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12-3-1964

## 64/12/03 State of Ohio v. Richard D. Chilton, Indictment (chronology of events)

Richard D. Chilton

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STATE OF OHIO )  
 )  
CUYAHOGA COUNTY )

IN THE COURT OF COMMON PLEAS

ss:

No. 79432

State of Ohio :

Plaintiff :

-vs- :

INDICTMENT-CARRYING CONCEALED  
WEAPONS

RICHARD CHILTON :

Defendant :

*cofa 27230*

December 5, 1963

**FILED**  
COURT OF APPEALS

DEC 3 1964

EWIL J. MASGAY  
CLERK OF COURTS  
CUYAHOGA COUNTY, OHIO

Transcript and original papers  
filed by Cleveland Municipal  
Court. Bail \$2500.00.  
Bond with Maryland National  
Insurance Co., by Ed. Brown.

December 18, 1963: TO COURT: This day came the jurors of  
the Grand Jury and having found now present to the court by and  
through their foreman a certain Bill of Indictment against the  
following named person, for the following indicated crime,  
endorsed by said foreman " A True Bill " and signed by him as  
foreman aforesaid, enumerated to-wit"

No. 79432 State of Ohio vs Richard Chilton = Indictment for  
Carrying Concealed Weapons.

Jr.102, pg 783

December 23, 1963: TO COURT: Now comes the prosecuting  
attorney on behalf of the State, and defendant Richard Chilton  
appearing in court was informed of his constitutional rights,  
including right to counsel, and on being arraigned on said  
indictment saith he is not guilty; and puts himself upon the  
country, and the prosecuting attorney doth the like. Defendant  
is released on same bond. .... R F McMahon, Judge.

Jr.102, page 838.

September 22, 1964: Motion of defendant Chilton to suppress  
evidence filed.

September 22, 1964: TO COURT: This cause coming on this day for hearing on oral motion by defense counsel, and concurred in by the prosecuting attorney, to consolidate defendant's motion to suppress evidence with case 79491, the court having partially heard said motion the same is passed for further deliberation . . . B. Friedman, Judge.

Jr. 105 pg 70.

September 23, 1964: TO COURT: This cause came on to be heard this day on motion of defendant Richard D. Chilton to suppress evidence, and the court upon hearing overruled same.

The court orders that the case is to be heard on its merits on September 29, 1964. ....B Friedman, Judge.

Jr.105 pg 83

September 29, 1964: TO COURT : Now comes the prosecuting attorney on behalf of the State, and defendant Richard D. Chilton was brought into court; his counsel also coming, with an official court reporter in attendance whose fee is ordered taxed as costs in this case; and thereupon the defendant, in writing, waived his right to a trial by jury, and submits this case for trial by court/

And the said court having heard the testimony in part this case is continued until tomorrow morning....B Friedman, Judge.

Jr.105,pg 135

September 30, 1964: TO COURT: It is ordered by the court that this case is to be continued until October 2, 1964, the defendant's attorney being occupied in Federal Court.

B Friedman, Judge.

Jr. 105, pg 143

==3==

October 2, 1964: TO COURT: This day again came the prosecuting attorney on behalf of the State, and defendant Richard D. Chilton was brought into court; his counsel also coming, and a jury having been waived the trial proceeded to court. And the said court having heard all the testimony adduced, and the arguments of counsel, adjudged defendant Richard D. Chilton guilty of carrying concealed weapons, as charged in the indictment.

Thereupon, the court referred the defendant to the Probation Department for investigation and report, and he is released on same bond. .... B Friedman, Judge.

Jr.105,pg 167

November 6, 1964: TO COURT: The defendant herein, Richard D. Chilton, having heretofore been adjudged guilty of carrying concealed weapons as charged in the indictment, was this day brought into court for sentence, and thereupon the court inquired of said defendant if he had anything to say why judgment should not be pronounced against him, and he having nothing but what he hath already said:

It is, therefore, ordered and adjudged by the court that defendant Richard D. Chilton be imprisoned and confined in the Ohio State Reformatory, Mansfield, Ohio, for an indeterminate period, and that he pay the costs of this prosecution, for which execution is awarded.

It is further ordered by the court that stay of execution is granted pending appeal.

Request for appeal bond is hereby denied, and defendant is remanded to county jail. ....B Friedman, Judge

Jr. 105, pg 441

November 13, 1964: Motion for new trial filed.

November 27, 1964: Notice of Appeal filed by defendant  
Chilton.

\*\*NOVEMBER 19, 1964: TO COURT: This cause came on this day  
for hearing on defendant's motion for new trial, and the  
court upon hearing overruled said motion. Defendant excepts.  
B Friedman, Judge.

Jr. 105, pg 539

The State of Ohio, } ss. EMIL J. MASGAY  
CUYAHOGA COUNTY } I, ~~EDWARD F. FURBER~~ Clerk of the Court of Common Pleas, in

and for said County, do hereby certify that the above is a true transcript of the Docket and Journal Entries of said Court, in the above entitled cause.

And I also certify that the enclosed are the original papers and pleadings, filed in said cause, in the said Court of Common Pleas.

Attest, my hand and the Seal of Said Court, at Cleveland, this  
30th day of November 1964

EMIL J. MASGAY  
~~EDWARD F. FURBER~~ Clerk  
By G. Davis Deputy Clerk.

27230  
Court of Appeals No. \_\_\_\_\_

Common Pleas No. 79432 \_\_\_\_\_

CUYAHOGA COUNTY	<b>FILED</b> COURT OF APPEALS
STATE OF OHIO	DEC 3 1964
vs.	EMIL J. MASGAY CLERK OF COURTS CUYAHOGA COUNTY, OHIO
RICHARD CHILTON	

CERTIFICATE  
of  
**Docket and Journal Entries**

Filed in the Court of Appeals  
DEC 3 1964 195

750  
\$ \_\_\_\_\_ DEPOSITED  
JAN 13 1967  
SECURE COSTS  
EMIL J. MASGAY, Clerk of Courts  
PER \_\_\_\_\_ DEPUTY

JOHN T CORRIGAN  
Plaintiff's Attorney.  
LOUIS STOKES,  
Defendant's Attorney.