

4-11
EL: 44-775

ADMINISTRATIVE:

RE: CIRCUIT JUDGE JOHN C. CASEY

On May 10, 1968, Judge JOHN C. CASEY, Circuit Court, Division 18, Municipal Court Building, 13th and Market Streets, St. Louis, Missouri, advised SA [REDACTED] that he had originally sentenced subject to 20 years in the Missouri State Penitentiary following subject's conviction of an armed robbery of a Kroger Store in St. Louis, Missouri, in 1959. Subject appealed the conviction and sentence but the findings of the trial court were sustained. The appeal is reported in 354 Southwestern Second, page 840.

Thereafter subject filed a motion to vacate the judgment and sentence under Section 27.26 of the Missouri Rules of Criminal Procedure on August 4, 1966 alleging improper introduction of his signed statement, failure to afford him a sanity hearing, allowance by the court of faulty jury instructions, reception of perjured State testimony, and failure of the court to furnish him the advice and assistance of an attorney during the various stages of trial and appeal. Judge CASEY noted that such motion and the argument in support thereof had been prepared personally by subject and that, although they were obviously based on similar motions and arguments of other prisoners which he knows to be on file at the Missouri State Penitentiary as models for individual motions prepared by other prisoners, they were ably prepared, were on a par with similar motions and arguments regularly prepared by practicing attorneys in this area, and evidence a thorough knowledge and preparation on the part of the subject in regard to the specific points of law involved.

Judge CASEY stated that he had thereafter overruled subject's motion but that the Supreme Court of Missouri had on April 12, 1967, reversed him on this matter and ordered subject's motion restored to his docket as of June 15, 1967. Judge CASEY noted that the matter had actually become academic as of that date due to subject's escape. Judge CASEY stated he had appointed Attorney JOHN D. SCHNEIDER of St. Louis to represent subject in this matter, but that to the extent of his knowledge SCHNEIDER never saw the subject or had any contact with him.

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