

2876

C A P I A S

Printed by Moore Printing Co.

THE STATE OF ALABAMA, }

Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

Alton Ford

at the Full Term, 1959, of the Circuit Court of Baldwin County, for the offense of

Burglary

you are, therefore, commanded forthwith to arrest the said Defendant and commit him

to jail, unless he give bail to answer said indictment, and that you return this Writ according to law.

Dated this 16 day of Sept, 1959

Ben J. Newell
Clerk Circuit Court of Baldwin County.

The State of Alabama, }

Baldwin County.

We, _____, as principal and

the other undersigned as sureties, agree to pay the State of Alabama _____

Dollars, unless the said _____ appears

at the _____ Term of the Circuit Court of Baldwin County, and from Term to

Term thereafter until discharged by law, to answer a criminal prosecution for the offense of _____

In signing the above bond we and each of us hereby waive all legal rights of exemptions allowed us by the Constitution and Laws of the State of Alabama.

Witness our hands and seals this _____ day of _____, 19____.

(L. S.)

(L. S.)

(L. S.)

(L. S.)

Taken and approved _____ day of _____, 19____.

Sheriff of Baldwin County.

CAPIAS

No. 82

The State
vs.

Atton Fair

Bail fixed in this Case in Open Court at

\$ 200

By H. M. Hall
Judge Presiding

Attest: _____
Clerk.

Executed this 29 day of Sept., 1959

By arresting the within

named Defendant

and placing him in jail

Jay W. Wilkins, Sheriff

J. H. H. H., Deputy Sheriff

Mobile Co. line

STATE OF ALABAMA

Baldwin County

Case No.

23

No.

10855

The State of Alabama

In the

Baldwin County, Alabama

Court of

Before me, W. H. Smith, Clerk of the Circuit Court of Baldwin County, Alabama, personally appeared Taylor Wilkins, who being duly sworn deposes and says:

I am the Sheriff of Baldwin County, Alabama. In the above case, in the above mentioned court, in executing the warrant of arrest or in arresting the said defendant, I or one of my duly authorized deputies,

traveled 60 miles by the most direct route to the point of arrest and return, and I am entitled to mileage at ten cents per mile to be taxed as costs in the case.

Point of Arrest

Mobile Co. LineTaylor Wilkins

Sheriff

Subscribed and sworn to before me this

30

day of

Sept1952

Disposition

Clerk Circuit Court

After considering the above affidavit made by the Sheriff of Baldwin County, Alabama, I, as the trial Judge of said court, do hereby approve the claim for mileage in the sum of \$_____ incurred in the making of the arrest or executing the warrant of arrest in the above styled cause and I hereby order the clerk of the court to tax the said sum as part of the costs in said case.

This the _____ day of _____, 195_____

Judge of the above named court

The State of Alabama, {

Baldwin County

CIRCUIT COURT,

Fall

SESSION, 19 59

The Grand Jury of said County charge that before finding this indictment

Alton Fail, McArthur Anthony and Emmett Odom, Jr., whose names are to the Grand Jury otherwise unknown, did, in the night time, with intent to steal, break into and enter a restaurant, owned by or in the possession of George Argiro, in which goods, wares, merchandise or other valuable things, to-wit: Cigarettes, gum, beer and money were kept for use, sale, or deposit,

against the peace and dignity of the State of Alabama.

James H. Hadley
Solicitor of the Twenty-Eight Judicial Circuit.

RECORDED

No. _____

The State of Alabama
Baldwin County

Circuit Court

Fall Term, 19 59

The State

vs.

Alton Fall, McArthur Anthony,

Emmett Odom, Jr.

INDICTMENT

Burglary

No Prosecutor

WITNESSES:

George Argiroo

J. D. Horn

GRAND JURY NO. 83

A TRUE BILL

A. S. Alley Jr.
Foreman Grand Jury.

Filed in open Court and in the presence of
the Grand Jury on the 16 day of

Sept, 19 59

Alfred French
Clerk.

