

3682

CIRCUIT COURT

THE STATE OF ALABAMA, }

Baldwin County.

Term, 19__

On Appeal From ~~County Court~~ Justice of Peace Court

THE STATE vs. SIGMON SIMPSON

The State of Alabama, by its Solicitor, complains of

SIGMON SIMPSON

that

in said county and within twelve months before the commencement of this prosecution he did
operate a motor vehicle to-wit a passenger car upon a highway in Baldwin County,
Alabama, at a speed in excess of 50 miles per hour during the hours of night.

contrary to law and against the peace and dignity of the State of Alabama.

 Solicitor.

No. 3682

The State of Alabama

Baldwin County

CIRCUIT COURT

The State

vs.

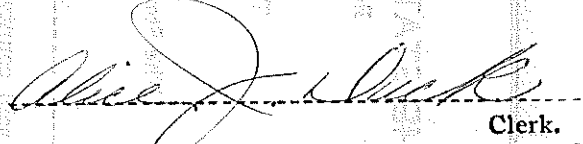
SIGMON SIMPSON

Charge:

SPEEDING AT NIGHT

COMPLAINT

Filed November 20, 1962


Clerk.

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

THE STATE OF ALABAMA

IN THE CIRCUIT COURT.

Baldwin County.We Sigmon Simpson andMobile Bonding Co - Harold Doyle agree to pay to the State of Alabama the sum of Five Hundred Dollars, unless the saidSigmon Simpson appears at the nextterm 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

Speeding at Night

And we, and each of us, hereby waive all exemptions we may have to any personal property under the Constitution and Laws of the State of Alabama as to the collection of the penalty of this bond.

Witness our hands and seals this 21 day of Nov, 1942

The condition of the above obligation is such that, whereas the above bound

Sigmon Simpson was duly convicted in the Circuit Court of Baldwin County on the 21 day of Nov, 1942

of the above stated offense, and has duly applied for and obtained an appeal from said conviction and sentence to the Court of Appeals for the State of Alabama, and the amount of his appeal bond has been duly and legally fixed at said above stated sum:

Now, therefore, if the said Sigmon Simpson

shall appear at the next term of the Circuit Court of Baldwin County, and from term to term thereafter until discharged by law, and abide the judgment of the said Court of Appeals for the State of Alabama, then this obligation to be void and of no effect; otherwise to remain in full force and effect.

Sigmon Simpson (Seal.)Mobile Bonding Co (Seal.)Harold Doyle (Seal.) (Seal.)Approved this 21 day of Nov, 1942Beice J. Luck Clerk.

No. 3682

THE STATE OF ALABAMA

_____ County.

CIRCUIT COURT OF

_____ County

**THE STATE
vs.**

Signer

**APPEAL BOND TO COURT OF
APPEALS
CRIMINAL CASES**

Filed in office this the _____ day of

_____, 19____

Clerk.

APPEAL
APPEARANCE BOND

MOORE PRINTING COMPANY - BAY MINETTE, ALA.

The State of Alabama, }

Baldwin County

We SIGMON SIMPSON, as
principal, and undersigned as sureties agree to pay THE STATE OF ALABAMA, the sum of
ONE HUNDRED \$100.00 DOLLARS
unless the said SIGMON SIMPSON appears at the
NEXT Term, 1962 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

SPEEDING

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 constitution 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 8 day of June 1962

By Taylor Wilkins, Sheriff
Thompson, Deputy Sheriff

SEIBERT
6/8/62

No.

397

State of Alabama

Baldwin County

Court

Sheriff's Office

The State
vs.

Sheriff's Appearance Bond

Amount of Bond \$

Filed , 19

Clerk

WARRANT

State Of Alabama, }
Baldwin County. }

To Any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest

Alis
Signmon Simpson

and bring *him*

before

me

to answer the State of Alabama on a charge

Speeding at night

and have you then and there this writ with your return thereon

Witness my hand this

8

day of

June

19 *61*

H. D. Lines

J. P.

MITTIMUS OR COMMITMENT

State Of Alabama, }
Baldwin County. }

To the Jailer of Baldwin County:

On complaint of

I W Freeman

charging

Signmon Simpson

with the offense of

Speeding at night

it appearing that such offense has been committed and that there is sufficient cause to believe that

Signmon Simpson

has been guilty thereof, you are

therefore commanded to receive him into your custody, and detain him until he is legally discharged.

