

PAUL LIGHTSEY,

Petitioner,

Vs.

TAYLOR WILKINS, as Sheriff
of Baldwin County,

Defendant.

IN THE CIRCUIT COURT OF

BALDWIN COUNTY, ALABAMA

9570

PETITION FOR WRIT OF HABEAS CORPUS

TO THE HONORABLE J. M. HOCKLANDER, JUDGE OF THE CIRCUIT COURT
OF MOBILE COUNTY, ALABAMA AND SPECIAL JUDGE FOR BALDWIN COUNTY,
ALABAMA:

This, the Petition of Paul Lightsey, shows:

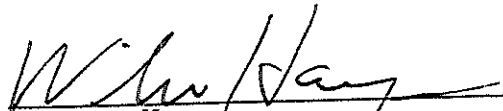
1. That Your Petitioner is illegally restrained of his liberty, by being confined in the jail of Baldwin County, Alabama.
2. The person restraining the liberty of the said Petitioner is Taylor Wilkins in his capacity of the Sheriff of the said County and the place of detention is at the jail of the said County. The cause or pretense of said restraint is by virtue of an arrest made on Your Petitioner for and on account of the crime of possession of marijuana or other charges which have not been made known to Petitioner.
3. A copy of such warrant or order of arrest is attached hereto.
4. Petitioner further shows to Your Honor that he has been in jail for over four weeks and that no hearing of any kind has been had on his confinement.
5. Petitioner further shows that the Circuit Judge for Baldwin County, Alabama is out of the State of Alabama and that Your Honor is the next Circuit Judge.
6. Now therefore, Petitioner averrs that his further restraint is illegal and prays Your Honor to issue the State's Writ of Habeas Corpus directed to the said Taylor Wilkins in and as his capacity of Sheriff of Baldwin County, Alabama, requiring him to bring Your Petitioner before Your Honor, at the time and place to be specified in the Writ for the purpose of examination into this cause of the detention of Petitioner.

FILED

NOV 23 1970

ALICE J. DUCK

CLERK
REGISTER

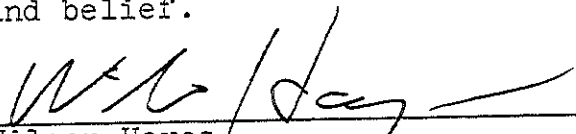

Wilson Hayes
Attorney for Petitioner

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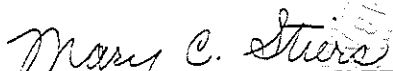
STATE OF ALABAMA

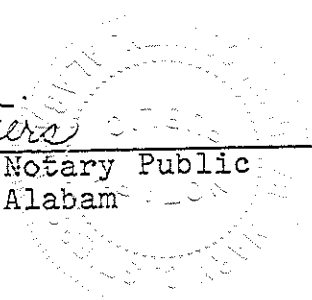
BALDWIN COUNTY

Personally comes Wilson Hayes, who being duly sworn, deposes and says that the allegations contained in the foregoing Petition for Writ of Habeas Corpus are true to the best of his information, knowledge and belief.


Wilson Hayes

Sworn to and subscribed before me this 20th day of November, 1970.


Mary C. Stiers, Notary Public
Baldwin County, Alabama



FILED

NOV 23 1970

ALICE J. DUCK

TAYLOR WILKINS, as Sheriff
of Baldwin County,

STATE OF ALABAMA

TO TAYLOR WILKINS, SHERIFF OF BALDWIN COUNTY, ALABAMA:

Dated this 23rd day of November, 1970.

FILED

NOV 23 1970

ALICE J. DUCK
CLERK
REGISTER

AFFIDAVIT

MOORE PRINTING CO. - BAY MINETTE, ALABAMA

State Of Alabama, }
Baldwin County. }

In the Justice Court of Ray C. Stephens

Before me, Ray C. Stephens, Justice of the Peace

in and for said County, personally appeared Larry Durant who, being
duly sworn, deposes and says on oath that he has probable cause for believing and does believe that in said County,
on or about October 22, 1970 that one Paul William Lightsey

did have in his possession Marijuana, Cannabis Americana, Cannabis Indica, or
a mixture containing Marijuana, Cannabis Americana or Cannabis Indica.

against the peace and dignity of the State of Alabama

Sworn to and subscribed before me this 23rd
day of October, A. D., 19 70

Ray C. Stephens

J. P.

Larry Durant

WARRANT

State Of Alabama, }
Baldwin County. }

To any Lawful Officer of Said County, Greetings:

You are hereby commanded to arrest Paul William Lightsey

and bring him

before me to answer the State of Alabama on a charge
Possession of Marijuana

and have you then and there this writ your return thereon

Witness my hand this 23rd day of October, 19 70.

Ray C. Stephens

J. P.

MITTIMUS OR COMMITMENT

State Of Alabama, }
Baldwin County. }

To the Jailer of Baldwin County:

On complaint of Larry Durant

charging Paul William Lightsey

with the offense of Possession of Marijuana

it appearing that such offense has been committed, and that there is sufficient cause to believe that
he has been guilty thereof, you are
therefore commanded to receive him into your custody, and detain him until he is legally discharged.

Dated this 23rd day of October, 19 70.

Ray C. Stephens

Justice of the Peace.

No..... Page.....

The State Of Alabama
BALDWIN COUNTY

Justice Court Of

AFFIDAVIT

THE STATE OF ALABAMA

vs.

Witnesses for the State

DESCRIPTION

Height _____ Weight _____

Color _____ Sex _____

Age _____ Hair _____

Address _____

JUSTICE COURT OF
BALDWIN COUNTY

Warrant Of Arrest

THE STATE OF ALABAMA

vs.

Executed this the....22....day of.....Oct 19..70

By arresting the within named Defendant

and placing him or herin...jail.....

.....Taylor Wilkins....., Sheriff

.....B.W. Davis....., Deputy Sheriff

....., State Trooper

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

traveled
miles by the most direct route to point
of arrest and return, and the Sheriff is
entitled to milage at 10c per mile. Point
of arrest:

Signed
Subscribed and sworn to before me this
.....day of19

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.