Presented in open Court to the presiding
Judge by the Foreman of the Grand Jury, in

the presence of 17 other Grand Jurors.

Alfred French
Clerk.

Bail fixed \$ 500

W. H. Miller
Judge.

2896

2896

THE STATE OF ALABAMA, }

Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

Emmett Adams Jr

at the Fall Term, 1959, of the Circuit Court of Baldwin County, for the offense of

Burglary

you are, therefore, commanded forthwith to arrest the said Defendant and commit him

to jail, unless he give bail to answer said indictment, and that you return this Writ according to law.

Dated this 16 day of Sept, 1959

Beaumont
Clerk Circuit Court of Baldwin County.

The State of Alabama, }

Baldwin County.

We, _____, as principal and

the other undersigned as sureties, agree to pay the State of Alabama _____

Dollars, unless the said _____ appears

at the _____ Term of the Circuit Court of Baldwin County, and from Term to

Term thereafter until discharged by law, to answer a criminal prosecution for the offense of _____

In signing the above bond we and each of us hereby waive all legal rights of exemptions allowed us by the Constitution and Laws of the State of Alabama.

Witness our hands and seals this _____ day of _____, 19_____.

(L. S.)

(L. S.)

(L. S.)

(L. S.)

Taken and approved _____ day of _____, 19_____.

Sheriff of Baldwin County.

No. 2896

CAPIAS

No. 83

The State

vs.

Emmett Adams, Jr

Executed this 16 day of Sept, 1959

By arresting the within

named Defendant

Bail fixed in this Case in Open Court at

\$ 500.00

and placing him on Bail

By H. M. Hall
Judge Presiding

Myer Wilson, Sheriff

Attest: _____

Clerk.

_____, Deputy Sheriff

D. Myles

2896
APPEARANCE BOND

MOORE PRINTING CO., BAY MINETTE, ALA.

The State of Alabama,

Baldwin County

We, McArthur Anthony, as
 principal, and undersigned as sureties agree to pay **THE STATE OF ALABAMA**, the sum of
Five Hundred (\$500.00) DOLLARS
 unless the said McArthur Anthony appears at the
NEXT Term, 1959 of the CIRCUIT Court of Baldwin County, Alabama
 and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of

Burglary

We hereby waive as to all amounts that may become due hereunder the benefit of all laws exempt-
 ing personal property from levy and sale under execution or other process for the collection of debt by con-
 stitution or laws of the State of Alabama, and we hereby severally certify that we have property over and
 above all debts, liabilities, exemptions and this bond to the amount of: real property of the value of
 \$2,000.00 and personal property of the value of \$1,000.00.

Sworn to and subscribed before me this the

_____ day of _____, 19____

McArthur Anthony L. S.

Charlie Middleton L. S.

H. C. Harbath L. S.

_____ Baldwin County, Ala.

_____ L. S.

Taken and approved this the 16th day of Sept, 1959.

Taylor Telpner, Sheriff

By James Horn, Deputy Sheriff

OK Horn

Sept 15 1959
Garner

No. _____

State of Alabama

Baldwin County

Court

Sheriff's Office

The State

vs.

Sheriff's Appearance Bond

Amount of Bond \$ _____

Filed _____, 19____

_____, Clerk

THE STATE OF ALABAMA, }

Baldwin County

To Any Sheriff of the State of Alabama:

An indictment having been found against

McArthur Anthony

at the Full Term, 19____, of the Circuit Court of Baldwin County, for the offense of

Burglary

you are, therefore, commanded forthwith to arrest the said Defendant and commit him

to jail, unless he give bail to answer said indictment, and that you return this Writ according to law.

Dated this 16 day of Sept, 1959

David L. Jones
Clerk Circuit Court of Baldwin County.

The State of Alabama, }

Baldwin County.

