

**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 05/06/19. 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;

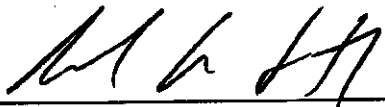
d) all persons who may have a claim that privileged material would be subject to the subpoena.

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 18th of April, 2019.

  
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RICHARD A. SMITH  
CIRCUIT JUDGE

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

**Judge Richard A. Smith**

Monday, May 6, 2019

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

#2009-0049 10/16/14	Paul Jones	Felony Worthless Check	P.D. 37
#2015-0126 01/04/16	Laura Vannamen	Felony Worthless Check	P.D. 28
#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. 20
#2017-0097 10/16/17	William Wade Love	Ct.1-Poss. Of Controlled Substance Ct.2-Poss. Of Controlled Substance	Dyer 11
#2017-0111 12/04/17	Willie Hawthorne (Plea Pet. Filed)	Sale of Methamphetamine	Bogen 12
#2017-0112 12/04/17	Willie Hawthorne (Plea Pet. Filed)	Sale of Methamphetamine	Bogen 12
#2017-0113 12/04/17	Willie Hawthorne (Plea Pet. Filed)	Sale of Methamphetamine	Bogen 12
#2018-0085 07/16/18	Betty Newson	Felony Worthless Check	P.D. 7
#2018-0098 07/16/18	Algea G. Clay a/k/a Algea Hamilton	Aggravated Assault-Habitual	Lee 7
#2018-0120 10/15/18	Leslie Cameron Smith	Poss. Of Controlled Substance W/I Child Abuse - 3 Cts.	Lee 3
#2018-0140 10/15/18	Kiara Danley Frederick Nalls, Jr.	Kidnapping	P.D. Koenig 4
#2018-0168 10/15/18	Elijah Clark	Aggravated Assault-Enhanced	P.D. 4

Monday, May 6, 2019(Continued)

#2018-0172 10/15/18	Geor'Barri Wells	1 <sup>st</sup> Degree Murder-Enhanced Attempted Murder Aggravated Assault	J. Hardwick 4
#2018-0155 10/24/18	Jovarius Singleton	Shooting Into a Vehicle-Enhanced	Koenig 4
#2018-0108 10/15/18	Thaddeus Butts	Poss. Of Controlled Substance-2 Cts.	Simmons 3
#2018-0194 01/29/19	Jameia Roshay Murray	Embezzlement	P.D. 2
#2018-0207 01/29/19	Demarcus Taylor	Ct. I-Poss. Of Marijuana Ct. I-Poss of Marijuana Cts.II-Poss. Of Ecstasy	Simmons 2
#2018-0216 02/20/19	John Polk	Sexual Battery-3 Cts.	Crawford 2
#2018-0164 02/19/19	Nikeyia Harper	Attempted Statutory Rape Fondling	P.D. 2
#2018-0198 04/01/19	Joshua Colyer	Receiving Stolen Property	Gore
#2019-0006 04/01/19	Dewayne Washington	Poss. Of Marijuana W/I to Distribute	P.D.
#2019-0010 04/01/19	Jordan Williams Jakyron Harris	Burglary of a Dwelling Poss. Of Stolen Firearm	Simmons P.D.
#2019-0016 04/01/19	Jakyron Harris	Attempted Burglary of a Dwelling	P.D.
#2019-0026 04/01/19	Daniel Hemphill Robinson	Poss of Controlled Substance-2 Cts.	P.D.
#2019-0032 04/01/19	Demarquis Harper	Aggravated Assault-Enhanced	P.D.
#2019-0039 04/01/19	Corey Sexton	Aggravated Assault	Simmons

Monday, May 6, 2019(Continued)

#2018-0202 04/15/19	Wanda Davenport	Aggravated Assault	Koenig
#2018-0203 04/15/19	Wanda Davenport	Domestic Aggravated Assault	Koenig

Tuesday, May 7, 2019

## TRIALS

#2016-0194 02/21/17	Trinard Maxon	First Degree Murder	Simmons 101
#2017-0028 03/29/17	Demond Williams	2 <sup>nd</sup> Degree Murder	Dyer 13
#2018-0124 10/15/18	Earnest Montgomery	Taking Motor Vehicle Felony Malicious Mischief	P.D. 4
#2018-0093 07/16/18	Raylone Harps	Conspiracy to Commit a Crime Aiding Escape of Felons	Lee
	Lorenzo Johnson	Conspiracy to Commit a Crime Aiding Escape of Felon Extortion	Franklin
07/30/18	Marquis Lavelle McKinney	Conspiracy to Commit a Crime Escape	Koenig 3
2016-0061 03/29/16	Amanda Vallery (Reinstated from PTD 11/07/18)	Embezzlement	P.D. 4
#2018-0211 01/29/19	Odis Emery	Receiving Stolen Property	Hopson 2
#2018-0224 01/29/19	Angela Dobbins	Poss. Of Methamphetamine	P.D. 2

Wednesday, May 8, 2019Thursday, May 9, 2019Friday, May 10, 2019