

United States Court of Appeals

FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 17,410

ROBERT A. MUSCHETTE, APPELLANT

v.

UNITED STATES OF AMERICA, APPELLEE

Appeal from the United States District Court
for the District of Columbia

Decided July 25, 1963

Mr. Alfred L. Scanlon (appointed by this court) for appellant.

Mr. William C. Pryor, Assistant United States Attorney, with whom *Messrs. David C. Acheson*, United States Attorney, and *Frank Q. Nebeker* and *Harold H. Titus, Jr.*, Assistant United States Attorneys, were on the brief, for appellee.

Before PRETTYMAN, *Senior Circuit Judge*, and WILBUR K. MILLER and WRIGHT, *Circuit Judges*.

PER CURIAM: Robert A. Muschette and another were indicted May 8, 1961, for housebreaking and petit larceny. In a trial which began June 19, 1961, the jury was unable to reach a verdict, but a second trial in the following December resulted in conviction. Muschette was sentenced