Dated this

8

day of

June

19 *61*

H. D. Lines

Justice of the Peace.

397
JUSTICE COURT OF
BALDWIN COUNTY

Warrant Of Arrest

THE STATE OF ALABAMA
vs.

Executed this the 8 day of June 1962

By arresting the within named Defendant

and placing him or her in jail

Taylor Jenkins, Sheriff

W. C. Garner, Deputy Sheriff

....., Highway Patrol

Personally appeared the under signed,
who being duly sworn desposes and says:
I am a Deputy Sheriff of Baldwin Co.,
Ala., In the above case, in the above
mentioned Court in executing the warr-
ant of arrest of the defendant. I traveled

.....
miles by the most direct route to point of
arrest and return, and the Sheriff is en-
titled to mileage at 10c per mile. Point of
arrest: 0 mi

Signed

Subscribed and sworn to before me this

14 day of August 1962

A. J. O'Brien

Clerk J. P. Court

Criminal Docket No.

No.

Page.

The State Of Alabama

Baldwin County

JUSTICE COURT OF

THE STATE OF ALABAMA
vs.

Mittimus

The State of Alabama
Baldwin County

I,
a Justice of the Peace in and for said State
and County, do and hereby certify that

.....
the Defendant; is required to give bail in the
sum of \$..... for his appearance at the
19..... Term of the.....
Court of..... County, Ala.

Given under hand this the.....
day of..... 19.....

..... J. P.

Notice: This Bond must be signed with Ink and will not be approved if signatures are made with Pencil.

APPEARANCE BOND

THE STATE OF ALABAMA } THE COURT OF BALDWIN COUNTY
BALDWIN County } We, Sigmon Simpson Principal,
and HIS OR HER

sureties, agree to pay to the State of Alabama

ONE HUNDRED

Dollars,

unless the said DEFENDANT

appears before the Court of BALDWIN County on the 10 day of

Feb 1962, and from day to day, and from term to term, thereafter, until discharged by

due course of law, to answer a criminal prosecution for the offense of

Speeding AUTO

And we, and each of us, hereby waive all rights of claim of exemption we or either of us have now, or may hereafter have, under the Constitution and Laws of the State of Alabama, and we hereby severally certify and solemnly swear that we have property free from all encumbrance, to the full amount of the above bond.

Witness our hands and seals this day of 19

Approved this 1 day of Feb, 1962

Arresting Officer:

Sign Top Line

NAME

ADDRESS

Sigmon Simpson (L. S.)

(L. S.)

(L. S.)

(L. S.)

WARNING

Any person who willfully violates the above written bond, and fails to appear on the date and time set, shall be guilty of a misdemeanor punishable by fine and imprisonment regardless of the disposition of the charge above made.

NO. _____

THE _____ COURT OF

_____ COUNTY

THE STATE

VS.

BOND

Filed _____

By _____

THE STATE OF ALABAMA
BALDWIN COUNTY

In the Justice Court of

W.D. Davis

Before me, JUSTICE OF PEACE in and for said County, personally appeared

T.W. Freeman

who, being duly sworn, deposes and says he has probable cause for believing, and does be-

lieve that in said State and County, on or about 2-1-62 that one Simon Simpson did commit the offense indicated below by an "X" mark.

☒ **Speeding**

Did operate a motor vehicle upon a public highway in said County and State at a rate of speed in excess of that provided by law.

☐ **Reckless Driving**

Did operate a motor vehicle upon a public highway in said County and State carelessly and heedlessly in wilful and wanton disregard of the rights or safety of others, or without due caution and circumspection, and at a speed or in a manner so as to endanger or to be likely to endanger any person or property.

