

Friday

Court reporter gets 10 days for transcript

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Circuit Judge Michael Crespi has given a court reporter until July 17 "on pain of contempt" to respond to an order regarding a trial transcript in a Dothan capital murder case.

Attorneys for Jerry Hammond have filed a motion for a new trial "pursuant to the Feb. 11, 1992, order of that Alabama Court of Criminal Appeals granting Mr. Hammond a new trial if the complete transcript of his capital trial was not submitted by April 7, 1992."

Hammond was convicted of the capital murder of his uncle, James McNeal, and on Oct. 25, 1990, Crespi sentenced him to death.

All death sentences automatically are appealed.

But court officials have been unable to obtain a complete transcript of the trial from the court reporter, Debbie Turner.

On June 30 The Alabama Court of Criminal Appeals ordered the Hammond case remanded to the trial court to determine if the record on appeal is complete and

"whether it truly discloses what happened at the trial."

"If the trial court finds that the record cannot be completed or made to conform to the truth, the trial court shall, within the time permitted herein to file a corrected record, enter an order setting aside the conviction and grant the appellant a new trial.

"If the trial court determines that the record on appeal is complete and that it is not in need of correction or supplementation, it shall file with the circuit clerk its order contradicting the appellant's allegations in sufficient time to permit the circuit clerk to file the return to this court by no later than July 30, 1992."

On June 22 Crespi ordered the court reporter to file a report under oath within 14 days stating whether she had the necessary materials to compete the trial transcript.

On Friday, Crespi said the court reporter had failed to respond in accordance with his June 22 order.

"She will do so by July 17, 1992, on pain of contempt."

If a complete transcript cannot be obtained, officials said, Hammond must get a new trial.