

Law Offices of
PERLOFF & REID
SUITE 205 - VAN ANTWERP BLDG.
MOBILE, ALABAMA 36602

MAYER W. PERLOFF
T. DWIGHT REID
DONALD M. BRISKMAN

March 5, 1971

AREA CODE 205
TELEPHONE 433-5412

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

Mr. Ray C. Stephens
Justice of the Peace
Bay Minette, Alabama

Re: State of Alabama, City of Fairhope
vs. Edward Howell & Edward Acquilla

Dear Mr. Stephens:

The above captioned matter is set for preliminary hearing in the Baldwin County Courthouse on Friday, March 12, 1971. Please be good enough to issue subpoenas to the following persons to be present for that hearing.

Hon. Lloyd E. Taylor
City Recorder
City of Fairhope
Fairhope, Alabama

Mr. Walter M. Yohn
Fairhope City Police Dept.
Fairhope, Alabama

Chief of Police, City of Fairhope
Fairhope, Alabama

Very truly yours,


DONALD M. BRISKMAN

DMB/sjm

cc: Clerk, Circuit Court of Baldwin County
Hon. Taylor Wilkins, Sheriff, Baldwin County

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CERTIFIED MAIL, RETURN RECEIPT REQUESTED

C
Mr. Ray C. Stephens
Justice of the Peace
Bay Minette, Alabama

Re: State of Alabama, Baldwin County
vs. Jim Trafford & Lee Whipple

Dear Mr. Stephens:

O
The above captioned matter is set for preliminary hearing
in the Baldwin County Courthouse on Friday, March 12, 1971.
Please be good enough to issue subpoenas to the following
persons to appear for that hearing.

P
Mr. W. O. Garner
Sheriff's Deputy
Baldwin County Sheriff's Department
Bay Minette, Alabama

Y
Chief of Police
City of Fairhope,
Fairhope, Alabama

Very truly yours,


DONALD M. BRISKMAN

DME/sjm

cc: Clerk, Circuit Court of Baldwin County
Hon. Taylor Wilkins, Sheriff, Baldwin County

Hon. Taylor Atkins, Sheriff, Belknap County
cc: Clerk, Circuit Court of Belknap County

DMS/ajm

DAVID W. BRIDGEMAN
Vice, Sheriff's Office

Belknap, Virginia
City of Belknap,
Office of Police

Belknap, Virginia
Belknap County Sheriff's Department
Sheriff's Office
P.O. Box 1000

Persons to submit for first hearing.
Persons to submit for first hearing to the following
in the Belknap County Courthouse on March 15, 1981.
The above mentioned persons to be for preliminary hearing

Date: March 15, 1981

At: The Justice of the Peace
Belknap County, Virginia

Belknap, Virginia
Office of the Sheriff
P.O. Box 1000

COPIES WITH: BELKnap RECORDS REQUESTED

DAVID W. BRIDGEMAN
J. DAVID BRIDGEMAN
VIRGINIA W. BRIDGEMAN

MARCH 2, 1981

TELEPHONE 433-2415
VIRGINIA CODE 502

MOBILE VIRGINIA 38805
SUITE 302 - 400 WILKINS RD.

BRIDGEMAN & BRID

Can Office of

EX PARTE

EDWARD ARQUILLIA, EDWARD HOWELL, JIM TRAFFORD,
LEE WHIPPLE

9735

It is ordered by the undersigned judge that the petitioner or his attorney give notice to the solicitor of the 28th Judicial Circuit of Alabama, of the issuance of the writ of habeas corpus in this case, and of the time and place to which said writ is returnable.

Dated this the 5th day of March, 1971.

Telfair J. Mashburn
JUDGE

STATE OF ALABAMA

BALDWIN COUNTY

TO THE HONORABLE JAMES A HENDRIX, SOLICITOR OF THE 28th JUDICIAL CIRCUIT:

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 28th Circuit of Alabama, in behalf of Edward Arquillia, Edward Howell, Jim Trafford, Lee Whipple, who are 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 28th Judicial Circuit, returnable before him at the County Courthouse in the City of Bay Minette, Alabama, on the 12th day of March, 1971, at the hour of 10:00 o'clock. AM.

This the 5th day of March, 1971.

A. J. Cooper
Attorney for Petitioners

FILED

MAR 5 1971

EUNICE B. BLACKMON CIRCUIT CLERK

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EX PARTE

9735

EDWARD ARQUILLIA, EDWARD HOWELL, JIM TRAFFORD,
LEE WHIPPLE

STATE OF ALABAMA

IN THE CIRCUIT COURT OF BALDWIN COUNTY

BALDWIN COUNTY

TO TAYLOR WILKINS, SHERIFF OF BALDWIN COUNTY:

You are hereby commanded to have the bodies of Edward Arquillia, Edward Howell, Jim Trafford, Lee Whipple, alleged to be detained by you, by whatsoever name the said Edward Arquillia, Edward Howell, Jim Trafford, Lee Whipple 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 12th day of March, 1971, at the Court House at Bay Minette, Alabama, at 10:00 A.M. to do and receive what shall then and there be considered concerning the said Edward Arquillia, Edward Howell, Jim Trafford, Lee Whipple.

Dated this the 5th day of March, 1971.

Telfair J. Mashburn
CIRCUIT JUDGE

Executed the within writ by delivering a copy thereof to the office of Taylor Wilkins, Sheriff of Baldwin County, Alabama against whom the said writ has been directed.

Dated this 5th day of March, 1971.

H. J. Cooper

FILED

MAR 5 1971

EUNICE B. BLACKMON CIRCUIT
CLERK

STATE OF ALABAMA

)

v.

)

CIRCUIT COURT OF

EDWARD ARQUILLA,

)

BALDWIN COUNTY

EDWARD ~~LOWELL~~,

JIM TRAFFORD, LEE WHIPPLE

)

~~7788~~

PETITION FOR WRIT OF HABEAS CORPUS

TO: CIRCUIT COURT OF THE COUNTY OF BALDWIN


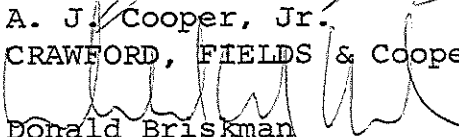
I am the attorney for above named petitioners for whom this petition is filed.

The prisoners are illegally held in the custody, confinement or restraint of the Sheriff, at the County Jail, in the County of Baldwin and that this confinement is illegal because: a) the charges under which petitioners are confined are based upon illegally obtained evidence; b) Petitioners are being held in violation of their Constitutional Rights, specifically their rights under the Fourth Amendment to the Consitution.

No other application for a Writ of Habeas Corpus or a warrant in lieu thereof has been made, by or on behalf of said person in regard to said restraint.

WHEREFORE, I pray that a Writ of Habeas Corpus be issued directed to the Sheriff of the Baldwin County Jail commanding him to have said prisoners before said Court at a time and place therein to be specified, to do and receive what shall then and there by considered by said Court, concerning the persons so restrained together with the time and cause of the detention, and said Writ.

Dated: March 5, 1971


A. J. Cooper, Jr.
CRAWFORD, FIELDS & Cooper

Donald Briskman
PERLOFF, REID & BRISKMAN