

FILED

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

APR 13 1984

THOMAS C. CAVER, CLERK

BY _____
DEPUTY CLERK

MAGGIE S. BOZEMAN)

Petitioner)

vs.)

EALON M. LAMBERT; et al)

Respondents)

CIVIL ACTION NO. 83-H-579-N

JUDGMENT

Pursuant to the attached memorandum opinion, it is hereby

ORDERED that petitioner's motion for summary judgment is granted.

It is the ORDER, JUDGMENT, and DECREE of the Court that the judgment of conviction and the sentence pronounced thereon by the Circuit Court of Pickens County, Alabama, on November 21, 1980, wherein Maggie S. Bozeman was found guilty in state criminal case #CC-78-109 of fraudulent or illegal voting and sentenced to four years' imprisonment, is hereby vacated. It is further ORDERED that respondents release petitioner from all restraints imposed as a result of said conviction not later than April 30, 1984.

It is further ORDERED that the costs of this proceeding be taxed against the State of Alabama.

DONE this 13th day of April, 1984.

Thomas C. Caver

UNITED STATES DISTRICT JUDGE

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MAGGIE S. BOZEMAN)
Petitioner)
vs.) CIVIL ACTION NO. 83-H-579-N
EALON M. LAMBERT; et al)
Respondents)
JULIA P. WILDER)
Petitioner)
vs.) CIVIL ACTION NO. 83-H-580-N
EALON M. LAMBERT; et al)
Respondents)

MEMORANDUM OPINION

This cause is before the Court on petitioners' motions for summary judgment. Although the Court has not consolidated these cases, it will issue a joint opinion, with separate judgments. Bozeman in her motion argues that, under Jackson v. Virginia, 443 U.S. 307 (1979), the evidence was insufficient to support her conviction. She also contends that she was deprived of her constitutional right to notice of the charges against her. Wilder raises only the latter claim in her motion. She raises the Jackson claim in her petition, however, and the Court thus will consider it now. For the reasons stated below, the Court