Hammer. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Michigan v. Payne*, 412 U.S. — (1973); and *Chaffin v. Stynchcombe*, 412 U.S. — (1973). Mr. Justice Douglas would affirm judgment. See *Michigan v. Payne*, 412 U.S. — (1973); *Chaffin v. Stynchcombe*, 412 U.S. — (1973); and *Moon v. Maryland*, 398 U.S. 319, 321 (1970) (dissenting opinions).

**No. 71-1281.** Martha K. Linder, Warden, petitioner, *v.* Helen Jones Recor. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Chaffin v. Stynchcombe*, 412 U.S. — (1973). Mr. Justice Douglas would affirm judgment. See *Chaffin v. Stynchcombe*, 412 U.S. — (1973); and *Moon v. Maryland*, 398 U.S. 319, 321 (1970) (dissenting opinions).

**No. 71-1472.** W. S. Neil, Warden, petitioner, *v.* Martin V. Pendergrass. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Michigan v. Payne*, 412 U.S. —

(1973); and *Chaffin v. Stynchcombe*, 412 U.S. — (1973). Mr. Justice Douglas would affirm the judgment. See *Michigan v. Payne*, 412 U.S. — (1973); *Chaffin v. Stynchcombe*, 412 U.S. — (1973); and *Moon v. Maryland*, 398 U.S. 319, 321 (1970) (dissenting opinions).

**No. 71-1495.** Henry E. Cowan, Superintendent, Kentucky State Penitentiary, petitioner, *v.* William Jacob Bruce. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Michigan v. Payne*, 412 U.S. — (1973); and *Chaffin v. Stynchcombe*, 412 U.S. — (1973). Mr. Justice Douglas would affirm judgment. See *Michigan v. Payne*, 412 U.S. — (1973); *Chaffin v. Stynchcombe*, 412 U.S. — (1973); and *Moon v. Maryland*, 398 U.S. 319, 321 (1970) (dissenting opinions).

**No. 72-400.** Jimmy Rose, Warden, petitioner, *v.* Robert Rivera. On petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Michigan v. Payne*, 412 U.S. — (1973); and *Chaffin v. Stynchcombe*, 412 U.S. — (1973). Mr. Justice Douglas would affirm judgment. See *Michigan v. Payne*, 412 U.S. — (1973); *Chaffin v. Stynchcombe*, 412 U.S. — (1973); and *Moon v. Maryland*, 398 U.S. 319, 321 (1970) (dissenting opinions).

**No. 72-761.** United States, petitioner, *v.* Joseph T. McGrath. On petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Motion of respondent for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *United States v. Russell*, 411 U.S. — (1973).

#### ORDERS IN PENDING CASES

**No. D-10.** In the Matter of the Disbarment of Frank G. Kirtz. It is ordered that Frank G. Kirtz, of St. Louis, Missouri, be suspended from the practice of law in this Court and that a rule issue returnable within forty days, requiring him to show cause why he should not be disbarred from the practice of law in this Court.

**No. A-1034.** L. G. Ruderer, applicant, *v.* Lyndon B. Johnson. The application for equitable relief by injunction and enforcement of orders, etc., is denied. Mr. Justice Blackmun took no part in the consideration or decision of this application.

**No. 35, Original.** United States of America, plaintiff, *v.* State of Maine et al. The motion of the Commonwealth of Massachusetts for a preliminary injunction is denied. Mr. Justice Douglas would grant the preliminary injunction.

No. 72-700. Henry Hernandez et al., petitioners, *v.* Veterans Administration et al. The motion of the petitioners for leave to proceed on the original record is granted.

No. 72-936. United States, petitioner, *v.* Willie Robinson, Jr. The motion of Americans for Effective Law Enforcement, Inc., et al., for leave to file a brief, as *amici curiae*, in support of the petitioner, is granted.

No. 72-1418. Theodore L. Sendak, Attorney General of the State of Indiana, petitioner, *v.* S. Hugh Dillin, United States District Judge for the Southern District of Indiana. The application for a stay of the order of the United States District Court for the Southern District of Indiana, dated March 19, 1973, is denied.

No. 72-6862. Darwin Charles Brown, petitioner, *v.* United States. The application for stay of the mandate of the United States Court of Appeals for the Fourth Circuit presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

#### CERTIORARI GRANTED

No. 72-1035. Julia Rogers, petitioner, *v.* Leroy Loether et al. Motion to dispense with printing respondents' brief granted. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted. Case set for oral argument in tandem with No. 72-6041.

No. 72-1322. Carolyn Bradley et al., petitioners, *v.* School Board of City of Richmond et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit granted. Mr. Justice Marshall and Mr. Justice Powell took no part in the consideration or decision of this petition.

No. 72-1410. Joel Edelman, Director of Illinois Department of Public Aid etc., petitioner, *v.* John Jordan et al. Motion of respondent Jordan for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit granted.

No. 72-6476. Cynthia Hagans et al., petitioners, *v.* Abe Lavine, Commissioner of New York State Department of Social Services, et al. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Second Circuit granted.

No. 72-6520. Kinney Kinmon Lau, a minor by and through Mrs. Kam Wai Lau, his guardian ad litem, et al., petitioners, *v.* Alan H. Nichols et al. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit granted.

## CERTIORARI DENIED

No. 72-1163. Samuel A. Bithoney and Albert S. Bithoney, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1166. Albert Samuel Wright, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1179. Irving A. Kanarek, petitioner, *v.* Superior Court of the State of California for the County of Los Angeles et al. Petition for writ of certiorari to the Court of Appeal of California, Second Appellate District, denied.

No. 72-1182. Alexander Gaus, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-1198. An Article of Drug . . . "Bentex Ulcerine," etc., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1235. Whitman Center, Inc., petitioner, *v.* Gulf Oil Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1285. Standard Oil Company, Inc., et al., petitioners, *v.* Albert N. Wright et ux., etc. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1300. Joseph Ruggiero, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1306. Radio-Television, S. A. and Bay City Television, Inc., petitioners, *v.* Federal Communications Commission. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-1309. Wood, Wire and Metal Lathers International Union, Local Union No. 46, et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1321. Northern Natural Gas Company et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-1325. Salvatore Mangaiameli, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1329. H. Kessler & Company, petitioner, *v.* Equal Employment Opportunity Commission. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1346. Raymond J. Ryan et ux., petitioners, *v.* Commissioner of Internal Revenue et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-1351. Arbaugh's Restaurant, Inc., petitioner, *v.* Ralph D. Smith et ux. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-1361. Phillip S. Wood, petitioner, *v.* United States Post Office Department et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-1380. Douglas Q. Breland, petitioner, *v.* Texas. Petition for writ of certiorari to the Court of Criminal Appeals of Texas denied.

No. 72-1390. Daniel G. Sansanese, Sr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1402. Harry M. Calandrillo, Jr., petitioner, *v.* John J. O'Connor et al. Petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division, denied.

No. 72-1403. Local No. 42, International Association of Heat and Frost Insulators and Asbestos Workers, petitioner, *v.* National Labor Relations Board. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-1417. Augustus J. Simmons, petitioner, *v.* Horace B. Wetherell, as the Director of Aeronautics, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1419. Theodore Strom, Jr., and Suzanne Kathleen Strom, minor child, petitioners, *v.* Gerald A. Alfveby, Referee. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-1421. DeKalb County, Georgia, et al., petitioners, *v.* Atlanta Gas Light Company et al. Petition for writ of certiorari to the Supreme Court of Georgia denied.

No. 72-1430. Clyde A. Perkins, petitioner, *v.* Standard Oil Company of California. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1433. International Union of Operating Engineers, Local No. 12, etc., petitioner, *v.* Southern California Testing Laboratory

Incorporated et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-1456**. Robert R. McClung, petitioner *v.* Ford Motor Company. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **72-1459**. Stockholders' Protective Committee for Moulded Products, Inc., petitioner, *v.* Richard H. Barry, Trustee, et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **72-1607**. Joseph P. Pfingst, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **72-5507**. Frank C. Williams, petitioner, *v.* C. Murray Henderson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-6282**. Wilbur Owen Morton, petitioner, *v.* Wyoming et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. **72-6290**. Robert Lee Bruce, Sr., petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied.

No. **72-6312**. Vincent Hernan Castellon-Duarte, petitioner, *v.* Immigration and Naturalization Service. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-6443**. John Mackey, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **72-6447**. Dennis A. Stanfield, petitioner, *v.* United States; and

No. **72-6448**. Marcellus Terrell, Jr., petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **72-6459**. Lewis C. Billingsley, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **72-6460**. Robert Glenn Isenberg, petitioner, *v.* United States; and

No. **72-6466**. Lewis Edward Isenberg, Jr., petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. **72-6463**. Jack R. Walsh, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. **72-6464**. Gary Phillip Barrow, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **72-6468**. James J. Laughlin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **72-6469**. James R. Battle, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. **72-6478**. Robert Boswell Lavan and Herschel Lee Armour, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **72-6481**. William F. Hamilton, petitioner, *v.* United States; and

No. **72-6482**. Samuel Benton, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **72-6483**. Albert Sidney Tucker, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **72-6485**. Robert Owen McDonnell, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. **72-6489**. Robert Nocerino, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. **72-6495**. Kung How Fong, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. **72-6568**. William J. Schutt, petitioner, *v.* Tennessee. Petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Middle Division, denied.

No. **72-6593**. Leon Cook and Lucille Cook, petitioners, *v.* Ohio. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **72-6598**. Donald Gene Boag, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied.

No. **72-6607**. Roy Lee Morgan, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6623. Armand F. Roy, petitioner, *v.* Manchester Gas Company. Petition for writ of certiorari to the Supreme Court of New Hampshire denied.

No. 72-6625. John Bradley, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6633. Charles Frederick Eckert, petitioner, *v.* Budd Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6691. Jack Bezak, petitioner, *v.* Ohio. Petition for writ of certiorari to the Court of Appeals of Ohio, Cuyahoga County, denied.

No. 72-1305. Richard Gray et al., petitioners, *v.* Shell Oil Company. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1362. Murray D. Stringer et ux., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1443. Freida Gust Savard, etc., et al., petitioners, *v.* Perini Corporation. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6467. William Sheard, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6622. Michael Moore, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied. Mr. Justice Douglas would grant certiorari.

No. 72-6666. Leonard Ray Thompson, petitioner, *v.* Indiana. Petition for writ of certiorari to the Supreme Court of Indiana denied. Mr. Justice Douglas would grant certiorari.

No. 72-1389. Pennsylvania, petitioner, *v.* Willie Stafford. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of Pennsylvania, Eastern District, denied.

No. 72-1424. Raymond W. Vowell, Commissioner of Public Welfare of Texas, etc., petitioner, *v.* Leonor Rodriguez et al. Motions of respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.



No. 72-1426. Ernesto Nanes, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Motion to dispense with printing petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

#### LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. 72-6753. E. Robert Hyde, petitioner, *v.* Walter E. Craven, Warden. Motion for leave to file petition for writ of habeas corpus denied.

#### LEAVE TO FILE PETITIONS FOR WRITS OF MANDAMUS DENIED

No. 72-6555. Alphonso X. Parker, petitioner, *v.* United States Court of Appeals for the District of Columbia Circuit et al. Motion for leave to file petition for writ of mandamus and/or prohibition denied.

No. 72-6603. Sidney Rice, petitioner, *v.* Bourbon Circuit Court, Paris, Kentucky. Motion for leave to file petition for writ of mandamus denied.

#### REHEARINGS DENIED

No. 71-1178. Gulf States Utilities Company, petitioner, *v.* Federal Power Commission et al.;

No. 72-1086. DeLong Corporation et al., petitioners, *v.* Oregon, by and through its State Highway Commission;

No. 72-1281. Syntha Essex. Administratrix of the Estate of Harry E. Judd, petitioner, *v.* Johnnie M. Walters, Commissioner of Internal Revenue, et al.:

No. 72-5572. John R. Gay, petitioner, *v.* United States;

No. 72-6211. Glenn Lucas, petitioner, *v.* Wyoming, et al.;

No. 72-6374. Richie Sonny Rando, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections;

No. 72-6410. Aristotle Walters, petitioner, *v.* Johnnie M. Walters, Commissioner of Internal Revenue;

No. 72-6452. Bessie T. Morris, petitioner, *v.* Nannie Rose Sparrow et al.; and

No. 72-6496. Julius Earl German, petitioner, *v.* Florida et al. Petitions for rehearing denied.

No. 71-6423. Carroll M. House, appellant, *v.* Marion Ferguson House; and

No. 72-1084. Neal L. Grossman, petitioner, *v.* Thomas M. Kavanagh, Chief Justice, Michigan Supreme Court. Motions for leave to file petitions for rehearing denied.

No. 72-1134. Delbert C. Reibert et al., petitioners, *v.* Atlantic Richfield Company et al. Motion for leave to file second petition for rehearing denied.

No. 72-5925. L. G. Ruderer, appellant, *v.* William S. Sessions et al.;

No. 72-6153. L. G. Ruderer, appellant, *v.* United States Army Aviation Materiel Command et al.; and

No. 72-6255. L. G. Ruderer, appellant, *v.* United States et al. Motions for leave to file petitions for rehearing and for all other relief denied. Mr. Justice Blackmun took no part in the consideration or decision of these motions.

No. 72-6271. L. G. Ruderer, appellant, *v.* Cyrus R. Vance et al. Petition for rehearing and for all other relief denied. Mr. Justice Blackmun took no part in the consideration or decision of this petition.

