

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 week of 02/18/19. 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 day 28th of January, 2019.



RICHARD A. SMITH
CIRCUIT JUDGE

**IN THE CIRCUIT COURT OF WASHINGTON COUNTY, MISSISSIPPI
JANUARY, 2019, TERM**

Judge Richard A. Smith

Monday, February 18, 2019

HOLIDAY

Tuesday, February 19, 2019

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

#2009-0049 10/16/14	Paul Jones	Felony Worthless Check	P.D. 35
#2015-0126 01/04/16	Laura Vannamen	Felony Worthless Check	P.D. 26
#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. 18
#2016-0165 10/24/16	Quintarious S. Barnes (Plea Pet. Filed)	Poss. Of Marijuana W/I	P.D. 19
#2017-0097 10/16/17	William Wade Love	Ct.1-Poss. Of Controlled Substance Ct.2-Poss. Of Controlled Substance	Dyer 9
#2017-0111 12/04/17	Willie Hawthorne (To Plea on 02/19/19)	Sale of Methamphetamine	Bogen 10
#2017-0112 12/04/17	Willie Hawthorne (To Plea On 02/19/19)	Sale of Methamphetamine	Bogen 10
#2017-0113 12/04/17	Willie Hawthorne (To Plea On 02/19/19)	Sale of Methamphetamine	Bogen 10
#2018-0085 07/16/18	Betty Newson	Felony Worthless Check	P.D. 5
#2018-0098 07/16/18	Algea G. Clay a/k/a Algea Hamilton	Aggravated Assault-Habitual	Lee 5

Tuesday, February 19, 2019(Continued)

#2018-0054	Tikinia James	Credit Card Fraud	Koenig
07/16/18	(B/W & I/F 01/22/19)		5
#2018-0055	Tikinia James	Credit Card Fraud	Koenig
07/16/18	(B/W & I/F 01/22/19)		5
#2018-0056	Tikinia James	Credit Card Fraud	Koenig
07/16/18	(B/W & I/F 01/22/19)		5
#2018-0057	Tikinia James	Credit Card Fraud	Koenig
07/16/18	(B/W & I/F 01/22/19)		5
#2018-0058	Tikinia James	Credit Card Fraud	Koenig
07/16/18	(B/W & I/F 01/22/19)		5
#2018-0073	Jeremichael Trisby	Statutory Rape - 3-5 Cts.	P.D.
08/13/18	(Cts. 1 & 2 Dismissed 01/17/19)		4
#2018-0081	Timothy Hogan	Poss. Of Controlled Substance - 3 Cts. Poss. Of Firearm by Felon	Gore
08/21/18			4
#2017-0122	Charles Young	Poss. Of Cocaine-Enhanced	Jenkins
10/16/17			11
#2018-0116	Charles Young	Aggravated Assault	Jenkins
10/15/18			2
#2018-0120	Kristen Garvin Leslie Cameron Smith	Poss. Of Controlled Substance W/ Child Abuse - 3 Cts.	P.D. Lee
10/15/18			2
#2018-0124	Earnest Montgomery	Taking Motor Vehicle Felony Malicious Mischief	P.D.
10/15/18			2
#2018-0132	James Lofton	Uttering Forgery	P.D.
10/15/18			2
#2018-0136	Jimmy Lawrence	Armed Robbery-Habitual	P.D.
10/15/18			2
#2018-0140	Kiara Danley Frederick Nalls, Jr.	Kidnapping	P.D. Koenig
10/15/18			2
#2018-0168	Elijah Clark	Aggravated Assault-Enhanced	P.D.
10/15/18			2

Tuesday, February 19, 2019(Continued)

#2018-0172 10/15/18	Geor'Barri Wells	1 st Degree Murder-Enhanced Attempted Murder Aggravated Assault	J. Hardwick 2
#2018-0155 10/24/18	Jovarius Singleton	Shooting Into a Vehicle-Enhanced	Koenig 2
#2016-0061 03/29/16	Amanda Vallery (Reinstated from PTD 11/07/18)	Embezzlement	P.D. 2

Wednesday, February 20, 2019

TRIALS

#2016-0045 03/29/16	Ronnie Thomas	Aggravated Assault-Enhanced Aggravated Assault-Enhanced Poss. Of Deadly by Felon	Dyer 18
#2017-0028 03/29/17	Demond Williams	2 nd Degree Murder	Dyer 11
#2017-0084 06/22/17	Christopher Brent (Plea Pet. Filed)	Manslaughter	Dyer 10
#2007-0123 07/30/18	Dwan McNeil	Poss. Of Controlled Sub. In Corr. Facility	P.D. 5
#2018-0159 10/15/18	James Carlisle (Being Assessed for ISP)	Felony Malicious Mischief	P.D. 2
#2018-0112 10/18/18	Antwayette Brown (Being Assessed for Drug Ct.)	Escape	P.D. 2
#2011-0196 11/02/11	Johnathan Reed (Reinstated from PTD 11/07/18)	Receiving Stolen Property	P.D. 2

Thursday, February 21, 2019Friday, February 22, 2019