

IN THE SUPREME COURT OF THE STATE OF MISSISSIPPI

FILED

**STEVE WINDHAM,
JAMES E. SMITH, and CHAD L. GARVIN**

SEP 27 2007 PLAINTIFFS

VS.

**OFFICE OF THE CLERK
SUPREME COURT NO. 2005-CA-2086
COURT OF APPEALS**

**LATCO OF MISSISSIPPI, INCORPORATED, JEFF HUFF,
D/B/A HUFF CONSTRUCTION, FABRAL, INC. AND
CHOCTAW MAID FARMS, INC.**

DEFENDANTS

PETITION FOR WRIT OF CERTIORARI

COMES NOW, the Petitioners, Steve Windham, James E. Smith and Chad L. Garvin and files this, their Motion for Extension of Time, and for cause would respectfully show unto the Court the following:

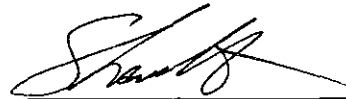
1. That the Petitioners had previously filed a Complaint against Latco of Mississippi, Inc. and Fabral, Inc. on the grounds of faulty construction.
2. That a Motion for Summary Judgment was granted by the Circuit Court of Scott County, Mississippi, and appealed to the Mississippi Supreme Court.
3. The Mississippi Supreme Court assigned this case to the Court of Appeals and on February 6, 2007, the Mississippi Court of Appeals rendered there decision affirming the trial court's decision. The Petition for rehearing was filed and said rehearing was denied on or about June 5, 2007.
4. That the Plaintiffs filed a Petition for Writ of Certiorari in the above style matter as this is a case, which was granted by order dated August 28, 2007 and stamped filed on September 6, 2007.

MOTION# 2007-2712

5. That the Plaintiffs attorney did not receive notice of the Grant of the Writ, and first learned of the grant upon receiving the Appellee, Fabral Inc's Supplemental Brief Following Grant of Certiorari.

6. That the Appellants would request that the Court grant them additional days in which to file a Supplemental Brief.

RESPECTFULLY SUBMITTED, this the 25th day of September, 2007.



P. SHAWN HARRIS, Attorney for
Plaintiffs

Prepared By:
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CERTIFICATE OF SERVICE

This is to certify that I, P. Shawn Harris, attorney for Defendant, have this day hand delivered a true and correct copy of the above and foregoing Petition for Writ of Certiorari, to the following:

Timothy D. Moore
Currie Johnson Griffin Gaines & Myers, P.A.
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Mike Segura
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Joe Rigby
Circuit Clerk
P. O. Box 371
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Honorable Judge Cotten
205 Main St.
Carthage, MS 39051

This the 25th day of Spetember, 2007.



P. SHAWN HARRIS, MSB [REDACTED]