#### RECESS ORDER

The Court will take a recess from today until Monday, June 18, 1973.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jacob Adajian	Los Angeles, Calif.	David Martin Schacter.
David Duane Adams	Nacogdoches, Tex.	David Grant.
Thomas J. Aron III	Greeley, Colo.	Carl T. Curtis.
Marilynn J. Balardo (Mrs)	Detroit, Mich.	Frank Schwartz.
William M. Barr	Daytona Beach, Fla.	Paul E. Raymond.
Thomas M. Barrett	Oklahoma City, Okla.	John Helms Halley, Jr.
Arthur S. Bay	Oklahoma City, Okla.	Malcome R. Oyler.
Bruce J. Bergman	New York, N.Y.	George Foster Mackey.
David Ryan Best	Orlando, Fla.	Charles W. Abbott.
Winston J. Block	Joliet, Ill.	John G. Cirricione.
Charles Ensign Brant	Columbus, Ohio	Charles Emory Glander.
Burt A. Braverman	Washington, D.C.	Alan Raywid.
John Edward Breidenbach	Dayton, Ohio	William R. Coen.
Michael Brennan	Michigan City, Ind.	Andrew F. Oehmann.
Fred Bronfin	New Orleans, La.	Sylvan Julian Steinberg.
Robert H. Brown	Akron, Ohio	Judge Sam H. Bell.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Eugene P. Browne, Jr.	Little Rock, Ark.	Donald Pat Moran.
Thomas F. Byron	Bayshore, N.Y.	Edward F. G. Imperatore.
Paul William Callahan	Norristown, Pa.	Richard S. Lowe.
William Joshua Carter III	Phoenix, Ariz.	James H. Kemper.
Maurice Samuel Cazaubon, Jr.	New Orleans, La.	Charles Paul Barker.
Richard H. Champlin	Oklahoma City, Okla.	Roland Rice.
Frank Cherry, Jr.	Wilmington, N.C.	Julius LeVonne Chambers.
John M. Coman, Jr.	New Orleans, La.	Thomas Hayden Reese.
Frank James Costello, Jr.	Washington, D.C.	W. Jerrold Scoutt, Jr.
Glenn E. Culpepper	Takoma Park, Md.	Anthony G. Morella.
James Harvey Cummings	Dallas, Tex.	W. R. Neil.
Thomas W. D'Alonzo	Denver, Colo.	Peter H. Dominick.
Arthur Terrell Davis, Jr.	Atlanta, Ga.	Walter E. Graham.
Sidney Fant Davis	Atlanta, Ga.	Richard S. Maurer.
Richard Thomas Dawson	Cincinnati, Ohio	Joseph W. Kastl.
Robert Aaron Elsner	Atlanta, Ga.	Frank M. Swift.
Marshall J. Favret	New Orleans, La.	James Anthony Wysocki.
Larry Bernard Feldcamp	Houston, Tex.	Frank Burruss Pugsley.
Dominic R. Fichera	Chicago, Ill.	L. Michael Getty.
Russell B. Fister	Oklahoma City, Okla.	Howard K. Berry, Jr.
Stanley Hills Foster	Cincinnati, Ohio	John W. Melville.
Lloyd Frank	New York, N.Y.	John L. Freeman.
Robert Elliott Freer, Jr.	Alexandria, Va.	John Wallace Barnum.
Myron E. Fuhrmann	Hillside, N.J.	Harry J. Coleman.
Jerry L. Gardner, Jr.	New Orleans, La.	Charles Paul Barker.
Sidney J. Gittler	Beverly Hills, Calif.	Mario Louis Clinco.
Jeffrey Ira Goldstein	Toledo, Ohio	James William Cowell.
Morton A. Granas	Los Angeles, Calif.	James C. Corman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Earl H. Greenstein	Beverly Hills, Calif.	Miss Judith B. Aaronson.
William Davis Guidry	Nacogdoches, Tex.	Edmund Frederic Benchoff.
Andrew L. Hamilton	Oklahoma City, Okla.	Fred Melville Black.
Oscar Carl Hamilton, Jr.	McAllen, Tex.	James Cole Abbott.
William Graham Harriss	Durham, N.C.	Daniel K. Edwards.
Alberta E. Heffron	Salem, Oregon	Ralph Fallon Cobb.
Ralph Hochstein	New York, N.Y.	Peter Ivan Reiter.
Laurence P. Horan	Monterey, Calif.	Frederick Sharon Farr.
Louis C. Hoyt	Los Angeles, Calif.	Charles J. Katz.
Fred Cromwell Isaac	Jacksonville, Fla.	David Richard Lewis.
Robert Bylthe Jack	San Francisco, Calif.	Robert Ernest Gyemant.
Jamille G. Jamra	Toledo, Ohio	Charles Edward Ide, Jr.
Donald G. Jennings	Manistee, Mich.	Philip A. Hart.
Willare Allen Johnson	Toledo, Ohio	James D. Nestroff.
Melvin B. Karl	Miami, Fla.	Lawrence F. Kaine.
Lloyd Edmund Kellogg	Los Angeles, Calif.	Robert A. Tanker- sley.
James A. Kenney	New York, N.Y.	Edward F. G. Imperatore.
Meyer King	Baltimore, Md.	Frank James Vanatta.
Eugene R. Kirkpatrick	Long Beach, Calif.	Craig Hosmer.
Lowry F. Kline.	Chattanooga, Tenn.	Jere Taylor Tipton.
William F. Kluge III	Wichita, Kans.	James B. Pearson.
S. G. Kolius	Houston, Tex.	Joseph D. Jamail.
Gary Francis Kuns	Bowling Green, Ohio	Daniel T. Spitler.
William Lee Lackey	Savannah, Tenn.	James A. Hopper.
Donald E. Lambdin	Wichita, Kans.	James B. Pearson.
Douglas R. Larson	Dallas, Tex.	Ed J. Polk.
Jules Marshall Laser	Chicago, Ill.	Sheldon Paul Migdal.
Harold Irvin Lawrence	Los Angeles, Calif.	Robert Lewis Hunt.
Neal B. Littlejohn	Columbus, Ga.	J. Walter Owens, Hunt.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Ralph B. Long	Washington, D.C.	Eugene Joseph Metzger.
Stanley J. Mack	Louisville, Ky.	Chester F. Zoller, Jr.
Lawrence Jeffrey Marks	Phoenix, Ariz.	Allen Benjamin Bickart.
Bill Arthur Martin, Sr.	Newton, Tex.	Everett Bryan Lord.
Melvin William Mathes, Jr.	New Orleans, La.	George R. Blue.
Robert W. Maurer	Bowling Green, Ohio	Daniel T. Spitler.
Melburne DeKald McLendon	Atlanta, Ga.	E. Smythe Gambrell.
Ruben R. Montemayor	San Antonio, Tex.	Roy R. Barrera.
James Thomas Moreno	Macomb, Ill.	Judge Francis J. McGarr.
Frank B. Morrison	Omaha, Nebr.	Bennett G. Hornstein.
Charles Edward Murphy	Honolulu, Hawaii	Solicitor General Erwin N. Griswold.
Richard Thomas Norman	Escondido, Calif.	Bruce V. Wagner.
James I. Parker	Cedartown, Ga.	Cecil D. Franklin, Sr.
Kurt Henry Pyle	Santa Barbara, Cal.	Edward W. Schramm.
James M. Renegar	Oklahoma City, Okla.	Fred Melville Black.
Charles L. Richards III	Warren, Ohio	Henry H. Hoppe.
Ruben Sebastian Schofield	New York, N.Y.	Ozro Thaddeus Wells.
Steven A. Schultz	Miami, Fla.	Hervey H. Yancey, Jr.
Harry Reed Shawver, Jr.	Dallas, Tex.	Vactor H. Stanford.
John A. Shorter, Jr.	Washington, D.C.	Winfred R. Mundle, Sr.
Warren E. Silverman	Baltimore, Md.	Frank James Vanatta.
Vance Armentrout Smith	Louisville, Ky.	Robert H. Sachs.
Richard Michael Stanton	Chicago, Ill.	Solicitor General Erwin N. Griswold.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Arthur Grey Staples, Jr.	Richmond, Va.	Andrew Pickens Miller.
Donald Ralph Stemp, Jr.	Juneau, Alaska	John E. Havelock.
James K. Stewart	Washington, D.C.	James D. Clause.
Ernest George Szoke	Doylestown, Pa.	Raymond D. McMurray.
Edward Salas Terlaje	Agana, Guam	Joaquin Camacho Arriola.
John Cumming Watkins, Jr.	Tuscaloosa, Ala.	Thomas Weldon Christopher.
Jack R. Wiedabach	Milwaukee, Wis.	James W. Lane.
George P. Williams	Arlington, Va.	Solicitor General Erwin N. Griswold.
Clyde Robert Winters	Rockville, Md.	George D. Horn- ing, Jr.
Stephen Kyle Yoder	Columbus, Ohio	George L. Jenkins.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Larry Stephen McDevitt	Asheville, N.C.	Solicitor General Erwin N. Griswold.
Daniel McMullen Armstrong III	Rogersville, Tenn.	Solicitor General Erwin N. Griswold.
Venable Vermont	Spartanburg, S.C.	Solicitor General Erwin N. Griswold.
Lawrence H. Friedlander	Cleveland, Ohio	Solicitor General Erwin N. Griswold.
John M. Duffy	Franklin Square, N.Y.	Solicitor General Erwin N. Griswold.
Harold Alexander Ranquist, Jr.	Salt Lake City, Utah	Solicitor General Erwin N. Griswold.
Yvonne Brathwaite Burke	Los Angeles, Calif.	J. Varick Tunney.
William Thomas Nachbaur	Washington, D.C.	J. Varick Tunney.
Ronald Delano Rosen	Los Angeles, Calif.	J. Varick Tunney.
Gerald D. Christensen	Billings, Mont.	Judge George L. Powell.
Stanley R. Zirkin	Washington, D.C.	Norton Jay Come.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Peter Jay Levin	Washington, D.C.	W. DeVier Pierson.
Michael David Finley	Washington, D.C.	Daniel Ellis Gulden.
James M. Boyle	Washington, D.C.	Edward A. McDermott.
Gordon Freeborn Bailey, Jr.	Reston, Va.	James T. Harper.
James Francis Clark III	Juneau, Alaska	James T. Harper.
John Jurgen Weiler	Washington, D.C.	George John Rabil.
Clive Standlee Martin, Jr.	Long Beach, Calif.	Richard M. Schmidt, Jr.
A. Thomas Beckman	Baltimore, Md.	Charles McCurdy Mathias, Jr.
Randolph Norton Blair	Dundalk, Md.	Charles McCurdy Mathias, Jr.
R. Roland Brockmeyer	Baltimore, Md.	Charles McCurdy Mathias, Jr.
Newland Heath Bush	Oxon Hill, Md.	Charles McCurdy Mathias, Jr.
Robert G. Carr	Baltimore, Md.	Charles McCurdy Mathias, Jr.
Eleanor A. Crawford	Ocean City, Md.	Charles McCurdy Mathias, Jr.
H. Warren Crawford	Ocean City, Md.	Charles McCurdy Mathias, Jr.
Warren Bird Duckett, Jr.	Annapolis, Md.	Charles McCurdy Mathias, Jr.
John Charles Evelius	Baltimore, Md.	Charles McCurdy Mathias, Jr.
I. Elliott Goldberg	Baltimore, Md.	Charles McCurdy Mathias, Jr.
Paul F. Harris	Glen Burnie, Md.	Charles McCurdy Mathias, Jr.
Corneoius David Helfrich	Bel Air, Md.	Charles McCurdy Mathias, Jr.
Allan Henson	Baltimore, Md.	Charles McCurdy Mathias, Jr.
David Kayson	Kensington, Md.	Charles McCurdy Mathias, Jr.
Bert S. Mazaroff	Baltimore, Md.	Charles McCurdy Mathias, Jr.
James F. McCadden	Towson, Md.	Charles McCurdy Mathias, Jr.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Elmer Lawrence McConkey	Arbutus, Md.	Charles McCurdy Mathias, Jr.
Preston A. Pairo, Jr.	Baltimore, Md.	Charles McCurdy Mathias, Jr.
Richard H. Pairo	Baltimore, Md.	Charles McCurdy Mathias, Jr.
Robert J. Romadka	Baltimore, Md.	Charles McCurdy Mathias, Jr.
Mercedes Casado Sam- borsky	Joppatowne, Md.	Charles McCurdy Mathias, Jr.
William N. Scherer	Glen Burnie, Md.	Charles McCurdy Mathias, Jr.
Edwin Shapiro	Baltimore, Md.	Charles McCurdy Mathias, Jr.
Ronald M. Sharrow	Baltimore, Md.	Charles McCurdy Mathias, Jr.
Paul Smelkinson	Baltimore, Md.	Charles McCurdy Mathias, Jr.
Clarence M. Thomas	Baltimore, Md.	Charles McCurdy Mathias, Jr.
E. Edward Toscani	Bel Air, Md.	Charles McCurdy Mathias, Jr.
Roland Walker	Baltimore, Md.	Charles McCurdy Mathias, Jr.
Joseph D. Weiner	Leonardtown, Md.	Charles McCurdy Mathias, Jr.

#### OPINIONS

**No. 72-658.** City of Kenosha, Wisconsin, et al., appellants, *v.* Peter G. Bruno et al. Appeal from the United States District Court for the Eastern District of Wisconsin. Judgment vacated and case remanded to the United States District Court for the Eastern District of Wisconsin for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rehnquist. Concurring opinion by Mr. Justice Brennan with whom Mr. Justice Marshall joins. Opinion by Mr. Justice Douglas dissenting in part.

**No. 72-656.** Orval C. Logue et al., petitioners, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment vacated and case remanded to the Court of Appeals for consideration of the liability of the Government insofar as that liability may be based on the negligence of Deputy Marshal Bowers. Opinion by Mr. Justice Rehnquist. Statement by Mr. Justice Stewart and Mr. Justice Marshall.



No. 71-1182. Raymond Mattz, petitioner, *v.* G. Raymond Arnett, etc. On writ of certiorari to the Court of Appeal of California, First Appellate District. Judgment reversed and case remanded to the Court of Appeal of California, First Appellate District, for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Blackmun.

