

Court of Appeals schedules oral arguments at USM campus

October 12, 2009

The Mississippi Court of Appeals will convene on the University of Southern Mississippi campus in Hattiesburg on Oct. 15 to hear oral arguments in two cases. The proceeding will be held in Room 218 at the Thad Cochran Center on campus.

A three-judge panel will hear the first of two oral arguments at 1:30 p.m. Spectators should plan to arrive early and be seated in the courtroom before 1:30 p.m.

The Court of Appeals periodically schedules oral arguments on college campuses. The Court on the Road program provides an opportunity for students and the general public to observe an appellate level proceeding and learn about the operations of the court.

Presiding Judge William Myers of Ocean Springs said that the Court on the Road program allows judges to use real cases to teach students about the appellate process.

“It gives students who are interested in possibly practicing law a chance to hear both sides of a case very effectively presented,” Judge Myers said.

Judges usually talk to the students afterwards and answer questions. Judges may talk about the appellate process, but not about the cases themselves. “They ask really good questions,” Judge Myers said.

The Court will hear arguments at 1:30 p.m. in the criminal appeal of Kevin Eugene Owen v. State of Mississippi, case number 2008-KA-01469 COA. At 2:30 p.m., the Court will hear arguments in the civil appeal of Marguerite B. Holder and Herbert Holder v. Orange Grove Medical Specialties, P.A., and Boyd Benefield, M.D., case number 2008-CA-01442 COA.

Owen is appealing a July 2008 conviction of armed robbery from Forrest County Circuit Court. Circle K convenience store at 1501 Broadway Drive in Hattiesburg was robbed on May 2, 2007. Circuit Judge Robert Helfrich sentenced Owen to 25 years in prison on July 28, 2008, after a jury trial. Owen is represented on appeal by Erin E. Pridgen of the Mississippi Office of Indigent Appeals. The state is represented by Special Assistant Attorney General Jeffrey A. Klingfuss.

Marguerite B. Holder and Herbert Holder are appealing the dismissal of their medical negligence lawsuit. Their lawsuit was filed Dec. 7, 2006, in Harrison County Circuit Court. Circuit Judge Jerry O. Terry dismissed the lawsuit on July 29, 2008. The Holders are represented by Christopher Breard of Gulfport. Orange Grove Medical Specialties and Benefield are represented by Stephen G. Peresich of Biloxi.

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 Notice form is available on the State of Mississippi Judiciary web site at <http://www.mssc.state.ms.us/forms/camnotice.pdf>. Camera coverage rules are available on the web site at http://www.mssc.state.ms.us/rules/msrulesofcourt/rules_electronicphotographic_coverage.pdf.

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