

IN THE

FILED

UNITED STATES COURT OF APPEALS

JUN 12 1962

FIFTH CIRCUIT

EDWARD W. WADSWORTH
CLERK

No. 19,475

JAMES H. MEREDITH, on behalf of himself
and others similarly situated,

Appellant

v.

CHARLES DICKSON FAIR, President of the
Board of Trustees of the State
Institutions of Higher Learning,
et al.,

Appellees.

ORDER

~~This cause came on before~~ ^{having considered the} This Court ~~and~~ motion by
the appellant for the issuance of an injunction in aid of
this Court's jurisdiction upon the instant appeal;

And it appearing from said motion that a criminal
proceeding has been commenced in the Justice of the Peace
Court for Hinds County, Mississippi, Justice District No. 5,
on the general affidavit of Paul G. Alexander, Attorney for
Hinds County, sworn to and subscribed before Homer Edgeworth,
a Justice of the Peace for Hinds County, on the 28th day of
May 1962;

And it appearing from the representations of appellant's
counsel to this Court that a warrant was duly issued upon said
affidavit for the arrest of the appellant and that the appellant

was in fact arrested on the 6th day of June 1962;

And it appearing that the said warrant is returnable before said Justice of the Peace on the 13th day of June 1962;

And it further appearing that there is insufficient time to give notice of the filing of appellant's motion and to have a hearing thereon before the return day;

And it further appearing from appellant's motion that the affidavit of Paul G. Alexander alleges that the appellant knowingly procured his registration as a qualified elector of Hinds County, Mississippi, when he did not in fact reside in Hinds County, Mississippi, but was a resident of Attalla County, Mississippi, in violation of Section 3218 of the Mississippi Code, 1942, Annotated;

And it further appearing that the question whether appellant knowingly secured his registration as a qualified elector of Hinds County when he did not in fact reside in Hinds County but was a resident of Attalla County is one of the questions to be decided by this Court upon the instant appeal;

And it further appearing that the issuance of an injunction is necessary in aid of this Court's appellate jurisdiction, it is:

Ordered, Adjudged and Decreed that Paul G. Alexander, his agents, employees, successors and all persons in active concert and participation with him and all persons who shall receive notice of the issuance of this order be, and they hereby are, restrained and enjoined from proceeding with the criminal action instituted against this appellant by the affidavit of

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CLERK OF COURT
Hinds County, Mississippi
By _____
Clerk

Paul G. Alexander in the Justice of the Peace Court of Hinds County, Justice District No. 5, or any other court of the State of Mississippi, charging that appellant knowingly secured his registration as a voter in Hinds County when he did not in fact reside in Hinds County but was a resident of Attalla County, pending this Court's final determination of the instant appeal, brought by the appellant herein.

It is further ORDERED, that a copy of this order and appellant's motion be served upon Paul G. Alexander, County Attorney for Hinds County, and Joseph T. Patterson, Attorney General of the State of Mississippi.

Entered, at New Orleans, Louisiana,
this 12th day of June, 1962.

John R. Brown
United States Circuit Judge *per Smw*

John Minor Wisdom
United States Circuit Judge

Dozier A. De Vane
United States District Judge *per Smw*

A true copy
Test: EDWARD W. WADSWORTH
Clerk, U. S. Court of Appeals, Fifth Circuit
By Clara R. James
Deputy
New Orleans, Louisiana

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