No. 71-6042. Ronald Dale Wardius, petitioner, *v.* Oregon. On writ of certiorari to the Supreme Court of Oregon. Judgment reversed and case remanded to the ~~Supreme~~ <sup>COURT OF APPEALS</sup> Court of Oregon for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Justice Marshall. Mr. Chief Justice Burger concurs in the result. Opinion by Mr. Justice Douglas concurring in the result.

No. 72-493. John W. Vlandis, Director of Admissions, The University of Connecticut, appellant, *v.* Margaret Marsh Kline and Patricia Catapano. Appeal from the United States District Court for the District of Connecticut. Judgment affirmed. Opinion by Mr. Justice Stewart. Concurring opinion by Mr. Justice Marshall with whom Mr. Justice Brennan joins. Opinion by Mr. Justice White concurring in the judgment. Dissenting opinion by Mr. Chief Justice Burger with whom Mr. Justice Rehnquist joins. Dissenting opinion by Mr. Justice Rehnquist with whom Mr. Chief Justice Burger and Mr. Justice Douglas join.

No. 72-5521. Clarence Eugene Strunk, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Burger announced by Mr. Justice Douglas.

No. 59, **Original.** United States of America, plaintiff, *v.* States of Nevada and California. On motion for leave to file bill of complaint. Motion for leave file bill of complaint denied, but without prejudice to refile it should the posture of the litigation change in a manner that presents a more substantial basis for the exercise of the Court's original jurisdiction. Opinion *per curiam* announced by Mr. Justice Douglas. Mr. Justice Douglas dissents.

No. 72-804. Robert W. Fri, Acting Administrator of the Environmental Protection Agency, petitioner, *v.* Sierra Club et al. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment affirmed by an equally divided Court. Opinion *per curiam* announced by Mr. Justice Douglas. Mr. Justice Powell took no part in the decision of this case.

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Adjourned until Monday, June 18, 1973, at 10 o'clock.

# Supreme Court of the United States

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

## ORDERS IN PENDING CASES

**No. A-1221.** Samuel Shapiro, applicant, *v.* Thomas E. Ferrandina, United States Marshal for the Southern District of New York. The application for a stay of the mandate of the United States Court of Appeals for the Second Circuit presented to Mr. Justice Marshall, and by him referred to the Court, is denied. Mr. Justice Douglas would grant the application.

**No. 72-1173.** International Business Machine Corporation, appellant, *v.* United States. The application for a stay of the execution and enforcement of the pre-trial order No. 5 of the United States District Court for the Southern District of New York and for a stay of the mandate of the United States Court of Appeals for the Second Circuit presented to Mr. Justice Marshall, and by him referred to the Court, is denied. Mr. Justice Stewart, Mr. Justice Blackmun and Mr. Justice Powell took no part in the consideration or decision of this application. Mr. Justice Douglas would grant the application.

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## SUPREME COURT OF THE UNITED STATES

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Present : Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

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The Chief Justice said :

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

## APPEALS—SUMMARY DISPOSITION

No. **72-635**. Kenneth Glusman and Anthony B. Lamb, appellants, *v.* The Board of Trustees of the University of North Carolina. Appeal from the Supreme Court of North Carolina. Judgment vacated and case remanded to the Supreme Court of North Carolina for further consideration in light of *Vlandis v. Kline et al.* 412 U.S. — (1973). Mr. Justice Douglas would affirm judgment.

No. **72-1259**. Abraham Teitelbaum, appellant, *v.* California. Appeal from the Court of Appeal of California, Second Appellate District. Motion to dispense with printing jurisdictional statement granted. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. **72-1565**. United States, appellant, *v.* Trans Texas Bancorporation, Inc. et al. Appeal from the United States District Court for the Western District of Texas. Judgment affirmed. Mr. Justice Brennan, Mr. Justice White and Mr. Justice Marshall would note probable jurisdiction and set case for oral argument.

No. **72-6329**. William K. McAllister, appellant, *v.* Virginia. Appeal from the Supreme Court of Virginia. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. **72-6385**. Howard Allen Logan, appellant, *v.* Western Union Telegraph Company, etc. Appeal from the United States District Court for the Southern District of New York. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

## CERTIORARI—SUMMARY DISPOSITION

No. 72-6012. Virgil A. Kelsaw, Jr., petitioner, *v. Oregon*. On petition for writ of certiorari to the Court of Appeals of Oregon. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals of Oregon for further consideration in light of *Wardius v. Oregon*, 412 U.S. — (1973). Mr. Justice Douglas would grant petition for certiorari and reverse judgment for reasons set forth in his separate opinion in *Wardius v. Oregon*, 412 U.S. — (1973).

## ORDERS IN PENDING CASES

No. A-1079. James Ben Johnson, applicant, *v. Missouri*. The application for bail presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

No. A-1186. Joseph Waller, Jr., applicant, *v. Florida*. The application for a stay of the execution and enforcement of the judgment of conviction in the Circuit Court of Pinellas County, Florida, presented to Mr. Justice Powell, and by him referred to the Court, is granted pending further order of this Court.

No. 72-1035. Julia Rogers, petitioner, *v. Leroy Loether et al.* The motion of respondents for leave to proceed further herein *in forma pauperis* or in the alternative to submit respondents' brief in type-written form is denied.

No. 72-1086. DeLong Corporation et al., petitioners, *v. Oregon* by and through its State Highway Commission. The motion of the respondent for allowance of attorney's fees is denied.

No. 72-1264. Mayor of the City of Philadelphia et al., petitioners, *v. Educational Equality League et al.* The motion of respondents for leave to proceed further herein *in forma pauperis* is denied.

No. 72-1355. United States, petitioner, *v. William Earl Mattlock*. The motion of the respondent for appointment of counsel is granted, and it is ordered that Donald S. Eisenberg, Esquire, of Madison, Wisconsin, be, and he is hereby, appointed to serve as counsel for the respondent in this case.

## APPEAL—JURISDICTION NOTED

No. 72-1465. Raymond K. Procnier, Director, California Department of Corrections, et al., appellants, *v. Robert Martinez et al.* Appeal from the United States District Court for the Northern District of California. Motion of appellees for leave to proceed *in forma pauperis* granted. In this case probable jurisdiction noted.

## CERTIORARI DENIED

No. 72-1218. Geoffrey Kevin Valentine and Scott Marlow Darroch, petitioners, *v.* Oregon. Petition for writ of certiorari to the Supreme Court of Oregon denied.

No. 72-1345. Alphonso Mosca, Sr. and Alphonso Mosca, Jr., petitioners, *v.* United States;

No. 72-6456. Nathan Wolfson, petitioner, *v.* United States; and

No. 72-6479. Joseph Zavod and William Emmons, petitioners, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1368. Gino Rosciano, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-1370. Milton Berlin, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1374. Martin H. Neff, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-1383. Martin M. Decker et al., petitioners, *v.* Matthew B. Weinstein, Trustee, et al. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-1387. American Concrete Construction Co., Inc., et al., petitioners, *v.* Peter J. Brennan, Secretary of Labor, United States Department of Labor. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1414. William F. Mueller, petitioner, *v.* R. I. Nixon, Former District Director of Internal Revenue Service, et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-1418. Theodore L. Sendak, Attorney General of the State of Indiana, petitioner, *v.* S. Hugh Dillin, United States District Judge for the Southern District of Indiana. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-1431. Thomas S. Leonhard, petitioner, *v.* Elliot L. Richardson, Attorney General of the United States, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1434. Steven Hitchcock, petitioner, *v.* Civil Service Commission of Moses Lake, Washington. Petition for writ of certiorari to the Court of Appeals of Washington, Division III, denied.

No. 72-1435. Kenneth T. Robbins, petitioner, *v.* Noble Drilling Company et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1442. Travelers Insurance Company, petitioner, *v.* Cleveland A. Chouest. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1444. Mack Kellen, petitioner, *v.* Alabama. Petition for writ of certiorari to the Court of Criminal Appeals of Alabama denied.

No. 72-1451. Abe Lavine, as Commissioner of Social Services of the State of New York, petitioner, *v.* John V. Lindsay, as Mayor of the City of New York, et al. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1452. Clifford H. Ownby, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 72-1464. Marcia Ridder Van Vliet, petitioner, *v.* Thomas Le-Bosquet. Petition for writ of certiorari to the Appellate Division of the Supreme Court of New York, First Judicial Department, denied.

No. 72-1466. Administrator of the National Aeronautics and Space Administration, petitioner, *v.* Donald D. Williams et al. Petition for writ of certiorari to the United States Court of Customs and Patent Appeals denied.

No. 72-1467. Elaine Perrerra et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-1468. Lillian N. Wilson, petitioner, *v.* Commissioner of Internal Revenue. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1471. The American Dairy Association et al., petitioners, *v.* William J. Rasmussen. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-5432. Joseph Carl Brown, Jr., petitioner, *v.* Richard P. Joseph. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6115. Joe Jackson, petitioner, *v.* John L. Zelker, Superintendent, Green Haven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6231. Arthur S. Guthrie, petitioner, *v.* Georgia. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6233. Tommie Lee Kennedy, petitioner, *v.* Louie L. Wainwright, Director, Florida Division of Corrections. Petition for writ

of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6286. Sammie L. Nelson, petitioner, *v.* Robert J. Moore, Superintendent, Massachusetts Correctional Institution. Petition for writ of certiorari to the United States Court of Appeals for the First Circuit denied.

No. 72-6316. Ronald J. Burbank, petitioner, *v.* Illinois. Petition for writ of certiorari to the Supreme Court of Illinois denied.

No. 72-6365. Robert Kenneth Conklin, petitioner, *v.* Edwin J. Gasaway, Trustee. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6372. Grady McLeod, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6379. Stewart Saunders, Jr., petitioner, *v.* A. E. Slayton, Jr., Superintendent, Virginia State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6401. Harold J. Evans, petitioner, *v.* Robert L. Johnson, Superintendent, State Correctional Institutional at Graterford. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6455. William Owens, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6490. Richard Montgomery, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6498. Wilbert C. Jackson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6507. George Robert Irons, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6511. Lloyd Paul Woods, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6512. Harvey Nathan Judson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6524. Scotty Shirley Hanks, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-6532. Charles William Krull, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6546. Kinnard Copeland, petitioner, *v.* W. J. Estelle, Jr., Director, Texas Department of Corrections. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6585. Enrique B. Andrade, petitioner, *v.* Bill Hauck, Sheriff of Bexar County, Texas, et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-6635. Jack Warren Babcock, petitioner, *v.* Harold R. Swenson, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied.

No. 72-6641. Cornelia Crenshaw, petitioner, *v.* Robert G. James et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6643. James Smiley, petitioner, *v.* J. Edwin LaVallee, Superintendent, Clinton Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-6656. James Willie Cleveland, petitioner, *v.* Warden, Maryland State Penitentiary. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-6664. Floyd Z. Higgens, petitioner, *v.* North Carolina. Petition for writ of certiorari to the Court of Appeals of North Carolina denied.

No. 72-6673. Thomas Walker Oakes, petitioner, *v.* Harold E. Black, Superintendent, Kentucky State Reformatory. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 72-6674. Robert John Lemmo, petitioner, *v.* Leon J. Vincent, Superintendent, Green Haven Correctional Facility. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-1041. William A. Douglas et al., petitioners, *v.* Bradford C. Covell. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the Supreme Court of Colorado denied. Mr. Justice Douglas would grant certiorari and affirm the judgment.

No. 72-1090. Frank Annunzio, petitioner, *v.* John J. Hoellen. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.



No. 72-1249. James David Stover, petitioner, *v.* Virginia. Petition for writ of certiorari to the Supreme Court of Virginia denied. Mr. Justice Douglas would grant certiorari.

No. 72-1317. Matthew F. Whitaker et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1340. Dennis Stanley and Joseph Cusanelli, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1377. The Metropolitan School District of Lawrence Township, Marion County, Indiana, et al., petitioners, *v.* S. Hugh Dillin, United States District Judge for the Southern District of Indiana, et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6499. Billy Eugene Retherford, petitioner, *v.* Florida. Petition for writ of certiorari to the Supreme Court of Florida denied. Mr. Justice Douglas would grant certiorari.

No. 72-6513. Pasquale Cioffi, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6523. Anthony Frank Mancino, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-6647. Shirley Gron, petitioner, *v.* Nancy Lee Viconovic. Petition for writ of certiorari to the Supreme Court of Ohio denied. Mr. Justice Douglas would grant certiorari.

No. 72-6689. Tomas Rodriguez et al., petitioners, *v.* Clarence Jones et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. 72-1260. Bill McCune, petitioner, *v.* Nebraska. Motion to dispense with printing petition granted. Petition for writ of certiorari to the Supreme Court of Nebraska denied.

No. 72-1350. Robert Keelan Meisel, Jr., and Barbara Jean Fitch, petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Dissenting opinion by Mr. Justice Douglas.

No. 72-1409. Local Union No. 1791, United Mine Workers of America, et al., petitioners, *v.* McGuire Shaft and Tunnel Corpora-

tion et al. Petition for writ of certiorari to the Temporary Emergency Court of Appeals of the United States denied. Dissenting opinion by Mr. Justice Douglas.

No. **72-6359**. Ronald L. Reece, petitioner, *v.* Walter E. Craven, Warden. Petition for writ of certiorari to the Supreme Court of California denied. Mr. Justice Douglas concurs in the denial of certiorari solely because the judgment below rests on an adequate state ground.

No. **72-6526**. Esther Muncaster, petitioner, *v.* United States. Motion for leave to file an amended petition granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

#### LEAVE TO FILE PETITION FOR WRIT OF HABEAS CORPUS DENIED

No. **72-6534**. Victor J. Orsinger, petitioner, *v.* Elliot L. Richardson, Attorney General of the United States. Motion for leave to file petition for writ of habeas corpus denied.

