

JACKSON *v.* BISHOP, SUPERINTENDENT

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403 S. W. 2d 94

Opinion delivered May 30, 1966

CRIMINAL LAW—APPEAL & ERROR—PROCEEDINGS IN FORMA PAUPERIS.

—Under Supreme Court Criminal Rule No. 1, appeal from a burglary conviction is granted with directions that a complete record of all proceedings and evidence in trial below be filed within a reasonable time without cost to petitioner; with counsel being appointed to represent petitioner on appeal; and with petitioner's bond for release pending disposition of the appeal to be fixed at \$2,500 with sureties to be approved by Supreme Court Clerk.

Certiorari to Jefferson Circuit Court, *Henry W. Smith*, Judge; appeal granted.

E. Harley Cox, Jr., for appellant.

Bruce Bennett, Attorney General, for appellee.

Per Curiam. Petitioner William Jackson was convicted of burglary in the Jefferson Circuit Court and on March 9, 1964 was sentenced to five years in the State Penitentiary. He was a pauper and represented by court appointed counsel. Petitioner prayed an appeal from said conviction, which appeal was denied by the trial court and petitioner now proceeds under Criminal Rule No. 1 of this court.

We now grant said appeal from the burglary conviction and direct that a complete record of all the proceedings and evidence in the burglary trial be filed in this court within a reasonable time and without cost to the petitioner; and we appoint Honorable E. Harley Cox, Jr. to represent petitioner on this appeal. The petitioner's bond for release pending disposition of said appeal is hereby fixed at \$2,500.00 with sureties to be approved by the clerk of this court.

HARRIS, C. J., dissents.
