

**IN THE SUPREME COURT OF MISSISSIPPI  
NUMBER 2007-CA-00593**

**CHARLIE DOYLE WIMLEY, INDIVIDUALLY  
AND ON BEHALF OF ALL WRONGFUL DEATH  
BENEFICIARIES OF JEANETTE DOYLE**

**V.**

**BILL REID, CRNA, AND JOHN DOES 1-10**

**APPELLEES**

**FILED**  
JUL 11 2008 4:45  
OFFICE OF THE CLERK  
SUPREME COURT  
COURT OF APPEALS  
**APPELLANTS**  
**NO. 2007-CA-00593**

**NOTICE OF JOINDER**

**COMES NOW**, Jim Hood, Attorney General for the State of Mississippi, *ex rel.* the State of Mississippi, pursuant to M.R.A.P. 29 and 44, and Miss. Code Ann. § 7-5-1, and respectfully submits this Notice of Joinder to the Brief of Appellee, Bill Reid, and for cause would show as follows, to-wit:

1. Now pending before the Court is Charlie Doyle Wimley's appeal from an order of the Circuit Court of Leflore County in which the trial court dismissed the plaintiff's wrongful death action.

2. By order of this Court, the parties were directed to submit supplemental briefing regarding whether Miss. Code Ann. § 11-1-58 violates the separation of powers doctrine by conflicting the judiciary's rule-making authority. The order also invited the Attorney General to address the constitutionality of the statute.

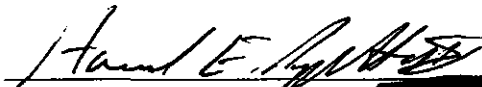

3. The Attorney General has reviewed the arguments contained in Appellee's Supplemental Brief relating to the challenged statute and believes the issues to be well briefed. Therefore, the Attorney General hereby respectfully joins the Appellee's Supplemental Brief in connection with the defense to the Appellant's challenge to § 11-1-58.

**WHEREFORE PREMISES CONSIDERED**, the Attorney General hereby joins the

Appellee in his well-reasoned and soundly-supported defense of the constitutionality of Miss. Code  
Ann. § 11-1-58.

Respectfully submitted, this the 11<sup>th</sup> day of July, 2008.

JIM HOOD, ATTORNEY GENERAL  
STATE OF MISSISSIPPI

BY:   
HAROLD E. PIZZETTA III,   
SPECIAL ASSISTANT ATTORNEYS GENERAL

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**CERTIFICATE OF SERVICE**

This is to certify that I, Harold E. Pizzetta, III, Special Assistant Attorney General for the State of Mississippi, have this date mailed via United States mail, postage fully prepaid, a true and correct copy of the foregoing **Notice of Joinder** to the following:

Honorable Ashley Hines  
Circuit Court Judge  
Post Office Box 1315  
Greenville, Mississippi 38702-1315

*Trial Court Judge*

R. Mark Hodges, Esq.  
Gretchen W. Kimble, Esq.  
Wise Carter Child & Caraway, P.A.  
Post Office Box 651  
Jackson, Mississippi 39205

*Counsel of Appellees*

Dennis C. Sweet, III, Esq.  
Sweet & Associates  
City Centre Building  
158 East Pascagoula Street  
Jackson, Mississippi 39201

*Counsel of Appellants*

This the 11<sup>th</sup> day of July, 2008.

  
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HAROLD E. PIZZETTA, III