#### REHEARINGS DENIED

No. **72-10**. David Moor et al., petitioners, *v.* County of Alameda et al.;

No. **72-1112**. Coffee-Rich, Inc., et al., appellants, *v.* Jerry W. Fielder et al.;

No. **72-1199**. Bobby Jerald Culpepper, petitioner, *v.* United States;

No. **72-5398**. Robert Newton Gardner, Jr., petitioner, *v.* D. J. McCarthy, Superintendent, CMC-East Facility, San Luis Obispo, California;

No. **72-5964**. Holice Black and Richard Black, petitioners, *v.* Illinois;

No. **72-6090**. Dennis Jan King, petitioner, *v.* California;

No. **72-6149**. Carroll M. House, appellant, *v.* St. Agnes Hospital, Inc., et al.;

No. **72-6197**. Clarence W. Shoemaker, appellant, *v.* Robert A. Dwyer et al.;

No. **72-6392**. James H. Wheeler, petitioner, *v.* United States;

No. **72-6423**. Cesar Mendes, petitioner, *v.* Brotherhood of Railway and Airline Clerks, Freight Handlers, Express and Station Employees, AFL-CIO-CLC, et al.; and

No. **72-6603**. Mary Frances Jaynes, petitioner, *v.* Manly W. Jaynes, Jr., et al. Petitions for rehearing denied.

No. **6505, October Term, 1970**. Terrence Jamison Niemeyer, petitioner, *v.* P. J. Ciccone, Director, et al. Motion for leave to file petition for rehearing denied.

No. 72-780. California Adult Authority et al., petitioners, *v.* Jesse Lee Griffin et al.; and

No. 72-5770. Charles G. M'Clary, petitioner, *v.* California Adult Authority et al. Petition for rehearing or modification denied.

No. 72-5935. L. G. Ruderer, appellant, *v.* Richard Kleindienst, Attorney General. Motion for leave to file petition for rehearing and for all other relief denied. Mr. Justice Blackmun took no part in the consideration or decision of this motion.

#### RECESS ORDER

The Court will take a recess from today until Thursday, June 21, 1973.

#### ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Mary Lisa Anderson (Miss)	Washington, D.C.	Melvin C. Steen.
Martin H. Belsky	Philadelphia, Pa.	Michael J. Rotko.
Richard Alan Berkanovic	Milwaukee, Wis.	Stephen R. Miller.
Richard William Bliss	Arlington, Va.	Robert W. Long.
Thomas George Bodie	Towson, Md.	William F. Mosner.
John F. Bradley	Los Angeles, Calif.	Jack Thorp Swafford.
William Braniff	Fort Lee, N.J.	Marc L. Dembling.
Coleman Bresee	Hillsborough, Calif.	John Kaplan.
Sidney Chait	Philadelphia, Pa.	Nathan Lavine.
Parker E. Cherry	Richmond, Va.	William Griffith Purcell.
Donald M. Cislo	Santa Monica, Calif.	Edward H. Lang.
Herbert Lyle Coffman	Houston, Tex.	Leon Gilbert Halden, Jr.
Melvyn D. Cohen	Boston, Mass.	Cyril Hochberg.
Julius Wadsworth Cohn	White Plains, N. Y.	Anthony J. Cerrato, Jr.
James Ragan Coker	South Bend, Ind.	Jack Finney Lane, Jr.
Nicholas Charles Cooper	Bayport, N. Y.	Frank A. Finnerty, Jr.
James Reynolds Cunningham	Orlando, Fla.	Raymer F. Ma- guire, Jr.
Harrison K. Dano	Ellensburg, Wash.	Robert L. Fraser.
Stephen Michael Deen	Malibu, Calif.	William Hosmer Peterson.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Alphonse Della-Donna	Fort Lauderdale, Fla.	Earl Faircloth.
James Walter Dempsey	Calumet City, Ill.	Louis Barsky.
Anthony E. DePrima	Phoenix, Ariz.	Thomas Aranda, Jr.
George T. Dynes	Dickinson, N.D.	Albert A. Wolf.
Alfred Elliott	Chicago, Ill.	George B. Pletsch.
Jerry Wendell Faubus	Little Rock, Ark.	Norman Dale Price.
Matthew H. Feinberg	Boston, Mass.	Melvyn H. Zarr.
George C. Gillette	Newport Beach, Cal.	Ralph G. Pagter.
Martin Edward Goldhaber	Pittsburgh, Pa.	Samuel B. Roth.
Roy Bonder Gonas	Miami, Fla.	Miller Walton.
Morton I. Greenberg	Princeton, N.J.	Mrs. Virginia Long Annich.
Terrence K. Hegarty	Chicago, Ill.	Mrs. Sybille C. Fritzsche.
Herbert Hill	Aurora, Ill.	Richard Dean Schiller.
John D. Hirte	Saint Paul, Minn.	Linn J. Firestone.
William M. Holland, Jr.	Houston, Tex.	Edward George Murr.
Wade C. Hoyt, Jr.	Rome, Ga.	Emil Jackson Clower.
Edward Hunter	Trenton, N.J.	E. John Wherry, Jr.
Darrell E. Jordan	Dallas, Tex.	John Lancaster Estes.
Aaron Kadish	Baltimore, Md.	Benjamin Lipsitz
Stephen M. Kapral	Richmond, Va.	E. Ballard Baker.
Howard Karger	Newburgh, N.Y.	Howard S. Finkelstein.
R. Gordon Kean, Jr.	Baton Rouge, La.	Charles Simon McGowan, Jr.
Walter C. Kelley	Cleveland, Ohio	John G. Lancione.
William Joel Kogan	Loudonville, N.Y.	Mrs. Ruth Kessler Toch.
John E. Lee	Fayetteville, W. Va.	Ray M. Druley.
Fred J. Livingstone	Cleveland, Ohio	John G. Lancione.
Francis Peabody Lloyd	Monterey, Calif.	Fredrick Sharon Farr.
David Milton Love II	Atlanta, Ga.	Richard F. Atwood.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Charles E. Mattson	Los Angeles, Calif.	James Allan Doherty.
Donald B. McCann	Cleveland, Ohio	John G. Lancione.
Gene E. McDonald	Latrobe, Pa.	Edward T. Tait.
Kenneth N. McKinney	Oklahoma City, Okla.	Elliott C. Fenton.
Hugh Jacob Moore, Jr.	Chattanooga, Tenn.	Brian K. Landsberg.
Edgar A. Neely III	Atlanta, Ga.	Ernest P. Rogers.
Marvin Peter Nerseth	Eugene, Oregon	William R. Newsome.
Robert Duane Ochs	Topeka, Kans.	Judge E. Newton Vickers.
Carlton M. O'Malley, Jr.	Scranton, Pa.	Carlton M. O'Malley.
John Harris Paer	Atlanta, Ga.	Michael Holtslander Terry.
Frank J. Pause	Chicago, Ill.	Edward J. Hladis.
James William Pendland	Bedford, Ind.	Birch E. Bayh, Jr.
Sheldon Reiter	New York, N.Y.	Joseph Michael Ryan.
Robert T. Resha	Danbury, Conn.	Robert J. Michael.
Walter Rivera-Diaz	Newport News, Va.	Jay Thomas Rouland.
Dom J. Rizzi	Chicago, Ill.	Edward J. Hladis.
Frank William Roccaforte	New Orleans, La.	Thomas Barr 11.
Leo W. Rousselle	New Orleans, La.	Ernest L. Salatich.
Leslie H. Rudnick	Boston, Mass.	Jordan L. Ring.
John Codman Ruhnka	Washington, D.C.	Ronald F. Pollack.
Moe B. Safer	Jacksonville, Fla.	William D. Jones, Jr.
Eric John Schmidt	San Francisco, Cal.	Gordon S. Staring.
Mitchell S. Shapiro	Los Angeles, Calif.	Fred Okrand.
Murray Lawrence Simpson	Chicago, Ill.	Milton A. Silverman.
Martin M. Smith	Southfield, Mich.	Alvin T. Lee.
Paul D. Springer	New York, N.Y.	Peter Ivan Reiter.
Irving Sulmeyer	Los Angeles, Calif.	Richard Gordon Baumann.
James E. Taylor	Sacramento, Calif.	Harrison Loesch.
Thomas W. Tierney	Kansas City, Mo.	George L. Gisler.
David Brown Tilley, Sr.	Litchfield, Conn.	James Hart Talcott.
M. Dreux Van Horn Ü	Metairie, La.	George R. Blue.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kenneth H. Volk	New York, N.Y.	Elliot B. Nixon.
Kirk Cambron Waite, Jr.	Nashville, Tenn.	Carrol D. Kilgore.
Alvin Harold Weissman	Culver City, Calif.	J. Varick Tunney.
Arthur Zilberstein	Chicago, Ill.	James J. Mc- Namara.
Malcolm Steven Zlotkin	Freehold, N.J.	Richard James Shackleton.

## ADMISSIONS TO THE BAR ON ORAL MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Jeffrey L. Mason	Sanford, Calif.	Solicitor General Erwin N. Griswold.
B. Thomas Barnard	Santa Monica, Calif.	Solicitor General Erwin N. Griswold.
Richard Henry Kirschner	Los Angeles, Calif.	Solicitor General Erwin N. Griswold.
Jacobus J. Lankhorst	Springfield, Va.	Hugh D. Scott, Jr.
Harry F. Schmoll, Jr.	State College, Pa.	Hugh D. Scott, Jr.
Carlos John Moorhead	Glendale, Calif.	Daniel J. Andersen.
Arthur James Harris II	Washington, D.C.	Guy Vanderjagt.
Winton Michael Drew Fulk	Chicago, Ill.	Earl R. Stanley.
Raoul P. Sere	New Orleans, La.	Earl R. Stanley.
Joseph P. Musick, Jr.	El Paso, Tex.	Norton M. Furman.
Candace Lillian Cowan	Washington, D.C.	Michael Roy Sonnenreich.
Robert Glenn Pinco	Olney, Md.	Michael Roy Sonnenreich.
Lewis Stabus Witherspoon	Columbus, Ohio	S. Harrison Kahn.
Abraham A. Goldstone	Los Angeles, Calif.	David Freeman.
Richard Allen Klein	Beverly Hills, Calif.	David Freeman.

## OPINIONS

No. 72-5443. James Edward Barnes, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion by Mr. Justice Powell.

Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Marshall joins.

No. 72-214. The Atchison, Topeka and Santa Fe Railway Company et al., appellants, *v.* The Wichita Board of Trade et al.; and

No. 72-433. Interstate Commerce Commission, appellant, *v.* Wichita Board of Trade. Appeals from the United States District Court for the District of Kansas. Judgment affirmed in part and reversed in part and cases remanded to the United States District Court for the District of Kansas for further proceedings in conformity with the judgment of this Court. Mr. Justice Marshall announced the judgment of the Court, and delivered an opinion in which Mr. Chief Justice Burger, Mr. Justice Stewart, and Mr. Justice Blackmun join. Opinion by Mr. Justice Douglas concurring in part and dissenting in part. Opinion by Mr. Justice White, concurring in part and dissenting in part, with whom Mr. Justice Brennan and Mr. Justice Rehnquist join. Mr. Justice Powell took no part in the consideration or decision of these cases.

No. 71-1476. J. Brian Gaffney, appellant, *v.* Theodore R. Cummings et al. Appeal from the United States District Court for the District of Connecticut. Judgment reversed and case remanded to the United States District Court for the District of Connecticut for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Opinion by Mr. Justice Brennan, concurring in part and dissenting in part, with whom Mr. Justice Douglas and Mr. Justice Marshall join, in this case and in No. 72-147, *post*.

No. 72-147. Mark White, Jr., et al., appellants, *v.* Diana Register et al. Appeal from the United States District Court for the Western District of Texas. Judgment affirmed in part and reversed in part and case remanded to the United States District Court for the Western District of Texas for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Opinion by Mr. Justice Brennan, concurring in part and dissenting in part, with whom Mr. Justice Douglas and Mr. Justice Marshall join, in this case and in No. 71-1476, *ante*.

No. 72-1623. Mark White, Jr., etc., appellant, *v.* Dan Weiser et al. Appeal from the United States District Court for the Northern District of Texas. Judgment affirmed in part and reversed in part and case remanded to the United States District Court for the Northern District of Texas for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Concurring opinion by Mr. Justice Powell with whom Mr. Chief Justice Burger and Mr. Justice Rehnquist join. Opinion by Mr. Justice Marshall concurring in part.

No. 72-535. United States and Interstate Commerce Commission, appellants, *v.* Students Challenging Regulatory Agency Procedures (SCRAP), et al.; and

No. 72-562. Aberdeen and Rockfish Railroad Company et al., appellants, *v.* Students Challenging Regulatory Agency Procedures (SCRAP), et al. Appeals from the United States District Court for the District of Columbia. Judgment reversed and cases remanded to the United States District Court for the District of Columbia for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Concurring opinion by Mr. Justice Blackmun with whom Mr. Justice Brennan joins. Opinion by Mr. Justice Marshall concurring in part and dissenting in part. Opinion by Mr. Justice Douglas dissenting in part. Opinion by Mr. Justice White, dissenting in part, with whom Mr. Chief Justice Burger and Mr. Justice Rehnquist join. Mr. Justice Powell took no part in the consideration or decision of these cases.

No. 72-394. Caspar W. Weinberger, Secretary of Health, Education and Welfare, et al., petitioners, *v.* Hynson, Westcott and Dunning, Incorporated; and

No. 72-414. Hynson, Westcott and Dunning, Incorporated, petitioner, *v.* Caspar W. Weinberger, Secretary of Health, Education and Welfare, et al. On writs of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment modified and, as modified, affirmed. Opinion by Mr. Justice Douglas. Opinion by Mr. Justice Powell concurring in the result as to Part I and joining in Part II of the opinion. Mr. Justice Brennan took no part in the consideration or decision of these cases. Mr. Justice Stewart took no part in the decision of these cases.

No. 72-528. Ciba Corporation, petitioner, *v.* Caspar W. Weinberger, Secretary of Health, Education and Welfare, et al. On writ of certiorari to the United States Court of Appeals for the Third Circuit. Judgment affirmed. Opinion by Mr. Justice Douglas. Mr. Justice Brennan took no part in the consideration or decision of this case. Mr. Justice Stewart took no part in the decision of this case.

