

# This Is The Law

By ROBERT E. LEE  
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honoring a demand for jury trial."

## CORMINAL CONTEMPT

Is a person entitled to a jury trial in a criminal contempt proceeding?

He is if a serious punishment is contemplated. Criminal contempt is generally misbehavior in the vicinity of a court, disrupting its quiet order or actually interrupting the court in its conduct of its business. Punishment becomes necessary to preserve the dignity, respect, and effectiveness of the judicial process.

Formerly it was thought that a trial judge had a completely untrammelled power to punish "on the spot" any contempt of his court. But in 1968 the Supreme Court of the United States held "that serious contempts are so nearly like other serious crimes that they are subject to the jury trial provisions of the Constitution, now binding on the states, and that the traditional rule is constitutionally uniform insofar as it permits other than petty contempts to be tried without

There is no substantial difference between a serious contempt and other serious crimes. Their impact on the individual defendant is the same. Contemptuous conduct, though a public wrong, often strikes at most vulnerable and human qualities of a judge's temperament. As a consequence, if a serious punishment is contemplated, the defendant is entitled to a public trial before an unbiased jury.

On the basis of the 1968 federal decision, the Supreme court of North Carolina has held that "a serious offense is one for which the authorized punishment exceeds six months imprisonment and a \$500 fine. Thus, if the authorized maximum punishment is within that limit, the offense is petty and there is no constitutional right to a jury trial in either federal or state courts."

## SFC Amano Is Commended

USCGC COURAGEOUS. Coast Guard Substantance Specialist First Class Norbert V. Amano, husband of Mrs. Elaine M. Amano of Kings Mountain, N. C. is a crew member of this Coast Guard cutter that captured approximately nine tons of marijuana during a two week patrol in the Bahamas. The crew was commended by the Commandant of the coast Guard for the professional manner in which the occurrences were handled.

He joined the Coast Guard in November 1955.

BE CAREFUL Beware of leads to unexpected inheritances. Gypsies have collected millions of dollars in fake "expenses" by leading people to believe they can inherit money from estates of distant relatives, caution extension home management specialist, North Carolina State University.

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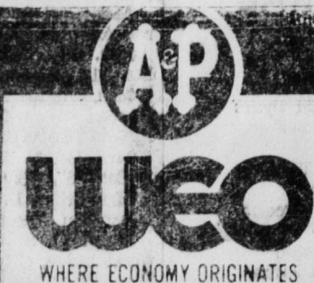
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