

BELL, MORRING & RICHARDSON
ATTORNEYS AT LAW
610-14 TERRY-HUTCHENS BUILDING
HUNTSVILLE, ALABAMA

ROBERT K. BELL
CARL A. MORRING, JR.
PATRICK W. RICHARDSON
JAMES R. CLEARY

PHONES: JE 2-2437
JE 2-2438
CABLE ADDRESS "BELMON"

22 March 1957

Commanding General
Third United States Army
Fort McPherson, Georgia

Attention: Army Staff Judge Advocate

Dear Sir:

Subject: Trial of Colonel John C. Nickerson, Jr., charged
with violating Articles 92 and 134, Uniform Code
of Military Justice, Redstone Arsenal, Alabama

We respectfully request that the date of trial in the above captioned matter be set for the week 13-17 May 1957, which said trial is slated to be held at Redstone Arsenal, Alabama.

Our reasons for suggesting your consideration of these dates are several in number: First, only last weekend did we have access to a portion of the pre-trial investigation and the part that we have had access to is quite voluminous and will consume considerable time to study, understand and analyze. Secondly, one of the civilian defense counsel, Robert K. Bell, has an unusually heavy schedule with next week in its entirety having to be spent in Washington, D. C. in litigation before the United States Supreme Court. Immediately upon his return, he will be deeply involved in a pending National Labor Relations Board election to be conducted at the plant of P. R. Mallory (Huntsville) Inc. here in Huntsville, Alabama, which in itself will consume two to three weeks. These things are in addition to a normally busy law practice. Thirdly, Mr. Ray H. Jenkins of Knoxville, Tennessee, one of the civilian defense counsel, only entered the case on 20 March, 1957, and of course has not had any opportunity to examine any of the pre-trial investigation, confer with any of the witnesses or familiarize himself with the details of the case. Mr. Jenkins has an unusually heavy trial docket in the Civil Courts of Tennessee and has an important tax case of considerable magnitude slated for trial on 22 April 1957, which trial he states will consume possibly ten days. Mr. Jenkins further wishes to bring to your attention the fact that he could not be available for trial before the week of 6 May 1957; and were a date during this week selected, there is a strong possibility that he might have to ask for a continuance,

Commanding General

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a request that we studiously and earnestly wish to avoid.

Respectfully submitted,

CHARLES R. ZIMMER
Lt. Colonel JAGC
Defense Counsel

LEWIS G. COLE
1st Lieutenant JAGC
Assistant Defense Counsel

RAY H. JENKINS
Civilian Counsel

ROBERT K. BELL
Civilian Counsel

By _____

RKB:mfl