No. 72-555. Caspar W. Weinberger, Secretary of Health, Education, and Welfare, et al., petitioners, *v.* Bentex Pharmaceuticals, Inc., et al. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Douglas. Mr. Justice Brennan took no part in the consideration or decision of this case. Mr. Justice Stewart took no part in the decision of this case.

No. 72-666. USV Pharmaceutical Corporation, petitioner, *v.* Caspar W. Weinberger, Secretary of Health, Education and Welfare, et al. On writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Judgment affirmed. Opinion by Mr. Justice Douglas. Mr. Justice Brennan took no part in the consideration or decision of this case. Mr. Justice Stewart took no part in the decision of this case.



No. 71-1192. Donald Goldstein, Ruth Koven and Donald Koven, petitioners, *v.* California. On writ of certiorari to the Appellate Department of the Superior Court of California, County of Los Angeles. Judgment affirmed. Opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan and Mr. Justice Blackmun concur. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Brennan and Mr. Justice Blackmun join.

No. 71-1459. United States, petitioner, *v.* Little Lake Misere Land Company, Inc., et al. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Judgment reversed and case remanded to the Court of Appeals for entry of an order in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Burger. Opinion by Mr. Justice Stewart concurring in the result. Opinion by Mr. Justice Rehnquist concurring in the result.

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Adjourned until Thursday, June 21, 1973, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, and Mr. Justice Powell.

## OPINIONS

**No. 72-586.** Elmer O. Cady, Warden, petitioner, *v.* Chester J. Dombrowski. On writ of certiorari to the United States Court of Appeals for the Seventh Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Rehnquist announced by Mr. Justice Blackmun. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Douglas, Mr. Justice Stewart and Mr. Justice Marshall join.

**No. 72-419.** Pittsburgh Press Company, petitioner, *v.* The Pittsburgh Commission on Human Relations et al. On writ of certiorari to the Commonwealth Court of Pennsylvania. Judgment affirmed. Opinion by Mr. Justice Powell. Dissenting opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Stewart with whom Mr. Justice Douglas joins. Dissenting opinion by Mr. Justice Blackmun.

**No. 72-792.** New York State Department of Social Services et al., appellants, *v.* Dolores Dublino et al.; and

**No. 72-802.** Onondaga County Department of Social Services et al., appellants, *v.* Dolores Dublino et al. Appeals from the United States District Court for the Western District of New York. Judgment reversed and cases remanded to the United States District Court for the Western District of New York for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Powell. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Brennan joins.

**No. 71-1255.** United States, petitioner, *v.* Charles J. Ash, Jr. On writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Blackmun. Opinion by Mr. Justice Stewart concurring in the judgment. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Douglas and Mr. Justice Marshall join.

No. 72-129. National Association for the Advancement of Colored People, etc., et al., appellants, *v.* New York et al. Appeal from the United States District Court for the District of Columbia. Judgment affirmed. Opinion by Mr. Justice Blackmun. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Brennan. Mr. Justice Marshall took no part in the consideration or decision of this case.

No. 71-6278. Condrado Almeida-Sanchez, petitioner, *v.* United States. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Stewart. Concurring opinion by Mr. Justice Powell. Dissenting opinion by Mr. Justice White with whom Mr. Chief Justice Burger, Mr. Justice Blackmun and Mr. Justice Rehnquist join.

No. 71-1442. Roland V. Colgrove, petitioner, *v.* James F. Battin, United States District Judge for the District of Montana. On writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Judgment affirmed. Opinion by Mr. Justice Brennan. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Powell concurs. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Stewart joins. Dissenting opinion by Mr. Justice Powell.

No. 71-507. Wilfred Keyes et al., petitioners, *v.* School District No. 1, Denver, Colorado, et al. On writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Judgment modified and vacated, and as modified, to vacate instead of reverse, and case remanded to the United States District Court for the District of Colorado for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Brennan. Separate opinion by Mr. Justice Douglas. Mr. Chief Justice Burger concurs in the result. Opinion by Mr. Justice Powell concurring in part and dissenting in part. Dissenting opinion by Mr. Justice Rehnquist. Mr. Justice White took no part in the decision of this case.

No. 71-1553. John J. Gilligan, Governor of Ohio, et al., petitioners, *v.* Craig Morgan et al. On writ of certiorari to the United States Court of Appeals for the Sixth Circuit. Judgment reversed and case remanded to the Court of Appeals for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Burger. Concurring opinion by Mr. Justice Blackmun with whom Mr. Justice Powell joins. Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart and Mr. Justice Marshall would vacate judgment and remand to the District Court to dismiss as moot.

No. 70-73. Marvin Miller, appellant, *v.* California. Appeal from the Appellate Department of the Superior Court of California, County of Orange. Judgment vacated and case remanded to the Appellate Department of the Superior Court of California, County of Orange, for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice Marshall join.

No. 71-1051. Paris Adult Theatre I, et al., petitioners, *v.* Lewis R. Slaton, District Attorney, Atlanta Judicial Circuit, et al. On writ of certiorari to the Supreme Court of Georgia. Judgment vacated and case remanded to the Supreme Court of Georgia for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice Marshall join.

No. 71-1422. Murray Kaplan, petitioner, *v.* California. On writ of certiorari to the Appellate Department of the Superior Court of California, County of Los Angeles. Judgment vacated and case remanded to the Appellate Department of the Superior Court of California, County of Los Angeles, for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Burger. Justice Douglas would vacate and remand for dismissal of the criminal complaint. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice Marshall join.

No. 70-2. United States, appellant, *v.* 12 200-ft. Reels of Super 8mm. Film et al. Appeal from the United States District Court for the Central District of California. Judgment vacated and case remanded to the United States District Court for the Central District of California for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice Marshall join.

No. 70-69. United States, appellant, *v.* George Joseph Orito. Appeal from the United States District Court for the Eastern District of Wisconsin. Judgment vacated and case remanded to the United States District Court for the Eastern District of Wisconsin for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice Marshall join.

The Chief Justice said :

“The Court will take a recess from today until Monday, June 25, 1973, upon which day it will adjourn for the term unless otherwise ordered.”

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Adjourned until Monday, June 25, 1973, at 10 o'clock.

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## SUPREME COURT OF THE UNITED STATES

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Present: Mr. Chief Justice Burger, Mr. Justice Douglas, Mr. Justice Brennan, Mr. Justice Stewart, Mr. Justice White, Mr. Justice Marshall, Mr. Justice Blackmun, Mr. Justice Powell, and Mr. Justice Rehnquist.

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### ADMISSIONS TO THE BAR ON ORAL MOTIONS

Applicant	City and State	Movant
John Hendrik Germeraad	Bowie, Md.	Solicitor General Erwin N. Griswold.
Gene Alan Erl	Medford, Wis.	Solicitor General Erwin N. Griswold.
Joel Dennis Frederick	Salt Lake City, Utah.	Frank E. Moss.
James H. Berkson	Washington, D.C.	Stanley I. Westreich.

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Mr. Solicitor General Griswold presented the Honorable Elliot L. Richardson, Attorney General of the United States.

The Chief Justice said:

“Mr. Attorney General, the Court welcomes you to the performance of the important duties which devolve upon you as the chief law officer of the Government, and as an officer of this Court. Your commission will be recorded with the Clerk.”

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The Chief Justice said:

“The Court takes note that Solicitor General Griswold today makes his final appearance as the incumbent of that high office. He has served with distinction for nearly six years, one of the longest tenures since the office of Solicitor General was created more than 100 years ago.

“On behalf of the Court, I wish to thank him for his services to the Court and wish him well in the years ahead. We include Mrs. Griswold in our good wishes for the future.”

### OPINIONS

**No. 71-1336.** In re Application of Fre Le Poole Griffiths for Admission to the Bar, appellant. Appeal from the Supreme Court of Connecticut. Judgment reversed and case remanded to the Supreme Court of Connecticut for further proceedings not inconsistent with the

opinion of this Court. Opinion by Mr. Justice Powell. Dissenting opinion by Mr. Chief Justice Burger with whom Mr. Justice Rehnquist joins. Dissenting opinion by Mr. Justice Rehnquist in this case and in No. 71-1222, *post*.

No. 71-1523. Richard W. Hunt, appellant, *v.* Robert E. McNair, Governor of South Carolina, et al. Appeal from the Supreme Court of South Carolina. Judgment affirmed. Opinion by Mr. Justice Powell. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Douglas and Mr. Justice Marshall join.

No. 72-694. Committee for Public Education and Religious Liberty et al., appellants, *v.* Ewald B. Nyquist, as Commissioner of Education of the State of New York, et al.;

No. 72-753. Warren M. Anderson, as Majority Leader and President *pro tem* of the New York State Senate, appellant, *v.* Committee for Public Education and Religious Liberty et al.;

No. 72-791. Ewald B. Nyquist, as Commissioner of Education of the State of New York, et al., appellants, *v.* Committee for Public Education and Religious Liberty et al.; and

No. 72-929. Priscilla L. Cherry et al., appellants, *v.* Committee for Public Education and Religious Liberty et al. Appeals from the United States District Court for the Southern District of New York. Judgment affirmed in part and reversed in part and cases remanded to the United States District Court for the Southern District of New York for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice Powell. Opinion by Mr. Chief Justice Burger in these cases and in Nos. 72-459 and 72-620, *post*, concurring in part and dissenting in part, with whom Mr. Justice White joins in part, and Mr. Justice Rehnquist joins. Dissenting opinion by Mr. Justice White in these cases and in Nos. 72-459 and 72-620, *post*, joined in part by Mr. Chief Justice Burger and Mr. Justice Rehnquist. Opinion by Mr. Justice Rehnquist dissenting in part, with whom Mr. Chief Justice Burger and Mr. Justice White concur.

No. 72-459. Grace Sloan, as State Treasurer of the Commonwealth of Pennsylvania, et al., appellants, *v.* Alton J. Lemon et al.; and

No. 72-620. Henry E. Crouter, appellant, *v.* Alton J. Lemon et al. Appeals from the United States District Court for the Eastern District of Pennsylvania. Judgment affirmed. Opinion by Mr. Justice Powell. Opinion by Mr. Chief Justice Burger in these cases in Nos. 72-694, 72-753, 72-791 and 72-929, *ante*, concurring in part and dissenting in part, with whom Mr. Justice White joins in part, and Mr. Justice Rehnquist joins. Dissenting opinion by Mr. Justice White in these cases and in Nos. 72-694, 72-753, 72-791 and 72-929, *ante*, joined in part by Mr. Chief Justice Burger and Mr. Justice Rehnquist.

No. 71-1222. Jule M. Sugarman, etc., et al., appellants, *v.* Patrick McL. Dougall et al. Appeal from the United States District Court for the Southern District of New York. Judgment affirmed. Opinion by Mr. Justice Blackmun. Dissenting opinion by Mr. Justice Rehnquist in this case and in No. 71-1336, *ante*.

No. 71-6314. James Roy Gosa, petitioner, *v.* J. A. Mayden, Warden. On writ of certiorari to the United States Court of Appeals for the Fifth Circuit; and

No. 71-1398. John W. Warner, Secretary of the Navy, petitioner, *v.* John W. Flemings. On writ of certiorari to the United States Court of Appeals for the Second Circuit. Judgment in No. 71-6314 affirmed. Judgment in No. 71-1398 reversed and cases remanded to the respective Courts of Appeals for further proceedings in conformity with the opinion of this Court. Mr. Justice Blackmun announced the judgments of the Court and delivered an opinion in which Mr. Chief Justice Burger, Mr. Justice White and Mr. Justice Powell join. Opinion by Mr. Justice Douglas concurring in part. Opinion by Mr. Justice Rehnquist concurring in the judgments. Opinion by Mr. Justice Stewart concurring in the result in No. 71-1398, in which Mr. Justice Douglas joins, and dissenting in No. 71-6314. Dissenting opinion by Mr. Justice Marshall with whom Mr. Justice Brennan joins, and Mr. Justice Stewart joins as to No. 71-6314.

No. 72-634. United States Civil Service Commission et al., appellants, *v.* National Association of Letter Carriers, AFL-CIO, et al. Appeal from the United States District Court for the District of Columbia. Judgment reversed and case remanded to the United States District Court for the District of Columbia for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Douglas with whom Mr. Justice Brennan and Mr. Justice Marshall concur.

No. 71-1639. William M. Broadrick et al., appellants, *v.* Oklahoma et al. Appeal from the United States District Court for the Western District of Oklahoma. Judgment affirmed. Opinion by Mr. Justice White. Dissenting opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice Marshall join.

No. 72-534. United States Department of Agriculture et al., appellants, *v.* Jacinta Moreno et al. Appeal from the United States District Court for the District of Columbia. Judgment affirmed. Opinion by Mr. Justice Brennan. Concurring opinion by Mr. Justice Douglas. Dissenting opinion by Mr. Justice Rehnquist with whom Mr. Chief Justice Burger concurs.

No. 72-848. United States Department of Agriculture et al., appellants, *v.* Lula Mae Murry et al. Appeal from the United States District Court for the District of Columbia. Judgment affirmed.



Opinion by Mr. Justice Douglas. Concurring opinion by Mr. Justice Stewart. Concurring opinion by Mr. Justice Marshall. Dissenting opinion by Mr. Justice Blackmun. Dissenting opinion by Mr. Justice Rehnquist with whom Mr. Chief Justice Burger and Mr. Justice Powell concur.

No. 72-77. Delores Norwood et al., appellants, *v.* D. L. Harrison, Sr., et al. Appeal from the United States District Court for the Northern District of Mississippi. Judgment vacated and case remanded to the United States District Court for the Northern District of Mississippi for further proceedings in conformity with the opinion of this Court. Opinion by Mr. Chief Justice Burger. Mr. Justice Douglas and Mr. Justice Brennan concur in the result.