☐ **No Driver's License**

Did operate a motor vehicle upon a public highway in said County and State without first obtaining a driver's license.

☐ **Driving While Intoxicated**

Did operate a motor vehicle upon a public highway in said County and State while under the influence of intoxicating liquors or narcotic drugs.

☐ **Passing in Prohibited Zone**

While operating a motor vehicle upon a public highway in said County and State did pass another vehicle upon said highway in zone in which passing was prohibited.

☐ **Driving While License Revoked or Suspended**

Did operate a motor vehicle over a public highway in said County and State while his driver's licenses, or privilege were cancelled, suspended or revoked.

☐ **Passing Improperly**

While operating a motor vehicle upon a public highway in said County and State did pass another vehicle upon said highway in an improper manner.

☐ **Permitting Under Age to Drive**

Did permit a motor vehicle which he owned or was in charge of to be driven or operated by a child under 16 years of age, upon a public highway in said County and State.

☐ **Speeding in Restricted Zone**

While operating a vehicle upon a public highway in said County and State, did exceed the speed limit in a zone in which speed was restricted or regulated by laws or rules of said State.

☐ **Passing School Bus**

While operating a vehicle upon a public highway in said County and State, passed a School Bus which was loading and unloading children.

☐ **Failing To Stop at Stop Sign**

While operating a vehicle upon a public highway in said County and State, and upon reaching an intersection which was equipped with a stop-sign, failed to obey said stop-sign by not coming to a complete stop.

☐ **Improper** ☐ **Muffler** ☐ **Lights** ☐ **Brakes**

Did operate a motor vehicle upon a public highway in said County and State, which was not properly equipped with a muffler, lights, brakes.

☐ **Over Weight Load**

Did operate a motor vehicle over a public highway in said County and State with over weight load as provided by law, 1. 2. 3. 4. Gross

☐ **Over** ☐ **Width** ☐ **Height** Ft. In.

Did operate a motor vehicle over a public highway in said County and State with over width, height load as provided by law.

☐ **Not Qualified—No A. P. S. C.** ☐ **Tag** ☐ **Plate**

☐ **Lettering** ☐ **Trip Ticket** ☐ **Recip. Card**

Did operate a motor vehicle upon a public highway in said County and State without properly qualifying with the A. P. S. C. as provided by law.

against the peace and dignity of the State of Alabama.

Signed

T.W. Freeman A.W.

Sworn to and subscribed before me, this 3 day of

February 1962

W.D. Davis
JUSTICE OF PEACE

THE STATE OF ALABAMA
BALDWIN COUNTY

JUSTICE COURT

TO ANY LAWFUL OFFICER OF SAID STATE—GREETINGS:

You are hereby commanded to arrest

Simon Simpson

and bring him before

me

to answer The State of Ala-

bama on the charge of

speeding

said charge preferred by

T.W. Freeman

Witness my hand this 3

day of

February

1962.

W.D. Davis
JUSTICE OF PEACE

INFORMATION

Name _____

Address _____

Color _____ Sex _____

Near _____ years old. Wt. about _____ lbs.

Height about _____ feet _____ inches

Date of Arrest _____

Officer _____

Drivers License No. _____

Remarks: _____

Works: _____

WITNESSES FOR STATE

No. _____

THE STATE OF ALABAMA
Baldwin County

WARRANT AND AFFIDAVIT
Justice Court

THE STATE
vs.

I have executed this warrant on
this _____ day of _____, 19____

by arresting the within named defen-
dant and placing him - her _____

T.W. Inman
Highway Patrol

Sheriff

Deputy Sheriff

Div. No. _____

CERTIFICATE OF APPEAL. (Criminal Cases.)

No. 3682

Baldwin County, Circuit Court

SIGMON SIMPSON,

Appellant

VS.

The State of Alabama,
Appellee

The State of Alabama,

Baldwin County, The Circuit Court of Baldwin
County.

