

Court of Appeals schedules oral arguments at University of Mississippi School of Law

April 8, 2008

A panel of judges of the Mississippi Court of Appeals will convene court in Oxford at the University of Mississippi School of Law to hear law students argue two cases on April 22.

Arguments are scheduled for 1:30 p.m. and 2:30 p.m. The arguments will be heard in Moot Court One on the third floor at 300 Lamar Law Center.

Members of the Court of Appeals occasionally travel to locations outside Jackson for oral argument presentations specially scheduled to accommodate college audiences.

Law students of the Criminal Appeals Clinic will present oral arguments. The students by permission of the court are admitted to limited practice of law under the supervision of attorney Phillip W. Broadhead, clinical professor and director of the Criminal Appeals Clinic.

Cases to be argued are those of Derrick Lockett v. State of Mississippi, cause number 2007-KA-00982-COA, and David Brooks v. State of Mississippi, cause number 2007-KA-00828-COA. Lockett's case is an appeal from a June 2007 conviction of embezzlement and a 10-year sentence from Rankin County Circuit Court. Brooks' case is an appeal from May 2006 convictions of two counts of aggravated assault on a law enforcement officer and two 20-year sentences from Oktibbeha County Circuit Court.

Presenting the arguments for Lockett will be law students Angela M. Gallagher of Magnolia and Jay Hurdle of Memphis. Arguing on behalf of Brooks will be William Andrew Lewis of Fayetteville, Ga., and Daniel B. McLeroy of Center, Texas.

Special Assistant Attorneys General Jeffrey A. Klingfuss and LaDonna Holland 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.

Since 2002, the Criminal Appeals Clinic has represented 34 indigent defendants in criminal appeals before the Mississippi Supreme Court and the Court of Appeals. Eleven cases have been heard with oral argument. Three convictions have been reversed. A fourth was reversed by the Court of Appeals, but the conviction was later affirmed by the Supreme Court. Nine cases are pending before the appellate courts awaiting decisions, Broadhead said.

During the past five years, 86 University of Mississippi School of Law students have received training in the highly specialized area of appellate practice through participation in the Criminal Appeals Clinic, Broadhead said.

Broadhead said, "The most satisfying part of the program has been seeing the students develop a passion for trial practice, which changed the direction of their career plans, with many going into public service positions."

Former Criminal Appeals Clinic students work in the Mississippi Attorney General's Office, the Mississippi Office of Indigent Appeals, public defender offices and district attorneys' offices throughout the South, Broadhead said.

The Court of Appeals entered orders permitting camera coverage by the media. 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.

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