

EX PARTE

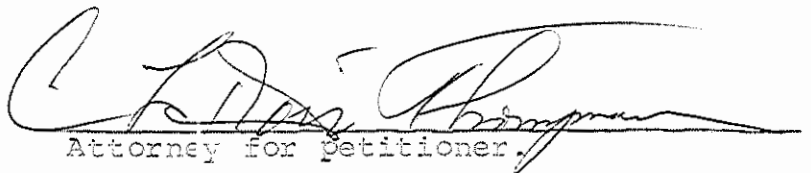
PAUL MITCHELL

TO THE HONORABLE JAMES A. HENDRIX, DISTRICT ATTORNEY:

You will please take notice that a petition for writ of habeas corpus has been filed before the Honorable Telfair J. Mashburn, as judge of the Twenty-eighth Judicial Circuit of Alabama, in behalf of Paul Mitchell, who is imprisoned in Baldwin County Jail.

You will also take notice that writ of habeas corpus has been issued in pursuance of said petition by the Honorable Telfair J. Mashburn, as Judge of the Twenty-eighth Judicial Circuit, returnable before him at the County Courthouse in the City of Bay Minette, Alabama, on the 22 day of Feb, 1968, at the hour of 10 30 Am o'clock.

This the 19 day of Feb, 1968.


Attorney for petitioner.

FILED
FEB 19 1968

FEB 19 1968

FILED
FEB 19 1968
CLERK
REGISTER

EX PARTE

PAUL MITCHELL

TO TAYLOR WILKINS, SHERIFF OF BALDWIN COUNTY:

#8003

You are hereby commanded to have the body of Paul Mitchell, alleged to be detained by you, by whatsoever name the said Paul Mitchell is called or charged, with the cause of such detention, before me Telfair J. Mashburn, ~~Judge of the Circuit Court of Baldwin County, Alabama, on the~~ 22nd day of February, 1968, at the Court House at Bay Minette, Alabama, at 10:30 A.M. to do and receive what shall then and there be considered concerning the said Paul Mitchell.

Telfair J. Mashburn
Circuit Judge.

FILED
FEB 19 1968

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FILED J. B. B. CLERK
REGISTER

Ex parte

PAUL MITCHELL

STATE OF ALABAMA
BALDWIN COUNTY

#8003

TO HONORABLE TELFAIR J. WASHBURN, as Judge of the Circuit
Court of Baldwin County, Alabama:

The petition of Paul Mitchell, who is over the age of
21 years and who is a resident citizen of the City of
Corpus Christi, State of Texas, respectfully shows and represents
unto your Honor:

FIRST

That he is now illegally restrained of his liberty and
is imprisoned in the county jail of Baldwin County, Alabama,
at Bay Minette, in said County, by Taylor Wilkins, the
Sheriff of said County, the said Taylor Wilkins, as Sheriff
of said County restrains your petitioner under a commitment
issued January 19, 1968, by R. O. Burgess, Justice of the
Peace of Beat 14 after an alleged or purported preliminary
trial held in the office of the Solicitor of Baldwin County
in the Courthouse at Bay Minette or in the law library adjoin-
ing thereto in Beat 4, and your petitioner respectfully shows
unto your Honor:

SECOND

That he was arrested on January 1, 1968, and did not
receive the said preliminary hearing until January 19, 1968.

That your said petitioner was not furnished an attorney
at the alleged preliminary hearing.

THIRD

That he was bound over without probable cause, in that
the said Justice of the Peace did not have probable cause for
charging him with said crime and binding him over to await the
action of the Grand Jury.

FOURTH

Your petitioner further shows that by reason of his being
bound over to the Grand Jury without probable cause to await
the action of the Grand Jury, your petitioner's said detention
is not lawful, that he is being illegally restrained of his

liberty and that he is being illegally imprisoned;

Your petitioner prays that a writ of habeas corpus be issued, directed to said Taylor Wilkins, as Sheriff of Baldwin County, Alabama, commanding him to bring the body of your petitioner, Paul Mitchell, before your Honor at the time and place to be by you appointed, together with the cause of the petitioner's detention.

Paul Mitchell
Petitioner.

STATE OF ALABAMA

BALDWIN COUNTY

Before me, C. F. Davis Thompson, a Notary Public, personally appeared Paul Mitchell, the above named petitioner, who being first by me duly sworn doth depose and say that the facts stated in said petition are true.

Paul Mitchell
Petitioner.

Sworn to and subscribed before me this 19 day of Feb, 1968.

C. F. Davis Thompson
Notary Public, Baldwin County, Alabama

I hereby Certify that I have ~~received~~ a copy of this petition and order Taylor Wilkins, Sheriff, and a notice on Jim Hendrix, D a, This 19th of Feb 1968

C. F. Davis Thompson

FEB 19 1968