

Court of Appeals to visit Mississippi State University Nov. 20

November 12, 2013

The Mississippi Court of Appeals will hear oral arguments on the campus of Mississippi State University at 1 p.m. and 2:30 p.m. Nov. 20. A three-member panel of the court will convene at the Hunter Henry Center on the Starkville campus to hear two criminal appeals.

The Court of Appeals hears oral arguments each year on the MSU campus as part of its Court on the Road program. The court periodically schedules oral arguments on college campuses and occasionally at other locations as a teaching tool for students.

Court of Appeals Judge David M. Ishee of Gulfport said the Court on the Road program helps educate students and the public about appeals court proceedings which they otherwise would have little opportunity to see. The program gives appellate judges an opportunity to talk about how the court operates. Judges take questions from the students after the oral arguments, although they don't talk about the pending cases.

Judge Ishee said, "It is a great learning experience."

Third-year law students from the University of Mississippi School of Law Criminal Appeals Clinic will present oral arguments on behalf of incarcerated inmates in both cases. The students work under the supervision of an attorney. The cases are referred by the state Office of Indigent Appeals.

The students who brief and argue cases experience something that is a career rarity even for some seasoned attorneys, said Phil Broadhead, clinical professor and director of the Criminal Appeals Clinic.

"Clinical legal education is designed to offer 'learning-by-doing' opportunities," he said. "Clinics extend a law student's education to bridge the gap between studying the law in a passive setting and becoming a lawyer in the real world."

"The students who participate in the Criminal Appeals Clinic uniformly say that the experience of an appellate oral argument was the best part of their law school education. The same has been said by students who write appellate briefs on behalf of prisoners: representing a real person, as opposed to learning in a simulated law school problem, invests the student in the individual case, as well as in our criminal justice system," Broadhead said.

"Along with providing third-year law students with a valuable learning experience, clinics also strive to provide a service to the bench and bar that aids the public and, hopefully, improves the quality of legal representation in the future," Broadhead said.

Oral arguments will be heard at 1 p.m. in the case of Eddie Joseph Brown v. State of Mississippi, case number 2012-KA-01256-COA. Eddie Joseph Brown was arrested Dec. 20, 2010, on a Biloxi service station parking lot on a charge of possession of cocaine. He was convicted March 14, 2012, of possession of 4.7 grams of cocaine. Harrison County Circuit Judge John C. Garguilo sentenced him to 32 years in prison as an habitual offender, without eligibility for parole or probation. Brown seeks to overturn his conviction and sentence.

Law students Stephanie Brown of Jackson and Rhodes Berry of Columbus, Ga., will

argue on behalf of Eddie Joseph Brown. Law students Zachary Atwood of Ellisville and Ashlee Drake Berry of Ankeny, Iowa, prepared the briefs on his behalf. Special Assistant Attorney General Lisa Blount represents the Attorney General's office.

Oral arguments are scheduled at 2:30 p.m. in the case of Christopher Brown v. State of Mississippi, case number 2012-KA-01348-COA. Christopher Brown was convicted by a Coahoma County Circuit Court jury of a felony charge of leaving the scene of an accident which caused injury or death, as well as misdemeanor charges of driving with a suspended license and failure to provide proof of insurance. Circuit Judge Charles E. Webster sentenced him on July 17, 2012, to three years in prison to be followed by two years of post-release supervision and a \$500 fine on the felony charge, and a concurrent six months in prison and \$350 in fines on the misdemeanors.

Christopher Brown was driving to work in the rain about 6:15 a.m. on Sept. 9, 2008, when he struck Dr. Joe Campbell, who was riding a recumbent bicycle on Lee Drive in Clarksdale. Campbell later died from a head injury.

Law students Marcus Williams of Jackson and KJ Lockley of Hattiesburg will argue on behalf of Christopher Brown. Law students Laura Gullett of Tupelo and Cody Layton of Montrose, Penn., prepared the briefs on his behalf. Special Assistant Attorney General Stephanie Wood represents the Attorney General's office.

Each oral argument is expected to last approximately an hour. The appellant and appellee are each allowed 30 minutes.

People wishing to watch the oral arguments are asked to be in their seats 15 minutes before the oral arguments are scheduled to begin.

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 arguments must file a Camera Coverage Notice. Camera Coverage Notices should be directed to Clerk of the Court Kathy Gillis, fax 601-359-2407, and to Assistant Court Administrator Katie Cassady, fax 601-576-4708. The Camera Coverage Notice form is at <http://www.mssc.state.ms.us/forms/camnotice.pdf><http://courts.ms.gov/forms/camnotice.pdf>.

Photographers and videographers should be familiar with and follow the Rules for Electronic and Photographic Coverage of Judicial Proceedings. The camera coverage rules are available on the Mississippi Judiciary web site at http://courts.ms.gov/rules/msrulesofcourt/rules_electronicphotographic_coverage.pdf.

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