

## Post-conviction hearings dominate actions in superior court criminal term this week

A parolee from a 1951 prison sentence for armed robbery won complete freedom in a post-conviction hearing held before Judge Raymond Mallard in Orange County Superior Court day before yesterday.

The defendant, Norman E. Hart, was on parole from his prison sentence imposed in this county 13 years ago when he asked for his post-conviction hearing on grounds that he was not represented by counsel during his 1951 trial. Judge Mallard heard his petition, then discharged Hart from custody of the parole board.

Bobby Villines, defended as an indigent by court-appointed Robert Satterfield, was given 15 months for assault with a deadly

weapon; 18 months for no driver's license; won dismissal of another assault charge; won a motion to quash charges of carrying a concealed weapon; and had charges of disorderly conduct, property damage, and resisting arrest, and public drunkenness, continued.

Post-conviction hearings as indigents were granted a number of defendants this week. Emery Denny Jr. was assigned to defend Robert May, charged with escape, in a new hearing. Robert Cooper was named counsel for William M. Carden on the same charge. Harold Edwards was appointed counsel for William J. Naluska, also on charges of escape.

Gordon Battle was named to defend Joe Louis Lee for breaking, entering and larceny.

James Allen Jr. was named to defend Scott and Helen Holt for false pretense and James Harper Jr., to defend Willie Lovette for larceny.

William Huff was given an 18 months sentence, taxed costs of court, and ordered to pay \$368 restitution to N. C. Farm Bureau Mutual Insurance Co. on charges of embezzlement.

Howard Smith, charged with speeding 67 miles an hour, was fined \$12 and costs.

Robert Agner Lutz was fined \$15 and costs for speeding 70.

George Langley was given a four months suspended term and \$50 and costs for reckless driving.

Julius Austin Duncan was given a nol pros with leave for reckless driving.

James Cotton, charged with hit and run and property damage, won a nol pros with leave.

Tony Sykes was given a nol

pros with leave for breaking, entering and larceny.

Other judgments of the court this week:

Joseph M. Brinson Jr., reckless driving, nol pros with leave. Calvin Burnette, no driver's li-

ense, nol pros with leave.

Coy Morrow, illicit sale of liquor, nol pros with leave.

Divorces were granted John David and Frances Rigney Moss, and Louvenia Mae Wilson and Henry Daniels Rimmer.

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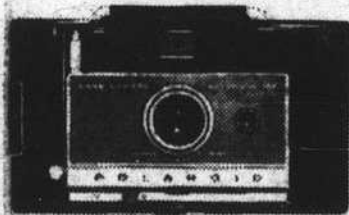
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### Judge takes over role of defense counsel; grants motion to quash

Judge Raymond Mallard figuratively took the dual role of defense attorney and judge in freeing an indigent defendant charged with non-support in Orange County Superior Court this week.

The defendant, Clarence D. Nabers, was called for trial Monday afternoon on non-support charges brought by his wife in 1961.

He appeared before the Judge without an attorney, stating that he couldn't afford a lawyer when the Judge asked him about this. Nabers admitted he had seldom made support payments for his minor child since 1961, stating that he just didn't have the money most of the time.

Judge Mallard was about to arrange for Nabers to have a court-appointed attorney as an indigent when he instead asked to see the formal charges against the defendant.

Quickly glancing at the date of the charges the Judge observed that the statute of limitations had expired. "The defendant moves to quash the indictment and his motion is granted. You are free. You may go now," declared the Judge.

### Legal Notices

#### NOTICE OF SERVICE OF PROCESS BY PUBLICATION

NORTH CAROLINA COUNTY OF ORANGE C. Whid Powell, Plaintiff, vs. Odell Bartlett, Defendant.

To Odell Bartlett, defendant: Take notice that a pleading seeking relief against you has been filed in the above-entitled action. The nature of the relief being sought is as follows: recovery of the sum of Two Thousand Dollars (\$2,000.00) justly due and owing the plaintiff on a promissory note under seal.

You are required to make defense to such pleading not later than the 21st day of January, 1965, and upon your failure to do so the party seeking relief against you will apply to the Court for the relief sought.

This the 19th day of November, 1964.

E. M. Lynch Clerk of Superior Court of Orange County



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