I, Alice J. Duck, Clerk of the Circuit Court
of Baldwin County in and for said County and State, do
hereby certify that in the above stated case, which was tried and
determined in this Court on the 21st day of November 19 62, and
the defendant convicted ~~by a jury~~ of the offense of Speeding at Night
, and that on the 21st day of November 19 62,
said defendant was sentenced to a ~~term of~~ \$25.00 fine and cost
, which said sentence was suspended
pending an appeal to the Court of Appeals Court of Alabama.

I further certify that on this the _____ day of _____
19____, the defendant gave notice in writing of an appeal to the
_____ Court of Alabama.

Witness my hand and the seal of this Court, this the 9th
day of January 19 63.

Alice J. Duck
Clerk of Circuit Court of
Baldwin County, Alabama,

Seignior Simpson

THE STATE OF ALABAMA
Baldwin County - Circuit Court

TO ANY SHERIFF OF THE STATE OF ALABAMA — GREETING:

Whereas, at a Term of the Circuit Court of Baldwin County, held on the _____
November 21, 1962 _____ Monday in _____, 1962, in a cer-
tain cause in said Court wherein _____ State of Alabama _____
_____ Plaintiff, and _____ Sigmon Simpson _____
_____ Defendant, a judgement was rendered against said
_____ Sigmon Simpson _____
to reverse which _____ judgment _____, the said Sigmon Simpson _____
_____ applied for and obtained from this office an APPEAL, returnable to the _____ next
Term of our Court of Appeals Court of the State of Alabama, to be held at Montgomery, on
the _____ day of _____, 1962 next, and the necessary bond
having been given by the said Sigmon Simpson _____
_____ with Mobile Bonding Co. by Harold Saye _____, sureties,

Now, You Are Hereby Commanded, without delay, to cite the said _____ State of Alabama _____
_____ or James A. Hendrix, Solicitor Twenty-Eighth
_____ & Judicial Circuit Attorney, to appear at the _____ next _____ Term of our
Court of Appeals _____ they _____ think proper.
said _____ Court, to defend against the said Appeal, if _____

Witness, ALICE J. DUCK, Clerk of the Circuit Court of said County, this _____ 9th
day of _____ January _____, A. D., 1962 3

Attest:

Alice J. Duck Clerk.

CASE NO. 3682

CIRCUIT COURT
Baldwin County, Alabama

STATE OF ALABAMA

Vs.

Citation in Appeal

SIGMON SIMPSON

Issued 9th day of Jan., 1963,

serve: James A. Hendrix

*I hereby accept service & notify
the foregoing 1/16/63*

James A. Hendrix

MAR 12 1963

THE STATE OF ALABAMA ---- JUDICIAL DEPARTMENT

THE ALABAMA COURT OF APPEALS

OCTOBER TERM, 1962-63

1 Div. 936

Sigmon Simpson

v.

State

Appeal from Baldwin Circuit Court

CATES, JUDGE

The purported final judgment reads:

"Comes the State of Alabama by its Solicitor, comes the defendant also in his own proper person and pleads not guilty to the offense of speeding at night, and on hearing the evidence in this case, the Court is satisfied of the guilt of the defendant and hereby awards the following punishment; A Fine of \$25.00 and cost. Defendant gives notice of appeal."

2.

There being no words of adjudication, the rule in Barnemann v. Morrison & Woodward, 132 Ala. 638, 32 So. 649, Moss v. State, 140 Ala. 199, 37 So. 156, Perry v. State, 4 Ala. App. 70, 59 So. 230, and Morris v. State, 29 Ala. App. 396, 196 So. 750, requires that the appeal be

DISMISSED.

PRICE, P. J., dissenting

I respectfully dissent from the holding of the majority of the court in this case. I am of the opinion the judgment is sufficient to support the appeal and the cause should be affirmed.

THE STATE OF ALABAMA---JUDICIAL DEPARTMENT

THE COURT OF APPEALS OF ALABAMA

1st Div., No. 936

Sigmon Simpson Appellant

v.

