

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 weeks of 10/16/17 & 11/13/17. 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 12th day of September, 2017.



RICHARD A. SMITH
CIRCUIT JUDGE

FILED

SEP 12 2017

ELIJAH STOCKSTILL, CIRCUIT CLERK

BY Kelly Roberts C.E.

**IN THE CIRCUIT COURT OF LEFLORE COUNTY, MISSISSIPPI
OCOTBER, 2017, TERM**

AMENDED: 09/12/17**Judge Richard A. Smith**Monday, October 16, 2017

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

#2013-0311	Daquarian Pilcher(Aggravated Assault	Stuckey
02/12/14	(Mental Exam Ordered 3/10/15-Awaiting Bed at State Hospital)		19
#2013-0313	Daquarian Pilcher	Aggravated Assault-3 Cts.	Stuckey
02/12/14	(Mental Exam Ordered 3/10/15-Awaiting Bed at State Hospital)		19
#2013-0323	Daquarian Pilcher	Murder & Agg. Assault-3 Cts.	Stuckey
02/12/14	(Mental Exam Ordered 3/10/15-Awaiting Bed at State Hospital)		19
#2015-0011	Gregory Banks	Grand Larceny.	Sanders
04/30/15	(Mot. For Mental Exam Continued)(Records Provided)		13
	(Pending Mental Evaluation in Carroll Co. Set for 02/06/16)		
	(Report Rec'd 07/18/16)(04/17/17-Civil Commitment Papers)		
#2015-0091	Carldread Deon Moore	2 nd Degree Murder	Perkins
09/01/15	(Mental Exam Ordered 10/28/15)(Appt. Set for 05/27/16-Lott)		12
	(Report Rec'd. 05/31/16)(Competency Hearing on 07/18/16)		
	(04/17/17 Civil Commitment Papers)		
#2015-0103	Michael Harris	Burglary of a Dwelling	Perkins
09/01/15	(Mental Exam Ordered 01/13/16-McVaugh)		12
	(Mental Exam Ordered 07/14/17-Lott)(Report Rec'd. 09/12/17)		
#2015-0056	Frank Lundy	Attempted Auto Burglary-2 Cts.	Sanders
04/30/15	(Mental Exam Ordered 11/18/15)(Report Rec'd. 04/12/16)		12
	(Competency Hearing on 07/18/16)(04/17/17 Civil Commitment Papers)		
#2016-0128	Frank Lundy	Auto Burglary	Perkins
12/13/16	(04/17/17 Civil Commitment Papers)		5
#2016-0124	Joe Wilson Taylor	Attempted 1 st Degree Murder-Habitual	Perkins
12/13/16	(Mental Exam Ordered 5/3)	Poss. Of Firearm by Felon	5
	(Report Rec'd. 06/28/17)(To Schedule with McVaugh 07/17/17)		
	(07/19/17-Warrant issued)New Chgs. While out on Bond in this charge		
	(Arrested 08/09/17)		

Monday, October 16, 2017(Continued)

#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)	Poss. Of Firearm by Felon	Flanagan 11
#2016-0026 06/07/16	Rordera Hunt	Aggravated Assault	Flanagan 6
#2017-0008 03/21/17	Deandre Jackson	Poss./Introduction of Controlled Substance In Jail Facility	Flanagan 4
#2017-0047 07/05/17	Maddie Harper Morris Kinds Corey Taylor	Introduction of Contraband In a Correctional Facility	Kimbrough Flanagan Perkins 2
#2017-0051 07/05/17	George Broadnax Torvis Banks Jerquaylen Davis	Burglary, Other Than a Dwelling	Perkins Stuckey Gore 2
#2017-0052 07/05/17	George Broadnax Torvis Banks Jerquaylen Davis	Burglary, Other Than a Dwelling	Perkins Stuckey Gore 2
#2017-0073 07/15/17	Torvis Banks	Burglary, Other Than a Dwelling	Stuckey 2
#2017-0095 07/05/17	George Broadnax Torvis Banks Jerquaylen Davis	Burglary, Other Than a Dwelling	Perkins Stuckey Gore 2
#2017-0135 09/12/17	Torvis Banks	Poss. Of Marijuana	Stuckey
#2017-0063 07/05/17	Detrika McIntosh	Fleeing Law Enforcement	Jenkins 2
#2017-0086 07/05/17	Vasheem Noland, Jr.	Poss. Of Controlled Substance Poss. Of Stolen Firearm	Giles 2
#2017-0087 07/05/17	Kentrez Lemon	Burglary of a Dwelling	Ross 2

Monday, October 16, 2017(Continued)

#2017-0100 09/12/17	Cordarius Durant a/ka/ Cordarius Durant	Armed Robbery Poss. Of Firearm by Felon-Habitual	Stuckey
#2017-0104 09/12/17	Jessie Lee Allen	Commercial Burglary-Habitual	Perkins
#2017-0112 09/12/17	Jeremy Griffin	Poss. Of Marijuana	Jenkins
#2017-0116 09/12/17	Jason R. Sandifer	Sexual Battery	Gore
#2017-0120 09/12/17	Henry Earl Keithley a/k/a Henry Earl Keithly	Poss. Of Firearm by Felon-Habitual	Gore
#2017-0124 09/12/17	Quincy Montez Issac Melissa Williams	Aggravated Assault	Stuckey Gore
#2017-0128 09/12/17	Clint Evans	Poss. Of Methamphetamine	Perkins
#2017-0129 09/12/17	Edwin Brewer	Poss. Of Firearm by Felon-Habitual	<i>Steve Farese</i> Jenkins
#2017-0133 09/12/17	Terrence Centrell Jones	Poss. Of Cocaine W/I	Perkins

Tuesday, October 17, 2017

TRIALS

2016-0126 12/13/16	Anthony Flowers Devonta Johnson	Burglary of a Dwelling	Flanagan Ross 4
#2016-0068 09/01/16	Eddie Lee Self	Poss. Of Firearm by Felon	Davis 6
#2016-0069 09/01/16	Eddie Lee Self	Poss. Of Firearm by Felon	Davis 6
#2017-0012 03/21/17	Darius Clay	Commercial Burglary	Gore 4

Tuesday, October 17, 2017-ContinuedTRIALS

#2017-0021 03/24/16	Diego Lockett	Receiving Stolen Property Burglary of a Dwelling	Ross 4
#2015-0064 04/14/17	Morris Kinds	Burglary of a Dwelling	Flanagan 3
#2017-0060 07/05/17	Jonathan Parson	Home Repair Fraud	Littleton 2
#2017-0082 07/05/17	Jeremy Darrell Johnson	Poss. Of Controlled Substance-Enh. Poss. Of Firearm by Felon	Flanagan 2

Wednesday, October 18, 2017Thursday, October 19, 2017Friday, October 21, 2017