

February

24

W.M.B.

STATE OF MARYLAND

Witnesses - Statement

1st Sgt. Kosirowsky, Swn.
Tpr. Wiley Fields, Swn.
Lidge Schowgurow, Swn.
Tpr. Fields, recalled.

Witnesses - Trial

Tpr. R. Kennedy, Swn.
Dr. Russell Fisher, Swn.
Dr. Harry S. Howard (Def. Wit
(Called out of Turn)
Tpr. Kennedy, recalled
Dr. Oscar Prado, Swn.
Sgt. John Sawa, Swn.
Lt. Andrews, Swn.
Donald Harrington, Swn.
Marie R. Harrington, Swn.
James Gaddy, Swn.
Raymond Beaver, Swn.
Horace Colestock, Swn.
Robert Sabine, Swn.
Zachary T. Harrison, Swn.
Tpr. Fields, recalled
Sgt. Kosirowsky, Swn.
Lidge Schowgurow, Swn.

1040

J.G.W.
J.G.S.

LIDGE SCHOWGUROW

1964

Feb. 24, 1964.--Presentment and True Bill filed by Walter M. Baker, State's Attorney. Charge: Murder.

Bench Warrant issued.

Feb. 28, 1964.--Order to enter appearance of J. Grahame Walker, Esq., as attorney for the defendant.

Feb. 28, 1964.--Hearing before the Hon. Edw. D. E. Rollins. Traverser arraigned. Rule Plea. Defendant waives the reading of the Indictment Plea of Not Guilty and Not Guilty by reason of insanity. Request by attorney for the accused for psychiatric examination and evaluation.

Mar. 3, 1964.--Petition for Psychiatric Examination filed by Walter M. Baker, State's atty. Order signed this 3rd day of March, 1964 that defendant be transferred to Clifton T. Perkins State Hospital from Cecil County Jail for examination.

Apr. 20, 1964.--Motion to Dismiss & Affidavit filed by attorney for defendant. Copy mailed this 17th day of April, 1964 to State's atty.

Apr. 29, 1964.--Hearing held before the Hon. Edw. D. E. Rollins on Motion. Arguments of counsel heard. Held sub-curia.

May 15, 1964.--Memorandum on Behalf of State of Maryland, Statement of the Case filed by Walter M. Baker, State's Attorney.

June 24, 1964.--Order of the Court that the Clifton T. Perkins State Hospital, having completed their psychiatric evaluation of Lidge Schowgurow, it is hereby ORDERED this 24th day of June, 1964, by the Circuit Court for Cecil County that the Superintendent of the said Clifton T. Perkins State Hospital. release the said Lidge Schowgurow unto the custody of Edgar U. Startt, Sheriff of Cecil County, or one of his appointed deputies.

June 25, 1964.--Order to enter appearance of J. Gifford Scarff Feugh, Esq., as co-counsel for the defendant.

July 15, 1964.--Psychiatric Report filed.

July 30, 1964.--Memorandum and Order of the Court filed. Motion to Dismiss Indictment hereby denied.

Sept. 16, 1964.--Jury trial before the Hon. J. DeWeese Carter, the Hon. Thos. J. Keating and the Hon. Edward D. E. Rollins. Enter appearance of Roger D. Redden, Esq., as co-counsel for the State. Clerk ordered by the Bench to correct original Plea to read Plea of Not Guilty entered orally and Plea of Not Guilty by reason of Insanity entered in writing. All potential jurors and witnesses excused from the Court Room. Amended Pless filed. No objections by the State. Motion by defense to challenge jury as a whole on the basis of the Jury Oath due to a belief in a Supreme Being and defendant's belief not being the same.

Motion over-ruled. Motion by defense to suppress Statement given by accused. Witnesses sworn. Testimony heard and taken with regard to the taking of the Statement. RULING: State has made a Prima Facie case of Statement and Statement to be admitted. Motion to suppress over-ruled.

Jury sworn, empanelled and sworn on Voir Dire.

Sept. 17, 1964.--Trial continued.

Witnesses sworn. Testimony heard and taken.

Sept. 18, 1964.--Trial continued.

Witnesses sworn. Testimony heard and taken.

Motion for Directed Verdict filed by defense at close of State's case. Denied. Motion for Directed Verdict as to First Degree Murder re-offered at close of case. Denied.

6:52 P.M.--Rollins sworn. Jury retires.

