

IN THE CIRCUIT COURT OF LEFLORE COUNTY, MISSISSIPPI

**ORDER SETTING DEADLINES AND
TRIAL DOCKET**

The Court does hereby FIND, ORDER AND ADJUDGE as follows:

1. **Trial Docket:** Unless or until modified by written order of this Court, the following Trial Docket, attached hereto as Exhibit "A", will prevail for all cases assigned to Judge Richard A. Smith for the week of 01/29/18. If any attorney has a conflict, he/she must either file an Agreed Order of Continuance or make a written Motion for Continuance and pursue said motion to hearing and decision by the Court prior to the deadline. Otherwise each attorney will be expected to appear ready for trial at the appointed time.

Pursuant to Rule 3.13, failure of an attorney to try the case or failure to notify the Court of settlement of a case before 5:00 P.M. on the day before the trial will entail assessment of all costs, including fees and mileage of jurors who have been required to be present for the trial, against whichever party litigant or attorney the Court deems appropriate.

If not tried on the day set, each case will be moved to the following day of the week for trial. Attorneys and parties and witnesses will remain ready for trial until excused by the Circuit Court.

2. **Pretrial Motions:** All pretrial motions including Motions for Continuance, must be filed and set by Movant not later than seven (7) days prior to trial. Any motions filed past this date will not be considered absent extraordinary and compelling reasons.

3. **Petitions to Enter Guilty Pleas:** A "Petition to Enter a Guilty Plea" must be filed not later than the Friday prior to the first time the defendant's case is set for trial. This will be the **only time** a recommended plea offer will be considered.

If the petition is filed anytime after this date (including if your case is continued to another trial setting) the Court will not accept the plea agreement and all pleas will be open or the defendant will go to trial. Copies of the "Petition to Enter a Guilty Plea" are to be furnished to the District Attorney's Office and to the Court Administrator. These must be **filed and served by 12:00 NOON** on the Friday prior to trial.

4. **Docket Call:** There will be no docket call. Unless a written Order of Continuance is signed and filed then each case is expected to be ready for trial.

5. **Subpoenas Duces Tecum for Production at Trial:** Pursuant to Rule 2.01 (B) U.R.C.C.C., a subpoena may, without motion to hearing, require the production of documents at the date, time and place of the trial at which these items are to be offered in evidence is scheduled to take place.

6. **Subpoenas Duces Tecum for Production other than at Trial:** Pursuant to Rule 2.01 (c) (1) U.R.C.C.C. and Rule 45 M.R.Civ.P, a hearing on such a motion for subpoenas for documents for other than a scheduled trial or hearing, shall be set no earlier than ten (10) days after filing, with service of the motion on:

a) the custodian of the documents subject to the subpoena;

b) all parties;

c) all persons whose documents would be subject to the subpoena;


d) all persons who may have a claim that privileged material would be subject to the subpoena.

7. **Subpoena ad testificandum:** Any subpoena which compels the attendance of a witness must conform to Rule 45 M.R.C.P. and Section 13-3-93 M.C.A. and must be promptly and timely filed; the witness shall attend, from day to day, and from term to term without further notice, until discharged by the Court or by the party at whose instance he was subpoenaed. Section 13-3-105 M.C.A.

8. **Transportation Order:** If your clients are incarcerated somewhere other than the County, it is the responsibility of the Defense Attorney to prepare, present and have signed Transportation Orders in order to have your clients available for trial.

9. **Jury Instructions:** At least twenty four (24) hours PRIOR TO TRIAL each attorney must number and file the attorney's jury instructions with the Clerk, serving all other attorneys with copies of the instructions. Except for good cause shown, the Court **WILL NOT ENTERTAIN** a request for additional instruction or instructions, which have not been pre-filed. Rule 3.07 U.R.C.C.P.

SO ORDERED, this the 8th day of December, 2017.


 RICHARD A. SMITH
 CIRCUIT JUDGE

FILED

DEC 08 2017

ELMUS STOCKSTILL CIRCUIT CLERK

BY: 

