

7/10/66

TO THE SUPERIOR COURT
OF BALTIMORE, MARYLAND

~~IN THE CIRCUIT COURT
FOR CECIL COUNTY
ELKTON MARYLAND~~

LIDSCHA SCHWIGURROW | NO ? CRIMINALS
vs. STATE OF MARYLAND

MOTION TO DISMISS

THE DEFENDANT LIDSCHA SCHWIGURROW HAS BEEN INDICTED BY THE CECIL COUNTY GRAND JURY FOR MURDER IN THE FIRST DEGREE BY TIMELY MOTION HE SEEKS DISMISSAL OF THE INDICTMENT ON THE BASIS THAT THE GRAND JURY WAS NOT LEGALLY CONSTITUTED BECAUSE PERSON OF HIS RACE OR COLOR WAS DISCRIMINATION IN GRAND JURY SELECTION WERE EXCLUDED FROM THE GRAND JURY WHICH RETURNED THE INDICTMENT AGAINST THE DEFENDANT WHO IS A ORIENTAL THEREFORE THE INDICTMENT IS CONSTITUTIONAL DEFECTIVE

DENIAL OF THE

1. DUE PROCESS OF THE CONSTITUTIONAL GUARANTEE OF EQUAL PROTECTION OF THE LAWS

EUBANKS V. LOUISIANA 356 U.S. 582, 78 S. CT. 970, 2 L. ED. 2D 991 (1958)

HERNANDEZ V. TEXAS 347 U.S. 475, 74 S. CT. OYER.

CHIEF JUSTICE WARREN SAID
667, 98, L. ED. 366 (1954)
MINORITY IN THE COUNTY FROM JURY
SERVICE IN THE COURSE OF HIS OPINION
FOR THE COURT MR. CHIEF JUSTICE WARREN
MADE THE FOLLOWING OBSERVATION
347 US AT 477, 478, 479, -81

IN NUMEROUS DECISIONS THIS COURT HAS
HELD THAT IT IS A DENIAL OF THE EQUAL
PROTECTION OF THE LAWS TO TRY A
DEFENDANT OF A PARTICULAR RACE OR
COLOR UNDER AN INDICTMENT ISSUED BY
A ALL PERSONS OF HIS RACE OR COLOR
HAVE SOLELY BECAUSE OF THAT RACE OR
COLOR BEEN EXCLUDED BY THE STATE WHETHER
ACTING THROUGH ITS
LEGISLATURE ITS COURTS OR ITS EXECUTIVE OR
ADMINISTRATIVE OFFICERS ALTHOUGH THE COURT
HAS HAD LITTLE OCCASION TO RULE ON THE
QUESTION DIRECTLY IT HAS BEEN RECOGNIZED
SINCE STRAUER V. W. VA 100 US 303, 25
L. ED. 664.

THAT THE EXCLUSION OF A CLASS OF PERSONS
FROM JURY SERVICE ON GROUNDS OTHER
THAN RACE OR COLOR MAY ALSO
DEPRIVE A DEFENDANT WHO IS A MEMBER
OF THAT CLASS OF THE CONSTITUTIONAL
GUARANTEE OF EQUAL PROTECTION OF THE
LAWS.

THE DEFENDANT IS A REQUESTING MOTION
SHOULD BE GRANTED DISMISS AND VOID

SINCERELY YOUR

Lidley Schuymer
DEFENDANT.

NOW COMES THE DEFENDANT L. SCHONGUROW
DECLARING TRUTH AND SWARING THAT HE
IS NOT A LAWYER NOR EVER BEEN IN LAW
OR STUDIED LAW THEREFORE PRAY HE WILL
BEFORE THE HONORABLE COURT FOR THE RELIEF
AND LEAVE TO PROCEED WITH HIS MOTION AND
HIS MISTAKES IN PUNCTUATION SPELLING
QUOTATION BE EXCUSED AND NONE DEPENDING
TO HIS COURSE OR MOTION AS HE IS NOT A
PERSON LEARNED IN THE MATTER OF LAW
NOR CLAIM ANY KNOWLEDGE OF LAW

THANK YOU

Schuymer

RECEIVED FOR RECORD
& RECORDED

JUL 15 11 03 AM '66

ONE OF THE RECORDS
CECIL COUNTY, MD. CLERK
PER W. ANDREW SEYMOUR
CLERK