The State Appellee

From Baldwin Circuit Court

*The State of Alabama, }
City and County of Montgomery.*

I, Charles Bricken, Jr., Clerk of the Court of Appeals of Alabama, do hereby certify that the foregoing pages numbered from one to 2 inclusive, contain a full, true and correct copy of the opinion of said Court of Appeals in the above stated cause, as the same appears and remains of record and on file in this office.

Witness, Charles Bricken, Jr., Clerk of the Court

of Appeals of Alabama, at the Capitol, this the

12th day of March, 19 63.

Charles Bricken Jr.

Clerk of the Court of Appeals of Alabama.

THE COURT OF APPEALS OF ALABAMA

1st *Div., No.* 936

Sigmon Simpson

Appellant

vs.

The State

Appellee

From Baldwin Circuit *Court.*

COPY OF OPINION

BROWN PRINTING CO., MONTGOMERY

THE STATE OF ALABAMA---JUDICIAL DEPARTMENT

THE COURT OF APPEALS OF ALABAMA

October Term, 19 62

To the Clerk of the Circuit Court of Baldwin County, Greeting:

Whereas, the Record and Proceedings of the Circuit Court of said County, in a certain cause lately pending in said Court between

Sigmon Simpson, Appellant,

and

The State, Appellee,

wherein by said Court, at the Term, 19, it was considered adversely to said appellant, were brought before our Court of Appeals, by appeal taken, pursuant to law, on behalf of said appellant.

Now, it is hereby certified, That it was thereupon considered by our Court of Appeals on the 12th day of March 19 63,

that the said appeal be and stand dismissed; and that it was further considered that the appellant, and

~~pay the costs on the appeal bond~~

pay the costs accruing on said appeal in this Court and in the Court below

PRICE, J., DISSENTS

Witness Charles Bricken, Jr., Clerk of the Court of Appeals of Alabama, at the Capitol, this the 12th day of March 19 63

Charles Bricken Jr.
Clerk of the Court of Appeals of Alabama.

THE COURT OF APPEALS OF ALABAMA

October Term, 19__62__

1st Div. No. 936

Sigmon Simpson

Appellant.....

#3682

v.

The State

Appellee.....

From Baldwin Circuit Court

CERTIFICATE OF DISMISSAL

The State of Alabama,

County.

} Filed

this 14 day of Mar. 1963

Alvin J. Jones

Transcript of Criminal Cases from Justice Court of Baldwin County, Ala.

Attorneys	Case	Charge
	962	
	THE STATE OF ALABAMA,	Speeding. 70 m P.H. - at night
	Vs.	
	Seamon Simpson	

	Disposition of Case	Fees	Amount
	Affidavit made and Warrant Issued to	Judge's Fees	
	Returnable	Warrant at 50c, Affidavit at 25c 2	1.50
	Witness—for State	Bond at 50c, Sci Fa. at 50c	
	I W Framon	Witnesses' Recognizances at 25c	
		Subpoenas or notice at 25c	
		Continuance at 25c	
		Trial of Misdemeanor at \$1.00 1	1.00
		Mittimus at 25c 1	.25
		Judgment on Forfeited Bond at 25c	
		Taking Bond, etc., on Appeal at \$1.00	
		Execution of costs at 25c 1	.25
		Constable's Fees	
		Subpoena or Notice at 25c	3.00
6-8-62	Defendant tried found guilty	Carrying Defendant before Justice	
	Fined \$20.00 Plus cost	each mile for himself and guard at 10c	
	Went to Circuit Court	Arrest 50c	
		Sheriff's Fees	
		Arrest \$5.00, Bond \$2.00, Sci Fa. 50c	7.00
		Guard \$2.00, Finger Printing \$1.00	3.00
		Subpoenas at 50c, Mileage	
		Witness Fees	
		Days at 50c	10.00
		Days at 50c	10.00
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Days at 50c	
		Defendant's Costs	
		Witnesses' Recognizance at 25c	
		Subpoenas at 50c	
		Executing Subpoenas	
	arrest on alis warrant. \$5.00.		
	Bond 2.00		
	Surch 2.00		
	Finger Prints 1.00		
	10.00		
	H. D. Dineen		

3682