

IN THE CIRCUIT COURT OF WASHINGTON 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 weeks of 07/30/18. 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 or City Jail, 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 23rd day of May, 2018.



RICHARD A. SMITH
CIRCUIT JUDGE

**IN THE CIRCUIT COURT OF WASHINGTON COUNTY, MISSISSIPPI
JULY, 2018, TERM**

Judge Richard A. Smith

Monday, July 30, 2018

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

#2009-0049 10/16/14	Paul Jones	Felony Worthless Check	P.D. 30
#2015-0063 07/20/15	Vernon Lydell McCoy (Mental Exam Ordered 08/13/15-McVaugh) (Waiting on bed at State Hospital 01/18/18)(Report Rec'd. 05/15/18)	Statutory Rape - Sexual Battery	P.D. 25
#2015-0126 01/04/16	Laura Vannamen (B/W issued 04/30/18)	Felony Worthless Check	P.D. 21
#2016-0147 10/24/16	Marcus Lindsey (Order For Mental Exam- (McVaugh 01/19/17)(Mental Exam Ordered 09/19/17-Lott) (Report Rec'd. 03/27/18)(Waiting on Bed)	Sexual Battery-7 Cts. Fondling-2 Cts.	P.D. 13
#2016-0165 10/24/16	Quintarious S. Barnes (Plea Pct. Filed)	Poss. Of Marijuana W/I	P.D. 14
#2013-0094 06/17/13	Arthur Harbison (Terminated from Drug Ct.)(Mental Exam Ordered 01/19/17-McVaugh) (Mental Exam Order Ordered 09/19/17-Lott)	Poss. Of Methamphetamine	P.D. 12
#2016-0194 02/21/17	Trinard Maxon	1 st Degree Murder	Simmons 6
#2017-0122 10/16/17	Charles Young	Poss. Of Cocaine-Enhanced	Lee 6
#2017-0097 10/16/17	William Wade Love	Ct.1-Poss. Of Controlled Substance Ct.2-Poss. Of Controlled Substance	Dyer 5
#2017-0156 02/05/18	Phil Andrew Powell (To be a plea)	Poss. Of Controlled Substance	Dyer 3
#2017-0101 10/16/17	Earl Matthew Devine Jennifer Renea Griffin	Welfare Fraud-15 Cts.	Simmons Lee 5

Monday, July 30, 2018(Continued)

#2017-0148 10/16/17	Vincent Morris	Aggravated Assault Aggravated Assault Poss. Of Firearm by Felon	P.D. 2
#2017-0111 12/04/17	Willie Hawthorne (To Plea in Sun. Co. On 06/25/18)	Sale of Methamphetamine	Bogen 5
#2017-0112 12/04/17	Willie Hawthorne (To Plea in Sun.Co. On 06/25/18)	Sale of Methamphetamine	Bogen 5
#2017-0113 12/04/17	Willie Hawthorne (To Plea in Sun.Co. On 06/25/18)	Sale of Methamphetamine	Bogen 5
#2017-0160 02/05/18	Algea G. Clay a/k/a Algea Clay Hamilton	Aggravated Assault-Habitual	P.D. 4
#2017-0190 02/05/18	Fredrick Kingdom	Felony Domestic Violence/Agg. Assault	P.D. 4
#2018-0017 04/09/18	Jonathan Corey Chandler	Poss. Of Controlled Substance-Enh. Habitual	P.D. 3

Tuesday, July 31, 2018

TRIALS

#2016-0045 03/29/16	Ronnie Thomas	Aggravated Assault-Enhanced Aggravated Assault-Enhanced Poss. Of Deadly by Felon	Dyer
	Willie Clark	Aggravated Assault-Enhanced Aggravated Assault-Enhanced	Dorsey 14
#2016-0182 12/13/16	Bryan O'Keith Brown	Poss. Of Controlled Substance(Ecstasy)	Lee 12
#2017-0138 10/16/17	Bryan O'Keith Brown	Poss. Of Controlled Substance(Marijuana) 1 st Degree Murder-Enhanced	Lee 5
#2017-0107 10/16/17	Jamarcus Davis	Attempted Murder-Enhanced	Koenig 5
#2017-0164 02/05/18	Alphonso Miller	Poss. Of Firearm by Felon-Habitual	P.D. 3
#2017-0028 03/29/17	Demond Williams	2 nd Degree Murder	Dyer 7

Tuesday, July 31, 2018(Continued)

TRIALS

#2017-0084 06/22/17	Christopher Brent (Plea Pet. Filed)	Manslaughter	Dyer 7
#2016-0200 12/13/16	Frederick Williams (Plea Pet. Filed)	Capital Murder Conspiracy	Simmons 10
#2017-0053 06/22/17	James Pork	Statutory Rape	Crawford 9
#2017-0180 02/05/18	Charles Shorter	Fondling	P.D. 4
#2017-0194 04/23/18	Mylon Phillips	Burglary of a Dwelling	P.D. 3

Wednesday, August 1, 2018Thursday, August 2, 2018Friday, August 3, 2018