**IN THE CIRCUIT COURT OF LEFLORE COUNTY, MISSISSIPPI
JANUARY, 2018, TERM**

AMENDED: 12/07/17
Monday, January 29, 2018

Judge Richard A. Smith

8:30 a.m. PLEA, SENTENCES & MOTIONS
PRE-TRIAL/OMNIBUS HEARINGS

| | | | |
|------------------------|--|---|----------------|
| #2015-0091 09/01/15 | Carldread Deon Moore (Mental Exam Ordered 10/28/15)(Appt. Set for 05/27/16-Lott) (Report Rec'd. 05/31/16)(Competency Hearing on 07/18/16) (04/17/17 Civil Commitment Papers) | 2 nd Degree Murder | Perkins 14 |
| #2015-0103 09/01/15 | Michael Harris (Mental Exam Ordered 01/13/16-McVaugh) (Mental Exam Ordered 07/14/17-Lott)(Report Rec'd. 09/12/17) (Competency Hearing on 11/13/17)(11/15/17-Civil Commitment Papers) | Burglary of a Dwelling | Perkins 14 |
| #2015-0056 04/30/15 | Frank Lundy (Mental Exam Ordered 11/18/15)(Report Rec'd. 04/12/16) (Competency Hearing on 07/18/16)(04/17/17 Civil Commitment Papers) | Attempted Auto Burglary-2 Cts. | Sanders 14 |
| #2016-0128 12/13/16 | Frank Lundy | Auto Burglary | Perkins 7 |
| #2016-0124 12/13/16 | Joe Wilson Taylor (Mental Exam Ordered 5/3) (Report Rec'd. 06/28/17-Lott) (07/19/17-Warrant issued)New Chgs. While out on Bond in this charge (Arrested 08/09/17)(Amended Mental Exam Ordered-Lott-10/23/17) (Awaiting Bed at State Hospital) | Attempted 1 st Degree Murder-Habitual Poss. Of Firearm by Felon | Perkins 7 |
| #2015-0107 09/01/15 | Rordera Hunt (Mental Exam ordered 02/03/16-Lott)(Appt.Set for 06/03/16) (Competency Hearing on 07/18/16)(New Appt.Set for 08/29/17) (Report Rec'd. 09/12/17)(Waiting on Follow-up appt. with Lott) | Poss. Of Firearm by Felon | Flanagan 13 |
| #2016-0026 06/07/16 | Rordera Hunt | Aggravated Assault | Flanagan 7 |
| #2013-0311 02/12/14 | Daquarian Pilcher | Aggravated Assault | Stuckey 21 |
| 2013-0313 02/12/14 | Daquarian Pilcher | Aggravated Assault-3 Cts. | Stuckey 21 |
| #2013-0323 02/12/14 | Daquarian Pilcher | Murder & Agg. Assault-3 Cts. | Stuckey 21 |

Monday, January 29, 2018(Continued)

| | | | |
|------------------------|---|--|----------------------|
| #2017-0152 12/07/17 | Daquarian Pilcher | Poss. Of Contraband in Corr. Facility | Stuckey |
| #2017-0063 07/05/17 | Detrika McIntosh | Fleeing Law Enforcement | Jenkins 4 |
| #2017-0086 07/05/17 | Vasheem Noland, Jr. | Poss. Of Controlled Substance Poss. Of Stolen Firearm | Giles 4 |
| #2017-0104 09/12/17 | Jessie Lee Allen | Commercial Burglary-Habitual | Perkins 3 |
| #2017-0124 09/12/17 | Quincy Montez Issac Melissa Williams | Aggravated Assault | Stuckey Gore 3 |
| #2017-0128 09/12/17 | Clint Evans | Poss. Of Methamphetamine | Perkins 3 |
| #2017-0129 09/12/17 | Edwin Brewer | Poss. Of Firearm by Felon-Habitual | S.Farese, Sr 3 |
| #2017-0133 09/12/17 | Terrence Centrell Jones (Pending Application for Drug Ct.) | Poss. Of Cocaine W/I | Perkins 3 |
| #2017-0116 09/12/17 | Jason R. Sandifer | Sexual Battery | Flanagan 3 |
| #2017-0144 12/07/17 | Osric Watson | Poss. Of Firearm by Felon Poss. Of Cocaine-Habitual | Stuckey |
| #2017-0145 12/07/17 | Cordetrique Hill | Commercial Burglary | Stuckey |
| #2017-0147 12/07/17 | Brandon Taylor Kendarro Garner | Burglary of a Dwelling | Osborne Jenkins |
| #2017-0158 12/07/17 | Patrick Purnell Gordon | Grand Larcney-Habitual | Gore |
| #2017-0163 12/07/17 | Eddie Lee Self | Poss. Of Fireram by Felon | Davis |

Monday, January 29, 2018(Continued)

| | | | |
|------------------------|--------------------|------------------------------|----------|
| #2017-0167 12/07/17 | Keith Banks | Felony Domestic Violence | Flanagan |
| #2017-0186 12/07/17 | Christopher Hill | Poss. Of Methamphetamine | Perkins |
| #2017-0181 12/08/17 | Joshua Shane Baker | Commercial Burglary-Habitual | Jenkins |
| #2017-0182 12/08/17 | Joshua Shane Baker | Commercial Burglary-Habitual | Jenkins |

Tuesday, January 30, 2018

TRIALS

| | | | |
|------------------------|---|--|-------------------------------|
| #2015-0176 02/01/16 | Brian Lee Carter | Poss. Of a Firearm by Felon | Davis Farese & Cooper 8 |
| #2016-0009 06/08/16 | Brian Lee Carter | Poss. Of Stolen Firearm Poss. Of Firearm by Felon | Davis Farese & Cooper 3 |
| #2016-0068 09/01/16 | Eddie Lee Self | Poss. Of Firearm by Felon-Habitual | Davis 8 |
| #2016-0069 09/01/16 | Eddie Lee Self | Poss. Of Firearm by Felon-Habitual | Davis 8 |
| #2017-0060 07/05/17 | Jonathan Parson | Home Repair Fraud | Littleton 3 |
| #2017-0087 07/05/17 | Kentrez Lemon | Burglary of a Dwelling | Ross 4 |
| #2017-0100 09/12/17 | Cordarius Durant a/ka/ Cordarious Durant | Armed Robbery Poss. Of Firearm by Felon-Habitual | Stuckey 3 |
| #2017-0120 09/12/17 | Henry Earl Keithley a/k/a Henry Earl Keithly | Poss. Of Firearm by Felon-Habitual | Gore 3 |

Wednesday, January 31, 2018Thursday, February 1, 2018Friday, February 2, 2018