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04-19-1977 Justice Brennan, Per Curiam

William J. Brennan
US Supreme Court Justice

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SUPREME COURT OF THE UNITED STATES

No. 76-5382

Willie Jasper Darden,)
 Petitioner,)
 v.)
State of Florida.) On Writ of Certiorari to the Supreme
) Court of Florida.

[April 19, 1977]

PER CURIAM.

The writ of certiorari is dismissed as improvidently granted.

MR. JUSTICE BRENNAN, with whom MR. JUSTICE MARSHALL joins, dissents and, adhering to his view that capital punishment is in all circumstances prohibited as cruel and unusual punishment by the Eighth and Fourteenth Amendments, would set aside the death sentence imposed in this case.