

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 04/01/24. 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:

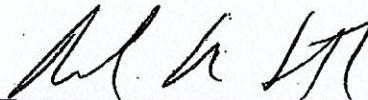
- a) the custodian of the documents subject to the subpoena;
- b) all parties;
- c) all persons whose documents would be subject to the subpoena;
- d) all persons who may have a claim that privileged material would be subject to the subpoena.

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 16th day of February, 2024.



RICHARD A. SMITH
CIRCUIT JUDGE

FILED

FEB 16 2024

ELMUS STOCKSTILL, CIRCUIT CLERK

BY Jelly Roberts D.C.

**IN THE CIRCUIT COURT OF LEFLORE COUNTY, MISSISSIPPI
APRIL, 2024, TERM**

Judge Richard A. Smith

Monday, April 1, 2024

8:30 a.m. EMPANEL GRAND JURY

**11:00 a.m. PLEAS, SENTENCES & MOTIONS
PRE-TRIAL/OMNIBUS HEARINGS**

| | | | |
|------------------------|-------------------|--|----------------|
| #2021-0052 10/11/21 | Clayton Lott | Poss. of Contraband | Stuckey 13 |
| #2022-0024 05/09/22 | Clayton Lott | First Degree Murder/Firearm Enh Poss. of Firearm by Convicted Felon | Stuckey 11 |
| #2022-0043 07/18/22 | Michael House | Trafficking Hydrocodone | Calderon 10 |
| #2022-0071 10/10/22 | Stephen Davidson | First Degree Murder/ Firearm Enh. | Calderon 8 |
| #2023-0006 04/03/23 | Antonio Hemphill | Trafficking Methamphetamine | Davis 6 |
| #2023-0011 04/03/23 | John Compton | Grand Larceny, Habitual Offender | Calderon 6 |
| #2023-0064 10/30/23 | John Compton | Poss. Of Contraband in Corr. Facility | Ross 2 |
| #2023-0049 07/13/23 | Jerome Slack, Sr. | Sexual Battery | Davis 3 |
| #2023-0057 10/30/23 | Jamarques Sanders | Aggravated Domestic Violence Poss. of Firearm by Convicted Felon Felony Malicious Mischief | Rustom 2 |
| #2023-0061 10/30/23 | Connie Lucas | Burglary of a Dwelling | Jenkins 2 |
| #2023-0092 02/12/24 | Connie Lucas | Poss. of Firearm by Convicted Felon | Jenkins |

EXHIBIT "A"

Monday, April 1, 2024 (Continued)

| | | | |
|------------------------|--------------------|---|---------------|
| #2023-0069 10/30/23 | Theauty Allen, Jr. | Domestic Violence, Third Offense | Davis 2 |
| #2023-0077 10/30/23 | Tremayne Watkins | Aggravated Assault, Enhancement | J. Smith 2 |
| #2023-0081 02/12/24 | Kevis Whittaker | Trafficking (F/A Enh.) Poss. of Controlled Substance (F/A Enh) | Davis |
| #2023-0085 02/12/24 | Shannon Barnes | Poss. of Controlled Substance | Ross |
| #2023-0094 02/12/24 | Kendrick McClain | Burglary - Other | Norquist |

Tuesday, April 2, 2024

TRIALS

| | | | |
|------------------------|------------------|---|-------------------|
| #2023-0042 07/13/23 | Deshezer Jackson | First Degree Murder (F/A Enh) Poss. of Firearm by Felon Habitual Offender | Charlie Carr 4 |
| #2022-0015 05/09/22 | Julius Brown, II | Trafficking | Jenkins 10 |
| #2023-0015 04/03/23 | Antrown Williams | First Degree Murder, Gun Enh. | Jenkins 5 |

Tuesday, May 14, 2024

TRIALS

| | | | |
|------------------------|-------------------|--|-------------|
| #2016-0100 11/18/16 | Rondell Cole | Poss. of Marj W/I, Enhanced | Horan 16 |
| #2023-0032 07/12/23 | Antonio Whitehall | Aggravated Assault (5 counts) Shooting into a Vehicle/ Enhanced | Rustom 4 |