No. 72-269. Arthur Levitt, as Comptroller of the State of New York and Ewald B. Nyquist, as Commissioner of Education of the State of New York, appellants, *v.* Committee for Public Education and Religious Liberty et al.;

No. 72-270. Warren M. Anderson, as Majority Leader and President *pro tem* of New York State Senate, appellant, *v.* Committee for Public Education and Religious Liberty et al.; and

No. 72-271. Cathedral Academy et al., appellants, *v.* Committee for Public Education and Religious Liberty et al. Appeals from the United States District Court for the Southern District of New York. Judgment affirmed. Opinion by Mr. Chief Justice Burger. Separate statement by Mr. Justice Douglas, Mr. Justice Brennan and Mr. Justice Marshall. Mr. Justice White dissents.

No. 71-1043. Saul Heller, petitioner, *v.* New York. On writ of certiorari to the Court of Appeals of New York. Judgment vacated and case remanded to the Court of Appeals of New York for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Burger. Dissenting opinion by Mr. Justice Douglas in this case and in No. 71-1134, *post*. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice Marshall join.

No. 71-1134. Harry Roaden, petitioner, *v.* Kentucky. On writ of certiorari to the Court of Appeals of Kentucky. Judgment reversed and case remanded to the Court of Appeals of Kentucky for further proceedings not inconsistent with the opinion of this Court. Opinion by Mr. Chief Justice Burger. Opinion by Mr. Justice Brennan concurring in the reversal, with whom Mr. Justice Stewart and Mr. Justice Marshall join. Dissenting opinion by Mr. Justice Douglas in this case and in No. 71-1043, *ante*.

No. 71-1315. Howard Alexander et al., petitioners, *v.* Virginia. On writ of certiorari to the Supreme Court of Virginia. Judgment vacated and case remanded to the Supreme Court of Virginia for further

proceedings not inconsistent with the opinion of this Court. Opinion *per curiam* announced by Mr. Chief Justice Burger. Mr. Justice Douglas would reverse judgment. Dissenting opinion by Mr. Justice Brennan with whom Mr. Justice Stewart and Mr. Justice Marshall join.

The Chief Justice said:

"Today's orders of the Court have been certified by the Chief Justice, filed with the Clerk, and will not be announced orally."

#### OPINION PER CURIAM

No. 72-1396. Donald W. Fausner et ux., petitioners, *v.* Commissioner of Internal Revenue. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Petition for writ of certiorari granted, and judgment affirmed. Opinion *per curiam*. Mr. Justice Blackmun would grant certiorari and set case for oral argument.

#### APPEALS—SUMMARY DISPOSITION

No. 70-1. Grove Press, Inc., et al., appellants, *v.* Anthony B. Flask et al. Appeal from the United States District Court for the Northern District of Ohio. Judgment vacated and case remanded to the United States District for the Northern District of Ohio for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N. Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would vacate the judgment and remand case for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan). Mr. Justice Douglas took no part in the consideration or decision of this appeal.

No. 70-10. Florida ex rel. Robert L. Shevin, Attorney General of Florida, et al., appellants, *v.* M & W Theatres, Inc., et al. Appeal from the United States District Court for the Northern District of Florida. Judgment vacated and case remanded to the United States District Court for the Northern District of Florida for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would vacate the judgment and remand case to determine whether

after a delay of over three years the case is moot. Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would vacate judgment and remand case for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

**No. 70-23.** William Powell Thompson, Prosecuting Attorney of Sebastian County, Arkansas, et al., appellants, v. United Artists Theatre Circuit, Inc.; and

**No. 70-30.** United Artists Theatre Circuit, Inc., appellant, v. William Powell Thompson, Prosecuting Attorney of Sebastian County, Arkansas, et al. Appeals from the United States District Court for the Western District of Arkansas. Judgment vacated and cases remanded to the United States District Court for the Western District of Arkansas for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would affirm judgment in No. 70-23. Mr. Justice Douglas would reverse judgment in No. 70-30. See *Miller v. California*, ante (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would vacate judgment and remand cases for further consideration in light of *Mitchum v. Foster*, 407 U.S. 225 (1972).

**No. 70-24.** Grove Press, Inc., appellant, v. Melvin Bailey, Sheriff of Jefferson County, Alabama, et al. Appeal from the United States District Court for the Northern District of Alabama. Judgment vacated and case remanded to the United States District Court for the Northern District of Alabama for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would vacate judgment and remand case for further consideration in light of *Mitchum v. Foster*, 407 U.S. 225 (1972). Mr. Justice Douglas took no part in the consideration or decision of this appeal.

**No. 70-25.** Arthur Spivak, appellant, v. Thomas H. Shriver, District Attorney General, et al. Appeal from the United States District Court for the Middle District of Tennessee. Judgment vacated and case remanded to the United States District Court for the Middle District

of Tennessee for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia* — U.S. — (1973). Mr. Justice Douglas would reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would vacate judgment and remand case for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan).

No. 71-515. Art Theater Guild, Inc., dba Studio Art Theater, et al., appellants, *v.* Tennessee ex rel. Lloyd A. Rhodes, District Attorney General. Appeal from the Supreme Court of Tennessee, Western Division. Judgment vacated and case remanded to the Supreme Court of Tennessee, Western Division, for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would vacate judgment and remand case for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan).

No. 71-599. A Motion Picture Film Entitled "Vixen," et al., appellants, *v.* Ohio ex rel. Charles H. Keating, Jr. Appeal from the Supreme Court of Ohio. Motion of appellants to strike appellee's supplemental brief denied. Judgment vacated and case remanded for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would vacate judgment and remand case for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan).

No. 72-683. Louis Watkins, appellant, *v.* South Carolina. Appeal from the Supreme Court of South Carolina. Judgment vacated and case remanded to the Supreme Court of South Carolina for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would reverse judgment. See *Miller v. California*, ante (dissenting opinion of Mr. Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would vacate judgment and remand case for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Mr. Justice Brennan).

No. 72-815. Al Star, etc., et al., appellants, *v.* David Preller et al. Appeal from the United States District Court for the District of Maryland. Judgment vacated and case remanded to the United States District Court for the District of Maryland for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Ortio*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would reverse judgment. See *Miller v. California*, ante (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would vacate judgment and remand case for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

No. 72-1256. Richard A. Blair, appellant, *v.* Ohio. Appeal from the Supreme Court of Ohio. Judgment vacated and case remanded to the Supreme Court of Ohio for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would reverse judgment. See *Miller v. California*, ante (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would vacate judgment and remand case for

further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

No. 70-35. T. Edward Austin, etc., et al., appellants, v. Russ Meyer et al. Appeal from the United States District Court for the Middle District of Florida. Judgment vacated and case remanded to the United States District Court for the Middle District of Florida for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would affirm judgment. Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would vacate judgment and remand case for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

No. 71-304. Garrett H. Byrne, appellant, v. P.B.I.C., Inc., et al. Appeal from the United States District Court for the District of Massachusetts. Judgment vacated and case remanded to the United States District Court for the District of Massachusetts for further consideration in light of *Miller v. California* — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would affirm judgment. Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would vacate judgment and remand case for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

No. 71-1318. Edward M. Davis, Chief of Police for the City of Los Angeles, appellant, v. Tom Parker. Appeal from the United States District Court for the Central District of California. Judgment vacated and case remanded to the United States District Court for the Central District of California for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, U.S. — (1973); *U.S. v. Orito* — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Vir-*

*ginia*, — U.S. — (1973). Mr. Justice Douglas would affirm judgment. Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would vacate judgment and remand case for further proceedings not inconsistent with his dissent in *Paris Adult Theater I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

No. 70-41. Russ Meyer et al., appellants, v. T. Edward Austin, etc., et al. Appeal from the United States District Court for the Middle District of Florida. The appeal is dismissed for want of jurisdiction. Treating the papers whereon the appeal was taken as a petition for writ of certiorari, certiorari is denied.

No. 71-1190. H. Dean Summers et al., appellants, v. Pete T. Cenarusa, etc., et al. Appeal from the United States District Court for the District of Idaho. Judgment vacated and case remanded to the United States District Court for the District of Idaho for further consideration in light of *Mahan v. Howell*, 410 U.S. 315 (1973); *Gaffney v. Cummings*, 412 U.S. — (1973); and *White v. Regester*, 412 U.S. — (1973). Dissenting opinion by Mr. Justice White with whom Mr. Chief Justice Burger joins.

No. 72-76. Ben W. Fortson, Jr., etc., appellant, v. G. Everett Millikan. Appeal from the United States District Court for the Northern District of Georgia. Judgment vacated and case remanded to the United States District Court for the Northern District of Georgia for further consideration in light of *Gaffney v. Cummings*, 412 U.S. — (1973); and *White v. Regester*, 412 U.S. — (1973).

No. 72-166. William T. Kelly et al., appellants, v. Dale Bumpers et al. Appeal from the United States District Court for the Eastern District of Arkansas. Judgment affirmed.

No. 72-205. Leverne Stevenson et al., appellants, v. John C. West, Governor of South Carolina, et al. Appeal from the United States District Court for the District of South Carolina. Judgment reversed and case remanded to the United States District Court for the District of South Carolina. *Swann v. Adams*, 385 U.S. 440 (1967); and *Reynolds v. Sims* 377 U.S. 533 (1964).

No. 72-452. C. Kenneth Powell, appellant, v. John C. West, Governor of the State of South Carolina, et al. Appeal from the United States District Court for the District of South Carolina. Judgment affirmed. Mr. Justice Douglas dissents from the affirmance.

No. 72-1170. Joseph Elder, etc., appellant, v. Calvin L. Rampton, etc., et al. Appeal from the United States District Court for the District of Utah. Judgment affirmed. Mr. Justice Douglas dissents from the affirmance.

No. 72-853. United States, appellant, *v.* B & H Dist. Corp. et al. Appeal from the United States District Court for the Western District of Wisconsin. Judgment vacated and case remanded to the United States District Court for the Western District of Wisconsin for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would affirm. Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, dissents and would affirm judgment of dismissal of the indictment charging appellees with a violation of 18 U.S.C. § 1462. See *Miller v. United States*, No. 70-43 (dissenting opinion of Justice Brennan).

No. 72-932. Jeffrey Cole Bigelow, appellant, *v.* Virginia. Appeal from the Supreme Court of Virginia. Judgment vacated and case remanded to the Supreme Court of Virginia for further consideration in light of *Roe v. Wade*, 410 U.S. 113 (1973); and *Doe v. Bolton*, 410 U.S. 179 (1973).

No. 72-1026. William S. Durham, Jr., etc., appellant, *v.* Daniel R. McLeod, as Attorney General of the State of South Carolina, et al. Appeal from the Supreme Court of South Carolina. The appeal is dismissed for want of a substantial federal question. Mr. Justice Douglas, Mr. Justice Brennan and Mr. Justice Marshall would note probable jurisdiction and set case for oral argument.

No. 72-1053. Michigan, appellant, *v.* Floyd Bloss et al. Appeal from the Supreme Court of Michigan. Judgments vacated and case remanded to the Supreme Court of Michigan for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would dismiss the appeal for want of a substantial federal question. Dissenting opinion by Mr. Justice Brennan joined by Mr. Justice Stewart and Mr. Justice Marshall.

No. 72-1139. James Grit et al., appellants, *v.* Benson A. Wolman et al. Appeal from the United States District Court for the Southern District of Ohio. Judgment affirmed. For the reasons stated in the dissenting opinions in Nos. 72-694, 72-753, 72-791, and 72-929, *Committee for Public Education v. Nyquist*, and Nos. 72-459 and 72-620, *Sloan v. Lemon*, Mr. Justice White would reverse judgment of District Court.



No. 72-1223. Boone Deskins, appellant, *v. Kentucky*. Appeal from the Court of Appeals of Kentucky. The appeal is dismissed for want of a substantial federal question.

No. 72-1360. Gary K. Nelson, Arizona Attorney General, et al., appellants, *v. Maria Theresa Miranda, etc., et al.* Appeal from the United States District Court from the District of Arizona. Motion of appellee Miranda for leave to proceed *in forma pauperis* granted. Judgment affirmed.

No. 72-5939. Doris Jimerson et al., appellants, *v. New York State Department of Social Services, et al.* Appeal from the United States District Court for the Western District of New York. Motion for leave to proceed *in forma pauperis* granted. Judgment vacated and case remanded to the United States District Court for the Western District of New York for further consideration in light of *New York State Dept. of Social Services v. Dublino*, — U.S. — (1973). Mr. Justice Douglas would note probable jurisdiction and set case for oral argument.

#### CERTIORARI—SUMMARY DISPOSITION

No. 70-43. Marvin Miller et al., petitioners, *v. United States*. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California, ante* (dissenting opinion of Justice Douglas). Dissenting opinion by Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall.

No. 71-40. James Jay Kaplan, petitioner, *v. United States*. On petition for writ of certiorari to the District of Columbia Court of Appeals. Petition for writ of certiorari granted, judgment vacated, and case remanded to the District of Columbia Court of Appeals for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See

*Miller v. California*, ante (dissenting opinion of Justice Douglas). Dissenting opinion by Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall.

No. 71-182. Dale P. Ewing dba Action Publishing Company, petitioner, v. United States. On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, ante (dissenting opinion of Justice Douglas). Dissenting opinion by Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall.

No. 71-1517. Marvin Miller, petitioner, v. United States. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, ante (dissenting opinion of Justice Douglas). Dissenting opinion by Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall.

No. 72-154. Frank Cangiano and Cosmo Cangiano, petitioners, v. United States. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8 mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, ante (dissenting opinion of Justice Douglas). Dissenting opinion by Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall.

No. 71-411. Eugene Court, petitioner, *v.* Wisconsin. On petition for writ of certiorari to the Supreme Court of Wisconsin. Petition for writ of certiorari granted, judgment vacated and case remanded to the Supreme Court of Wisconsin for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment and remand case for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Mr. Justice Brennan).

No. 71-701. Joseph Reitano, petitioner, *v.* California. On petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Orange. Petition for writ of certiorari granted, judgment vacated and case remanded to the Appellate Department of the Superior Court of California, County of Orange, for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan).