We, _____, as principal and

the other undersigned as sureties, agree to pay the State of Alabama _____

Dollars, unless the said _____ appears

at the _____ Term of the Circuit Court of Baldwin County, and from Term to

Term thereafter until discharged by law, to answer a criminal prosecution for the offense of _____

In signing the above bond we and each of us hereby waive all legal rights of exemptions allowed us by the Constitution and Laws of the State of Alabama.

Witness our hands and seals this _____ day of _____, 19____.

(L. S.)

(L. S.)

(L. S.)

(L. S.)

Taken and approved _____ day of _____, 19____.

Sheriff of Baldwin County.

CAPIAS

No. 83

The State

vs.

Mc Arthur Anthony

Bail fixed in this Case in Open Court at

\$ 500.00

By H. M. Hall

Judge Presiding

Attest:

Clerk.

Executed this 16 day of Sept, 1959

By arresting the within

named Defendant

and placing him in Jail

Mykel Wilkins, Sheriff

, Deputy Sheriff

Q. Myles

APPEARANCE BOND

Printed by Moore Ptg. Co.

The State of Alabama, {
Baldwin County

We, EMMETT ODOM JR., as
principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of
FIVE HUNDRED (500.00)* DOLLARS
unless the said EMMETT ODOM JR. appears at the
NEXT Term, 1959 of the CIRCUIT Court of Baldwin County, Alabama
and from term to term thereafter until discharged by law, to answer a criminal prosecution for the offense of

BURGLARY

We hereby waive as to all amounts that may become due hereunder the benefit of all laws exempting
personal property from levy and sale under execution or other process for the collection of debt by constitu-
tion or laws of the State of Alabama, and we hereby severally certify that we have property over and above
all debts, liabilities, exemptions and this bond to the amount of: real property of the value of \$2,000.00 and
personal property of the value of \$1,000.00.

Sworn to and subscribed before me this the

_____ day of _____, 19____

_____ Baldwin County, Ala.

Taken and approved this the

16th

day of

Sept

1959

Bv.

Emmett Odom Jr. L. S.

C. V. Broadus L. S.

J. M. Pierce L. S.

By C. V. Broadus (att. suspect)

Taylor Wilkins, Sheriff

D. C. M. Dice, Deputy Sheriff

Garner
9-15-59

No. _____

State of Alabama
Baldwin County

_____ Court

Sheriff's Office

The State
vs.

Sheriff's Appearance Bond

Amount of Bond \$ _____

Filed _____, 19 _____

_____, Clerk

2896

STATE OF ALABAMA,)	IN THE CIRCUIT COURT OF
Plaintiff,)	BALDWIN COUNTY, ALABAMA
-vs-)	CRIMINAL DIVISION
ALTON W. FAIL,)	CASE NO. 2897
Defendant.)	

D E C R E E :

This cause was heard by the Court on the Petition of the Defendant for a Writ of Error Coram Nobis on the 22nd day of May, 1970, and on the evidence heard by the Court ore tenus all of which being considered and understood by the Court and the Court being of the opinion that a miscarriage of justice had occurred in that the matters complained of in Case No. 2897 were transferred to the Juvenile Court of Mobile County, and the Juvenile Court of Mobile County accepted jurisdiction of the defendant, Alton W. Fail, then a juvenile, and disposed of the case in accordance with matters before that court.

It is the opinion of the Court that the said petition of the defendant should be granted and the plea and verdict set forth in the said record should be stricken under the facts presented to this Court.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that the Writ of Error Coram Nobis be granted, the case be dismissed and that justice be effectively done the record before this Court in Case No. 2897 be expunged from the Criminal Docket.

It is further ORDERED, ADJUDGED and DECREED by the Court that any costs due the Circuit Court of Baldwin County in this matter shall be paid by the defendant, Alton W. Fail.

DONE this 22nd day of May, 1970.

Joseph H. MacArthur
Circuit Judge.

2896

STATE OF ALABAMA,)	IN THE CIRCUIT COURT OF
Plaintiff,)	BALDWIN COUNTY, ALABAMA
-vs-)	CRIMINAL DIVISION
ALTON W. FAIL,)	CASE NO. 2897
Defendant.)	

