

Court of Appeals schedules oral arguments in Columbia

September 5, 2008

A panel of judges of the Mississippi Court of Appeals will convene court in Columbia on Sept. 30 to hear oral arguments in two cases. Arguments are scheduled for 10:30 a.m. and 1:30 p.m. in the Circuit Court courtroom at the Marion County Courthouse.

Members of the Court of Appeals occasionally travel to locations outside Jackson for oral argument presentations. The Court on the Road program is intended to provide an opportunity for the public, particularly high school and college students, to observe and learn about the operations of the court. Several local high school classes are expected to watch the oral arguments. Members of the court will be available to talk with the students after the arguments are heard.

This will be the first time for the Court of Appeals to convene to hear oral arguments at a county courthouse. The court accepted the invitation of the Marion County Bar Association to convene to hear oral arguments in Columbia.

Universities and colleges have previously hosted all of the Court on the Road sittings. The court has previously convened at Mississippi College School of Law, Mississippi State University, the University of Mississippi School of Law, and the University of Southern Mississippi.

Chief Judge Leslie D. King of the Court of Appeals expressed appreciation to Circuit Judge R.I. Prichard III for making arrangements for the appellate court to use the local courtroom, and to the Marion County Bar Association for its efforts to provide an educational opportunity for students.

“They have a respect for the rule of law and a desire to give the citizens of Marion County an opportunity to see the rule of law in action,” Chief Judge King said. “People think of law as what they see on television. What you see on television is not the actual workings of the judicial system.”

The cases to be heard in oral arguments are appeals of two unrelated criminal convictions on charges of sale of cocaine. The appeals are from convictions in the Circuit Courts of DeSoto and Newton counties.

In addition to learning about the operation of the court system, Chief Judge King said, “We hope as the students listen, that they will stop and do some thinking. Drugs are a pervasive problem in our society. Most people who get involved with drugs usually encounter the judicial system....Perhaps those who are prone to believe there is a certain element of glamour associated with that will realize it is not really as glamorous. And perhaps it will make them stop and think how valuable their individual lives are, and the value of the contributions each of them has the ability to make to our society.”

Cases to be argued are:

- Ashante Newberry v. State of Mississippi, Cause No. 2007-KA-00875-COA. Newberry was convicted in DeSoto County Circuit Court on April 26, 2007, on a charge of sale of cocaine. Newberry was sentenced on May 16, 2007, to 60 years in prison. Court records show that Newberry was sentenced under the state’s habitual offender statute because he had two prior felony convictions. Newberry is represented on appeal by Jackson attorney John M. Colette. Special Assistant Attorney General Billy L. Gore will argue on behalf of the state.

Court of Appeals/ Page 2

- Virty Lee Thames v. State of Mississippi, Cause No. 2007-KA-01573-COA. Thames was convicted in Newton County Circuit Court on Aug. 8, 2007, on a charge of sale of cocaine. Thames was sentenced on Aug. 10, 2007, to 15 years in prison. Thames is represented on appeal by Bay Springs attorney Thomas Brame Jr. Special Assistant Attorney General Jeffrey A. Klingfuss will argue on behalf of the state.

Each oral argument is expected to last approximately 40 minutes; the appellant and appellee are each allowed 20 minutes.

The oral arguments will not be broadcast via the court's Internet web site, since the Court of Appeals is convening a special session away from its camera-equipped courtroom.

Any media organization which may wish to photograph or videotape the presentation must follow the Rules for Electronic and Photographic Coverage of Judicial Proceedings. Media must file a Camera Coverage Notice at least 48 hours prior to the commencement of the proceeding. The camera coverage rules are available on the Mississippi Supreme Court's web site at

http://www.mssc.state.ms.us/rules/msrulesofcourt/rules_electronicphotographic_coverage.pdf.

The Mississippi Legislature created the Court of Appeals in 1994 to speed appeals and relieve a backlog of cases before the Supreme Court. The Court of Appeals began hearing cases in 1995. The Supreme Court assigns cases to the Court of Appeals. The Supreme Court may accept or decline to review decisions of the Court of Appeals.

####