10:00 P.M.--Jury returns with verdict of Guilty of First Degree Murder without capital punishment. Jury polled as to verdict.

Verdict is First Degree Murder without capital punishment. It is the judgment and sentence of the Court that as a punishment for his offense Lidge Schowgurow shall spend the rest of his natural life in the Maryland Penitentiary. To be given credit for Nine (9) months served in Cecil County Jail.

(Continued on reverse side.)

STATE OF MARYLAND

Oct. 13, 1964.--Order to Appeal to the Court of Appeals of Maryland filed.
Nov. 6, 1964.--Order of the Court signed by the Hon. Edw. D. E. Rollins granting appellant right to proceed as an indigent person and appointing J. Grahame Walker and J. Gifford Scarborough, as attorneys for petitioner.
Nov. 12, 1964.--Petition and Order for extension of an additional Thirty (30) days for the transmittal of Records.
Nov. 30, 1964.--Records transmitted accordingly.
Nov. 12, 1965.--Mandate received from the Court of Appeals of Maryland: Judgment reversed and case remanded for further proceedings in conformity with this opinion,
Dec 3, 1965.-- Petition for Writ of Habeas Corpus filed.
Dec 4, 1965.--Motion by J. Grahame Walker filed.
Dec 20, 1965.--Order of Court denying the motion of J. Grahame Walker filed.

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LEON SCHOWGUROW

1964

December

22

W.M.B. STATE OF MARYLAND

FOR OLD PROCEEDINGS SEE
CRIMINAL # 1040

1390

LIDGE SCHOWGUROW

1965

Dec. 22, 1965- Presentment and True Bill
Filed by Walter M. Baker, States Attorney
Charge: Murder

Bench Warrant Issued.

Dec. 29, 1965--Order of Court filed -

It is hereby Ordered by the Circuit Court
for Cecil County this 29th day of December,
1965 that the said Warden deliver the said
Lidge Schowgurow into the custody of Edgar
U. Startt, Sheriff of Cecil County, or one
of his designated deputies, for return to
Cecil County for trial upon the said indict-
ment of Murder. Copy mailed to J. Grahame
Walker, Atty. for deft.

Jan 10, 1966.--Bench Warrant returned marked
"Cepi" 1/7/66.

Jan 25, 1966.--Hearing before Hon. George
B. Rasin, Jr.

Traverser arraigned. Rule Plea.

Plea "Not Guilty"

Court directed that a further plea to the
indictment, the Defendant alleges that
he was insane or lunatic at the time of the
commission of the alleged crime.

Jan 25, 1966.--Suggestion for removal filed
by the defendant, Lidge Schowgurow.

Jan 25, 1966.--Order of Court filed that
the record of the proceedings and copy of
the docket entries in this case, be trans-
mitted to the Circuit Court for Garrett
County for trial.

Jan 25, 1966.--Petition filed by Walter
M. Baker, States attorney.

Jan 25, 1966.--Order of Court filed that
the Sheriff Edgar U. Startt deliver unto
the Clifton T. Perkins State Hospital,
Lidge Schowgurow, and it further ordered
that the doctors and officials at said
Hospital conduct such examinations as they
deem requisite to determine the question
of his sanity at the time the said offense
was committed.

Jan 29, 1966.--Motion to dismiss the above
entitled proceedings filed by J. Grahame
Walker, attorney for the defendant.

Feb 4, 1966.--Answer to motion to dismiss
filed by Walter M. Baker, States Attorney.

Feb 4, 1966.--Transcript of proceedings
of the hearing before Hon. George B. Rasin,
Jr. filed by Harry L. White, CSR, Official
reporter, filed.

Mar 7, 1966.--Order of Court filed that
leave is granted to the Clerk 45 additional
days to prepare the record for removal to
Garrett County for trial nunc pro tunc
as of January 4, 1966.

Mar 7, 1966.--Notice sent to counsel to
inspect record as prepared for removal to
Garrett County.

Mar 7, 1966.--The States Attorney, Walter
M. Baker, inspected the record and indicated
his approval by his signature on the title
page of the record.

Mar 12, 1966.--Waiver filed by J. Grahame
Walker, attorney for Defendant that he
hereby waives inspection of the record and
consents that it be forwarded to Garrett
County without inspection by him.

Mar 12, 1966.--Record transmitted accordingly.