

SHIRLEY S. ATKIN
ATTORNEY AT LAW
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Mt. Pleasant, Utah. June 5, 1924.

Utah State Board of Pardons,
State Capitol,
Salt Lake City, Utah.

RE: Application of Frank Hernandez for Pardon.
Charge of First Degree Murder for the killing
of Salvador Perez in Beaver County, Utah.
Entered Plea of "Guilty" to charge of Voluntary
Manslaughter.
June 1923 sentenced to from One to Ten Years.

Gentlemen:

Having acted as attorney for the above named Frank Hernandez up to the time of his sentence, a statement from me will not probably be amiss. And, although the statement I am about to make is not wholly germane to the inquiry, it should, nevertheless, have some bearing as tending to assist in understanding and interpreting the frame of mind of the petitioner.

Hernandez asserts that I advised him to plead guilty, and that for \$200.00 I promised him that I could and would get him out of the penitentiary within six months, and that inasmuch as I had failed so to do, he does not owe me anything for expenses incurred and services rendered.

Of course, I deny this and state the fact to be that I would not and never did guarantee or promise to get him out of the penitentiary within six months, or within any other time whatsoever. I think I told him that after a year I would prepare his application for pardon and present same provided he would ask his friends to pay me for my expenses and services.

I consider Hernandez is owing me \$150.00. He not only refuses to pay me anything, but has and still continues to dissuade and discourage friends of his, who are willing and able, to pay me. This for the reason that I would not guarantee to obtain his liberty within a certain time. I enclose a letter from him to this effect. This same information was imparted to me by a friend of his who came to Milford from Eureka for the purpose of assisting Hernandez.

One conclusion to be drawn from this attitude is that there is a price attached to judicial action or clemency in this country. This might be an impression obtained from the custom of Mexico, which impression he is unable to cast off now. The same can be said of his actions in killing Salvador Perez. I have no doubt but that he considered himself justified in the act, according to Mexican tradition and custom, but there is some doubt as to the justification according to our ideals and laws.

Hernandez bears a splendid reputation as a peaceful, law-abiding and energetic Mexican, among both his countrymen and citizens of the United States. If there is coupled with this the proper respect and reverence due to our institutions and laws, possibly no useful purpose would be subserved by having him confined longer. Otherwise he needs a little training and education, or in some manner