No. 71-739. Village Books, Inc., et al., petitioners, *v.* Arthur Marshall, Jr., State's Attorney for Prince George's County, Maryland. On petition for writ of certiorari to the Court of Appeals of Maryland. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals of Maryland for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973);

*Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan).

No. 71-773. Adult Book Store et al., petitioners, v. M. E. Sensenbrenner, Mayor. On petition for writ of certiorari to the Supreme Court of Ohio. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Supreme Court of Ohio for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan).

No. 71-844. Stanley Marks and Richard Mattrella, petitioners, v. City of Newport, Kentucky. On petition for writ of certiorari to the Court of Appeals of Kentucky. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals of Kentucky for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan).

No. 71-984. Harold Wasserman, petitioner, *v.* Municipal Court of Alhambra Judicial District. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan).

No. 71-1201. Allan Stroud, petitioner, *v.* Indiana. On petition for writ of certiorari to the Supreme Court of Indiana. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Supreme Court of Indiana for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan).

No. 71-1347. Harry Mohney, petitioner, *v.* Indiana. On petition for writ of certiorari to the Supreme Court of Indiana. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Supreme Court of Indiana for further consideration in light of *Miller v. California*. — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dis-

senting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

**No. 71-1353.** Charles George Romanus and Ralph Anthony Petty, petitioners, *v. California*. On petition for writ of certiorari to the Court of Appeal of California, Fourth Appellate District. Motion to dispense with printing petition granted. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeal of California, Fourth Appellate District, for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, ante (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

**No. 71-1368.** Robert Brown, petitioner, *v. United States*. On petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, ante (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

**No. 71-1458.** Ralph Mitchum, petitioner, *v. Tennessee*. On petition for writ of certiorari to the Court of Criminal Appeals of Tennessee, Western Division. Petition for writ of certiorari granted, judgment

vacated, and case remanded to the Court of Criminal Appeals of Tennessee, Western Division, for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan).

No. 71-1464. Ben Johnson, Jr. and James Lewis, petitioners, *v. Kentucky*. On petition for writ of certiorari to the Court of Appeals of Kentucky. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals of Kentucky for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan).

No. 71-1587. Efrain Tobalina, petitioner, *v. California*. On petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Los Angeles. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Appellate Department of the Superior Court of California, County of Los Angeles, for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8 mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice

Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

No. 71-1641. Benjamin Carl Adler and William J. Rose, petitioners, v. California. On petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Sacramento. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Appellate Department of the Superior Court of California, County of Sacramento, for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, ante (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

No. 71-1674. S. Peter Getman and Robert O. Carlson, petitioners, v. Minnesota. On petition for writ of certiorari to the Supreme Court of Minnesota. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Supreme Court of Minnesota for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, ante (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

No. 71-1702. P.A.J. Theatres Corp., petitioner, v. New York. On petition for writ of certiorari to the Appellate Term of the Supreme Court of New York, First Judicial Department. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Ap-



pellate Term of the Supreme Court of New York, First Judicial Department, for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan).

No. 71-6287. Thomas E. Gower, petitioner, *v. United States*. On petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit. Motion for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan).

No. 72-124. Frank C. Ridens et al., petitioners, *v. Illinois et al.* On petition for writ of certiorari to the Supreme Court of Illinois. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Supreme Court of Illinois for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*,

*ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton, ante*. See *Miller v. California, ante* (dissenting opinion of Justice Brennan).

No. 72-172. Knoxville Bookmart, Inc., et al., petitioners, *v. Tennessee on Relation of Ronald A. Webster, District Attorney General*. On petition for writ of certiorari to the Supreme Court of Tennessee, Eastern Division. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Supreme Court of Tennessee, Eastern Division, for further consideration in light of *Miller v. California, — U.S. — (1973)*; *Paris Adult Theatre I v. Slaton, — U.S. — (1973)*; *Kaplan v. California, — U.S. — (1973)*; *U.S. v. 12 200 ft. Reels of Super 8mm Film, — U.S. — (1973)*; *U.S. v. Orito, — U.S. — (1973)*; *Heller v. N.Y., — U.S. — (1973)*; *Roaden v. Ky., — U.S. — (1973)*; and *Alexander v. Virginia, — U.S. — (1973)*. Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California, ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton, ante*. See *Miller v. California, ante* (dissenting opinion of Justice Brennan).

No. 72-357. Bobby A. Price, petitioner, *v. Virginia*. On petition for writ of certiorari to the Supreme Court of Virginia. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Supreme Court of Virginia for further consideration in light of *Miller v. California, — U.S. — (1973)*; *Paris Adult Theatre I v. Slaton, — U.S. — (1973)*; *Kaplan v. California, — U.S. — (1973)*; *U.S. v. 12 200 ft. Reels of Super 8mm Film, — U.S. — (1973)*; *U.S. v. Orito, — U.S. — (1973)*; *Heller v. N.Y., — U.S. — (1973)*; *Roaden v. Ky., — U.S. — (1973)*; and *Alexander v. Virginia, — U.S. — (1973)*. Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California, ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton, ante*. See *Miller v. California, ante* (dissenting opinion of Justice Brennan).

No. 72-538. James John Albini et al., petitioners, *v. Ohio et al.* On petition for writ of certiorari to the Supreme Court of Ohio. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Supreme Court of Ohio for further consideration in light of *Miller v. California, — U.S. — (1973)*; *Paris Adult Theatre I*

v. *Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U. S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U. S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan).

No. 72-539. William Macken et al., petitioners, v. Ohio and City of Akron. On petition for writ of certiorari to the Court of Appeals of Ohio, Summit County. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals of Ohio, Summit County, for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U. S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U. S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan).

No. 72-558. Arlene Elster, petitioner, v. California. On petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of San Francisco. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Appellate Department of the Superior Court of California, County of San Francisco, for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U. S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U. S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with

his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

No. 72-569. Arthur Goldstein, petitioner, v. Virginia. On petition for writ of certiorari to the ~~Supreme~~ Court of Norfolk, Virginia. Petition for writ of certiorari granted, judgment vacated, and case remanded to the ~~Supreme~~ Court of Norfolk, Virginia, for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, ante (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

No. 72-591. Olen Terrell Keith, petitioner, v. California. On petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Los Angeles. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Appellate Department of the Superior Court of California, County of Los Angeles, for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N. Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, ante (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante. (dissenting opinion of Justice Brennan).

No. 72-859. Frank Yannucci, petitioner, v. New York. On petition for writ of certiorari to the Appellate Term of the Supreme Court of New York, Second and Eleventh Judicial Districts. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Appellate Term of the Supreme Court of New York, Second and Eleventh Judicial Districts, for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v.*

*Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U. S. v. Orito*, — U.S. — (1973); *Heller v. N. Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan).

No. 72-872. G. I. Distributors, Inc., et al., petitioners, *v.* Patrick Murphy, etc., et al. On petition for writ of certiorari to the United States Court of Appeals for the Second Circuit. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan).

No. 72-918. Dennis Ace Little, petitioner, *v.* California. On petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Orange. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Appellate Department of the Superior Court of California, County of Orange, for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further

proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

**No. 72-961.** John DeSantis, petitioner, *v.* New Jersey. On petition for writ of certiorari to the Superior Court of New Jersey, Appellate Division. Petition for writ of certiorari granted, judgment vacated and case remanded to the Superior Court of New Jersey, Appellate Division, for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, ante (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

**No. 72-994.** Donner Winslow, petitioner, *v.* Virginia. On petition for writ of certiorari to the Supreme Court of Virginia. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Supreme Court of Virginia for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, ante (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

**No. 72-1062.** Sheldon Daniel Toutant, petitioner, *v.* California. On petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of San Bernardino. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Appellate Department of the Superior Court of California, County of San Bernardino, for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, —

U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan).

No. 72-1071. Earl Stanley Kuhns and Richard Anthony Castner, petitioners, v. California. On petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Santa Cruz. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Appellate Department of the Superior Court of California, County of Santa Cruz, for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante*. See *Miller v. California*, *ante* (dissenting opinion of Justice Brennan).

No. 72-1072. Richard Anthony Castner and Earl Stanley Kuhns, petitioners, v. California. On petition for writ of certiorari to the Appellate Department of the Superior Court of California, County of Santa Cruz. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Appellate Department of the Superior Court of California, County of Santa Cruz, for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*. — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice

Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

No. 72-1221. Gulf States Theatres of Louisiana, Inc., et al., petitioners, v. Louisiana and the Parish of Caddo. On petition for writ of certiorari to the Supreme Court of Louisiana. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Supreme Court of Louisiana for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, ante (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

No. 72-1330. Joe Bryant and Raymond Mitchell Floyd, petitioners, v. North Carolina. On petition for writ of certiorari to the Court of Appeals of North Carolina. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals of North Carolina for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, ante (dissenting opinion of Justice Douglas). Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, ante. See *Miller v. California*, ante (dissenting opinion of Justice Brennan).

No. 71-728. Donn E. Davison, petitioner, v. Florida. On petition for writ of certiorari to the Supreme Court of Florida. Petition for writ of certiorari granted, judgment vacated and case remanded to the Supreme Court of Florida for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v.*



*Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion by Justice Douglas). Mr. Justice Brennan, Mr. Justice Stewart and Mr. Justice Marshall would deny certiorari.

No. 72-1120. Robert E. Cote, petitioner, *v. United States*. On petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would grant certiorari and reverse judgment. See *Miller v. California*, *ante* (dissenting opinion of Justice Douglas). Mr. Justice Brennan, Mr. Justice Stewart and Mr. Justice Marshall would deny certiorari.

No. 71-1293. Gilbert Bryant Foerster, petitioner, *v. United States*. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Petition for writ of certiorari granted, judgment vacated, and case remanded to the Court of Appeals for further consideration in light of *Almeida-Sanchez v. U.S.*, — U.S. — (1973).

No. 72-5329. John Lee Bowen, petitioner, *v. United States*. On petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit. Motion for leave to proceed *in forma pauperis* and petition for writ of certiorari granted. Judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Almeida-Sanchez v. U.S.*, — U.S. — (1973).

No. 72-190. Aaron Lee Smith et al., petitioners, *v. Board of Education, Independent School District No. 1, Tulsa County, Oklahoma, et al.* On petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit. Petition for writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Keyes v. School District No. 1*, — U.S. — (1973). Mr. Justice White took no part in the consideration or decision of this case.

No. 72-1446. United States, petitioner, *v. Joseph N. Palladino and Joseph N. Palladino, Jr.* On petition for writ of certiorari to the United States Court of Appeals for the First Circuit. Petition for

writ of certiorari granted, judgment vacated and case remanded to the Court of Appeals for further consideration in light of *Miller v. California*, — U.S. — (1973); *Paris Adult Theatre I v. Slaton*, — U.S. — (1973); *Kaplan v. California*, — U.S. — (1973); *U.S. v. 12 200 ft. Reels of Super 8mm Film*, — U.S. — (1973); *U.S. v. Orito*, — U.S. — (1973); *Heller v. N.Y.*, — U.S. — (1973); *Roaden v. Ky.*, — U.S. — (1973); and *Alexander v. Virginia*, — U.S. — (1973). Mr. Justice Douglas would deny certiorari. Mr. Justice Brennan, joined by Mr. Justice Stewart and Mr. Justice Marshall, would grant certiorari, vacate judgment, and remand case to the Court of Appeals for further proceedings not inconsistent with his dissent in *Paris Adult Theatre I v. Slaton*, *ante* (dissenting opinion of Justice Brennan).

MILLER V. CALIFORNIA, ANTE

#### ORDERS IN PENDING CASES

No. **A-1164**. Carl L. Marburger et al., applicants, *v.* Public Funds for Public Schools of New Jersey et al. The application for stay of injunction heretofore granted by this Court on May 29, 1973, is vacated. For the reasons stated in the dissenting opinions in Nos. 72-694, 72-753, 72-791, and 72-929, *Committee for Public Education v. Nyquist*, and Nos. 72-459 and 72-620, *Sloan v. Lemon*, the Chief Justice, Mr. Justice White, and Mr. Rehnquist dissent from the vacation of the stay of District Court's preliminary injunction.

No. **A-1220**. Glenn A. Leamer, applicant, *v.* Erskind DeRamus, Superintendent, State Correctional Institution. The application for bail is denied.

No. **A-1234**. Aberdeen and Rockfish Railroad Company et al., applicants, *v.* Students Challenging Regulatory Agency Procedures (SCRAP) et al.; and

No. **A-1239**. Interstate Commerce Commission, applicant, *v.* Students Challenging Regulatory Agency Procedures (SCRAP) et al. The application of SCRAP et al. to vacate the stay entered by the Chief Justice is denied. Mr. Justice Douglas would vacate the stay. Mr. Justice Powell took no part in the consideration or decision of this application.

No. **36, Original**. State of Texas, plaintiff, *v.* State of Louisiana. The motion of the State of Louisiana to enlarge the reference to the Special Master to fix the extension of Louisiana's island boundary into the Gulf of Mexico between Louisiana, Texas and the United States to the extent of Louisiana's title under the Submerged Lands Act, or other alternative relief, is referred to the Special Master. The Solicitor General is invited to file a brief expressing the views of the United States.

In due course, after receipt of the brief of the United States, the Special Master shall submit his report to the Court on the motion.

**No. 64, Original.** State of New Hampshire, plaintiff, *v.* State of Maine. The motion for a preliminary injunction is denied. Mr. Justice Douglas and Mr. Justice Blackmun would grant the motion conditioned upon the imposition upon all fishermen operating in the disputed area of the more onerous of the conditions presently imposed by either New Hampshire or Maine.

**No. 72-955.** W. C. Spomer, State's Attorney of Alexander County, Illinois, petitioner, *v.* Ezell Littleton et al. The motion of the Attorney General of California for leave to participate in oral argument, as *amicus curiae*, and for additional time for oral argument is denied.