D E C R E E :

This cause was heard by the Court on the Petition of the Defendant for a Writ of Error Coram Nobis on the 22nd day of May, 1970, and on the evidence heard by the Court ore tenus all of which being considered and understood by the Court and the Court being of the opinion that a miscarriage of justice had occurred in that the matters complained of in Case No. 2897 were transferred to the Juvenile Court of Mobile County, and the Juvenile Court of Mobile County accepted jurisdiction of the defendant, Alton W. Fail, then a juvenile, and disposed of the case in accordance with matters before that court.

It is the opinion of the Court that the said petition of the defendant should be granted and the plea and verdict set forth in the said record should be stricken under the facts presented to this Court.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that the Writ of Error Coram Nobis be granted, the case be dismissed and that justice be effectively done the record before this Court in Case No. 2897 be expunged from the Criminal Docket.

It is further ORDERED, ADJUDGED and DECREED by the Court that any costs due the Circuit Court of Baldwin County in this matter shall be paid by the defendant, Alton W. Fail.

DONE this _____ day of May, 1970.

Circuit Judge.

2896
STATE OF ALABAMA,

Plaintiff,

-vs-

ALTON W. FAIL,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

CRIMINAL DIVISION

CASE NO. 2897

D E C R E E :

This cause was heard by the Court on the Petition of the Defendant for a Writ of Error Coram Nobis on the 22nd day of May, 1970, and on the evidence heard by the Court ore tenus all of which being considered and understood by the Court and the Court being of the opinion that a miscarriage of justice had occurred in that the matters complained of in Case No. 2897 were transferred to the Juvenile Court of Mobile County, and the Juvenile Court of Mobile County accepted jurisdiction of the defendant, Alton W. Fail, then a juvenile, and disposed of the case in accordance with matters before that court.

It is the opinion of the Court that the said petition of the defendant should be granted and the plea and verdict set forth in the said record should be stricken under the facts presented to this Court.

It is therefore ORDERED, ADJUDGED and DECREED by the Court that the Writ of Error Coram Nobis be granted, the case be dismissed and that justice be effectively done the record before this Court in Case No. 2897 be expunged from the Criminal Docket.

It is further ORDERED, ADJUDGED and DECREED by the Court that any costs due the Circuit Court of Baldwin County in this matter shall be paid by the defendant, Alton W. Fail.

DONE this _____ day of May, 1970.

Circuit Judge.

2896

10/28/77

IN THE DISTRICT COURT OF
BALTIMORE COUNTY, MARYLAND
CRIMINAL DIVISION
CASE NO. 2896

STATE OF MARYLAND
Plaintiff
-vs-
ALTON W. FALL,
Defendant.

: s : s : s :

This cause was heard by the Court on the Petition
of the Defendant for a writ of Error Coram Nobis on the
said day of May, 1970, and on the evidence heard by the
Court on the Petition and the Court being of the opinion that
a miscarriage of justice had occurred in that the matters
comprised in Case No. 2896 were transferred to the
Juvenile Court of Baltimore County, and the Juvenile Court
of Baltimore County accepted jurisdiction of the defendant,
Alton W. Fall, then a juvenile, and disposed of the case
in accordance with the law then in effect.
It is the opinion of the Court that the said Petition
of the defendant should be granted and the plea and verdict
set aside in the said record should be withdrawn under the
facts presented to this Court.
It is therefore ORDERED, ADJUDGED and DECREED by the
Court that the writ of Error Coram Nobis be granted, the
case be dismissed and that the case be effectively done the
record before this Court in Case No. 2896 be expunged from
the Criminal Docket.

It is further ORDERED, ADJUDGED and DECREED by the
Court that any costs due the District Court of Baltimore County
in this matter shall be paid by the defendant, Alton W. Fall,
day of May, 1970.

Clerk of Court