

FILED

**IN THE SUPREME COURT OF MISSISSIPPI
2005-AD-00001**

SEP 16 2005

OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS

WHEREAS, it has been the policy of this Court to retain permanently the file, transcript and briefs in all cases that have been finally and completely disposed of; and

WHEREAS, Mississippi Code Annotated § 9-3-25 (1972), authorizes the destruction of the transcript of records, briefs of counsel and related documents in any case appealed to this Court from a lower court after the expiration of five years from rendition of the final judgment in the case by the appellate courts; and

WHEREAS, Mississippi Code Annotated § 9-3-25 (1972), further requires the Clerk of the Court to advise the Director of the Department of Archives and History of the contemplated destruction of any Court records, and to deliver to the Director of the Department any of those records which the Director may desire to preserve in his office; and

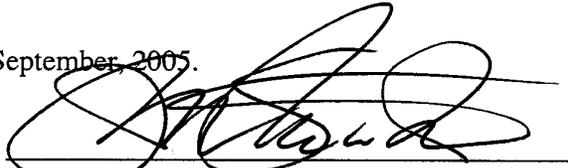
WHEREAS, the Court has fully and maturely considered the necessity of keeping records of cases that have been finally and completely disposed of, and is of the opinion that it is not necessary to keep and maintain those records for more than five years beyond the date of the issuance of the mandate in the case;

WHEREAS, the Clerk of the Supreme Court of Mississippi and Court of Appeals is hereby authorized, upon entry of this order, and each January 31 thereafter to inventory and prepare a list by case number and style of all completed cases in which the mandate has issued more than five years. That list of cases shall then be presented to the Court en banc for its review of the cases designated for destruction or other disposition.

If the Court sitting en banc determines that any case on the list is of special historical or other significance so as to exempt it from destruction, it shall notify the Clerk within thirty days of the case(s) which shall then be retained in the permanent archives of this Court.

All cases not specifically exempted by the Court sitting en banc shall be offered to the Department of Archives and History in accordance with Mississippi Code Annotated § 9-3-25 (1972) for acceptance or rejection within thirty days and a receipt for their delivery and acceptance shall be maintained by the Clerk of the Court.

SO ORDERED, this 16th day of September, 2005.


JAMES W. SMITH, JR., CHIEF JUSTICE