**No. 72-1513.** Con F. Shea, etc., et al., petitioners, *v.* Ascension Vialpando, etc. The Solicitor General is invited to file a brief in this case expressing the views of the United States.

**No. 72-1613.** Lawrence S. Huffman et al., petitioners, *v.* United States District Court for the Northern District of Ohio, et al. The application for stay or writ of injunction presented to Mr. Justice Stewart, and by him referred to the Court, and the motion to advance are denied. The motion of Pursue, Ltd. to participate as a party respondent is granted.

**No. 72-1712.** In re Grand Jury Subpoena Served Upon Simon Horowitz. The application for stay presented to Mr. Justice Marshall, and by him referred to the Court, is denied. Mr. Justice Douglas and Mr. Justice Brennan would grant the application.

**No. 72-6871.** Robert Lee Bell, petitioner, *v.* United States. The application for stay presented to Mr. Justice Douglas, and by him referred to the Court, is denied.

**No. 72-6900.** Jane Doe etc., appellant, *v.* Planned Parenthood Association of Utah. The application for stay presented to Mr. Justice Brennan, and by him referred to the Court, is denied.

#### CERTIORARI GRANTED

**No. 72-914.** Sarah Scheuer, Administratrix, etc., petitioner, *v.* James Rhodes et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted and case set for oral argument in tandem with No. 72-1318.

**No. 72-1318.** Arthur Krause, Administrator of the Estate of Allison Krause, et al., petitioners, *v.* James Rhodes et al. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit granted and case set for oral argument in tandem with No. 72-914.

## CERTIORARI DENIED

No. 71-1240. George Curtis Bird, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 71-6355. Allen John Bamberger, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-6579. Ronald Johnson Sheffield, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-6812. Ronald Reed, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 71-6879. Kenneth H. Schlomann, petitioner, *v.* R. I. Moseley, Warden. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied.

No. 72-84. Richard McDaniel, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-341. Kenny C. Guinn, etc., et al., petitioners, *v.* Herbert E. Kelly, Sr., et al. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-667. School Board of the City of Newport News, Virginia, et al., petitioners, *v.* Frank V. Thompson et al. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. 72-668. Jose Cisneros et al., petitioners, *v.* Corpus Christi Independent School District et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. 72-1197. Ricardo Pablo Barron, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-1450. Board of School Commissioners of the City of Indianapolis et al., petitioners, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-5367. Alphonse Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Second Circuit denied.

No. 72-5379. Clifton Brandon, petitioner, *v.* New Jersey. Petition for writ of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-5480. Marshall Edward Conway, petitioner, *v.* Maryland. Petition for writ of certiorari to the Court of Special Appeals of Maryland denied.

No. 72-6057. Ronald F. Greeley, petitioner, *v.* United States; and

No. 72-6299. John A. Greeley, petitioner, *v.* United States. Petitions for writs of certiorari to the United States Court of Appeals for the Third Circuit denied.

No. 72-6099. Jefferson Singleton, petitioner, *v.* Kansas. Petition for writ of certiorari to the Supreme Court of Kansas denied.

No. 72-6101. Neil Johnson, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6185. Lonnie Ray Searcy, petitioner, *v.* Thomas G. Pincock, Assistant Director of Institutions, Washington State Board of Prison Terms and Paroles. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied.

No. 72-6265. Thomas D. Clayton, petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the District of Columbia Circuit denied.

No. 72-6310. Frank D. Wimberley, petitioner, *v.* Secretary of Defense et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied.

No. 72-6396. Sam Reed Scruggs, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. 71-572. School District No. 1, Denver, Colorado, et al., petitioners, *v.* Wilfred Keyes et al. Petition for writ of certiorari to the United States Court of Appeals for the Tenth Circuit denied. Mr. Justice White took no part in the consideration or decision of this petition.

No. 72-48. Francis X. Lawlor et al., petitioners, *v.* Board of Education of the City of Chicago et al. Petition for writ of certiorari to the United States Court of Appeals for the Seventh Circuit denied. Mr. Justice Douglas would granted certiorari.

No. 72-1023. Curtis Thomas, petitioner, *v.* Washington. Petition for writ of certiorari to the Court of Appeals of Washington, Division One, denied. Mr. Justice Douglas would grant certiorari.

No. 72-1316. James Russell Swinney, III, et al., petitioners, *v.* Royal J. Untreiner, Sheriff of Escambia County, Florida, et al. Petition for writ of certiorari to the Supreme Court of Florida denied. Mr. Justice Douglas would grant certiorari.

No. **72-5375**. Angel Gebbia Marquez, Jr., petitioner, *v.* United States. Petition for writ of certiorari to the United States Court of Appeals for the Ninth Circuit denied. Mr. Justice Douglas would grant certiorari.

No. **72-5998**. Leroy Peter Coleman, petitioner, *v.* United States. Petition for writ of certiorari to the District of Columbia Court of Appeals denied. Mr. Justice Douglas would grant certiorari.

No. **72-6377**. Thomas Gregg Holt, petitioner, *v.* California. Petition for writ of certiorari to the Court of Appeal of California, First Appellate District, denied. Mr. Justice Douglas would grant certiorari.

No. **72-385**. Tate Educational Foundation, Inc., petitioner, *v.* Kelly McNeal et al. Motion of respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-835**. John M. Pettibone, Director, Division of Parole and Probation, Maryland Department of Public Safety and Correctional Services, petitioner, *v.* Kenneth Woodall. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **72-1187**. M. Browning Combs et al., petitioners, *v.* Princess Ranola Johnson et al. Motion of respondents for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied.

No. **72-1473**. United States, petitioner, *v.* Edmund Herman Rothfelder. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Sixth Circuit denied.

No. **72-1474**. United States, petitioner, *v.* Allan Ray King. Motion of respondent for leave to proceed *in forma pauperis* granted. Petition for writ of certiorari to the United States Court of Appeals for the Fourth Circuit denied.

No. **72-649**. Corpus Christi Independent School District et al., petitioners, *v.* Jose Cisneros et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. The Chief Justice, Mr. Justice Stewart, Mr. Justice Blackmun, and Mr. Justice Rehnquist, feeling that no useful purpose is to be served by setting the case for oral argument, would nevertheless grant the petition, vacate judgment and remand case to the United States Court of Appeals for the Fifth Circuit for further consideration in light of *Keyes v. School District No. 1*, — U.S. — (1973).

No. 72-739. The Board of Education of the Little Rock School District et al., petitioners, *v.* Delores Clark et al. Petition for writ of certiorari to the United States Court of Appeals for the Eighth Circuit denied. Mr. Justice Marshall took no part in the consideration or decision of this petition.

No. 72-5348. Lealon Cooley, etc., petitioner, *v.* Strickland Transportation Co., et al. Petition for writ of certiorari to the United States Court of Appeals for the Fifth Circuit denied. Mr. Justice Douglas would grant certiorari and reverse judgment.

## REHEARINGS DENIED

No. 71-1664. Martin W. Essex et al., appellants, *v.* Benson A. Wolman et al. Motion for leave to file petition for rehearing denied.

No. 72-146. Bill R. Hunter, dba The Courier, petitioner, *v.* United States. Motion for leave to file petition for rehearing denied. Mr. Justice Douglas, Mr. Justice Stewart and Mr. Justice Blackmun would grant the motion.

## ADMISSIONS TO THE BAR ON WRITTEN MOTIONS

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Allen D. Barnard	Minneapolis, Minn.	Harold C. Evarts.
William Bier	Silver Spring, Md.	John Albert Knebel.
Royal E. Blakeman	New York, N.Y.	Charles H. Miller.
C. Howard Bozeman	Knoxville, Tenn.	Russell Arnold Kramer.
Damon R. Capps	Midland, Tex.	W.B. Browder, Jr.
Ansel B. Chaplin	Boston, Mass.	Earle W. Carr.
John Rocco Climaco	Cleveland, Ohio	Martin Gregory Lentz.
John Bruce Cobb	Newport Beach, Calif.	Richard M. Millar, Jr.
Howard R. Cohen	Chicago, Ill.	James A. Chatz.
Lynn Rogers Coleman	Houston, Tex.	J. Evans Attwell.
Marvin L. Collins	Fort Worth, Tex.	Donald C. Gladden.
Nicholas Peter Conforti	Newton, N.J.	Donald J. Concilio.
David W. Conrad	Montclair, N.J.	Telford Taylor.
James E. Coombs	Poughkeepsie, N.Y.	Robert L. Ostertag.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Thomas L. Creel	New York, N.Y.	Edward J. Handler III.
William Thomas Deffebach	El Paso, Tex.	Roy H. Steyer.
Leslie B. DiCicco	Worcester, Mass.	Gerald Earl Norman.
John Doyle	Willits, Calif.	James Henry Doyle.
Wesley K. Duce	Everett, Wash.	Charles Eugene Hunter.
James Philip Edee	Atlanta, Ga.	Kird M. McAlpin.
Patrick J. Finnegan	West Nyack, N.Y.	Edward J. Flynn.
Leon S. Forman	Philadelphia, Pa.	Horace Z. Stern.
Roger A. Fortuna, Jr.	Ilion, N.Y.	Gary Dean Jackson.
H. Lehman Franklin, Jr.	Statesboro, Ga.	William Joshua Neville.
Margaret Gilhooley (Miss).	Brooklyn, N.Y.	Roger C. Cramton.
David Westbrook Goldman.	Sumter S.C.	Norton M. Weinberg, Jr.
Ben Z. Grant	Marshall, Tex.	C. L. Ray, Jr.
Bruce R. Greene	Berkeley, Calif.	Lee J. Sclar.
Kenneth B. Gubin	Arlington, Va.	Thaddeus Rojek.
Phillip F. Guidone	Montclair, N.J.	Eugene B. Beck.
Howard Croft Hall	Oakland, Calif.	Stanley P. Golde.
James Lockwood Hazard	San Francisco, Calif.	John Daly Link.
James L. Hegert	West Palm Beach, Fla.	Richard Eugene Rhoads.
Paul A. Heller	Willimantic, Conn.	William E. Hall.
Robert J. Hobbs	Boston, Mass.	Edward Donald Foster.
John L. Holm	Denver, Colo.	Sol. Gen. Erwin N. Griswold.
Donald B. Howe, Jr.	Tallapoosa, Ga.	Robert D. Feagin III
James P. Jeck	Lakewood, N.J.	Norman Douglas Smith.
David A. Joerg	Preston, Minn.	George O. Murray.
Robert L. Kahan	Los Angeles, Calif.	Jerald Stanley Schutzbank.



<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Joseph R. Kalin	Huntington Park, Calif.	George F. Danielson.
Hubert E. Kelly	Phoenix, Ariz.	Mark Wilmer.
Howard Pickett King	Sumter, S.C.	Morton M. Weinberg, Jr.
Wyckliffe A. Knox, Jr.	Augusta, Ga.	Robert C. Norman.
Paul A. Koch	St. Louis, Mo.	W. Donald Dubail.
Burt Alexander Leete	Silver Spring, Md.	Samuel F. Ianni.
Barry Levy	Los Angeles, Calif.	Jules Barnett.
Samuel H. Lewis	Wilmington, Del.	G. Francis Autman, Jr.
Robert Hugh Loeffler	Washington, D.C.	Michael Stewart Horne
Robert Lloyd Maines	San Francisco, Calif.	Guy O. Kornblum.
Lawrence Elliott Major	Miami, Fla.	Joseph C. DaPore.
Joseph J. Marcheso	New York, N.Y.	Morton S. Schlossberg.
Ollie Marie-Victoire (Mrs.)	San Francisco, Calif.	Robert H. Fabian.
Marjorie Greenfield Marinoff (Mrs.)	Philadelphia, Pa.	John G. Harkins, Jr.
Bruce Conrad Mayor	Hartford, Conn.	Dwight Owen Schweitzer.
Roy F. McGeady	Saddle River, N.J.	Fred M. Phelan, Jr.
Jon S. Okun	Omaha, Nebr.	Leo Eisenstatt.
G. Michael O'Neal	Jefferson City, Mo.	John C. Danforth.
Charles Morris Pickett	Dallas, Tex.	Ford Richard Paulson.
Stephen Rubin	Gainesville, Fla.	Fletcher Nathaniel Baldwin, Jr.
David Keith Rutledge	Batesville, Ark.	John Frederick Livingston, Jr.
Thomas E. Schatzel	Santa Clara, Calif.	John Haslet Boone.
Lee M. Schepps	Hallowell, Maine	Charles R. Larouche.
Fred Edward Schulz	Winnetka, Ill.	Max Wildman.
James A. Shuffett	Lexington, Ky.	William Gordon Kenton.
Helen E. Simmons (Mrs.)	Inglewood, Calif.	Jasio Spiegelman.

<u>Applicant</u>	<u>City and State</u>	<u>Movant</u>
Kenneth William Smith	Fairfax, Va.	Donald C. Stevens.
Ronald Kenneth Smith	Miami, Fla.	Charles J. Crowder.
Marvin R. Stempien	Livonia, Mich.	Bernard Patrick McCloyey.
Stephen H. Suttle	Abilene, Tex.	John B. Pope.
James Gerard Sweeney	Monroe, N. Y.	Milton Tischler.
James M. Tourek	Chicago, Ill.	Miss Eleanor L'Ecuyer.
Martha McHaffie Traylor (Mrs.)	Philadelphia, Pa.	Robert J. Rein- stein.
Paul Mayo Vincent	Washington, D.C.	Paul Daniel.
Peter D. Willis	Denver, Colo.	Son. Gen. Erwin N. Griswold.
Milton Wolson	New York, N. Y.	Richard Sexton.
Robert Lee Zink	Stamford, Conn.	Charles Talbott Zink.
Jeffrey Michael Zwerdling	Richmond, Va.	Jay Joseph Levit.

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The Chief Justice announced the following order of the Court :

“All cases submitted and all business before the Court at this term in readiness for disposition having been disposed of,

“It is ordered by this Court that all cases on the docket be, and they are hereby, continued to the next term.”

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Adjourned to the time and place appointed by law.

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