

COPY

IN THE SUPREME COURT OF MISSISSIPPI

NO. 2008-CA-00668

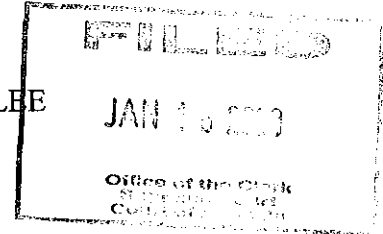
CONTESSA GRAY

APPELLANT

VERSUS

JESSIE LEE WILLIAMS, JR.

APPELLEE



REPLY BRIEF OF APPELLANT

Appeal From The Chancery Court
Of Harrison County, Mississippi

Oral Argument Not Requested

BRUCE B. SMITH
Attorney at Law
119 First Street SE
Post Office Box 395
Magee, Mississippi 39111
Telephone: 601-849-2781
Facsimile: 601-849-4712
ATTORNEY FOR APPELLANT

TABLE OF CONTENTS

	Page
TABLE OF AUTHORITIES.....	ii
ARGUMENT.....	1
CONCLUSION.....	2
CERTIFICATE OF SERVICE.....	3

ARGUMENT

Appellee (Williams) does not dispute that Appellant (Gray) had every right to hire separate counsel to represent her interests. Williams clearly states his only argument in this matter on page 5 of his brief;

“What is the issue is whether an attorney who did nothing in a case, never made an appearance, never argued a motion, never fought for anything whatsoever, can attempt to take another attorney’s fees...”

If he wanted to accurately reflect what actually happened, Williams should have said this:

Can Mr. Crosby specifically request that Mr. Smith not participate in the Federal Court civil action in order to avoid any adverse publicity (and corresponding reduction in the value of the case) that may be generated by the discovery of another out-of-wedlock child of Jessie Lee Williams, Jr.; and then argue that since Mr. Smith did not participate in the Federal case that he is not entitled to compensation?

The clear, logical, simple answer is, No, you cannot do that! Mr. Crosby cannot reach an agreement with Mr. Smith that the best interest of all the heirs would be served if Mr. Smith and Contessa Gray remained behind-the-scene, didn’t push for a DNA test, didn’t enter an appearance in the Federal case, didn’t let Contessa Gray talk to the media, didn’t let anyone know about Jyshawn Micheal Gray, and then complain when that is exactly what is done!

Mr. Smith fully cooperated with Mr. Crosby throughout these proceedings, carried out the plan that they had agreed to, and kept the birth of Jyshawn Micheal Gray and the paternity by Jessie L. Williams, Jr. out of the media. Without question, these actions by Mr. Smith made a reasonable contribution to the litigation as required by *Long V. McKinney*, 897 So. 2d 160 (Miss. 2004) and *Franklin V. Franklin*, 858 So. 2d 110 (Miss. 2003) and Mr. Smith should be compensated according to the provisions of his employment contract.

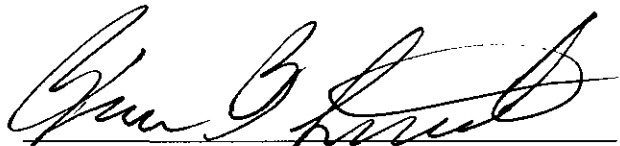
CERTIFICATE OF SERVICE

I, the undersigned attorney for Appellants, do hereby certify that a true and correct copy of the foregoing Reply Brief Of Appellant was sent via United States mail, first-class postage prepaid, Certified Return Receipt Requested, to the following counsel of record and Chancellor.

Honorable Jim Persons
Harrison County Chancery Court Judge
P.O. Box 457
Gulfport, Mississippi 39502

Michael W. Crosby, Esquire
2111 25TH Avenue
Gulfport, Mississippi 39051

So certified this 16th day of January, 2009.



Bruce B. Smith, Esquire
MS Bar No [REDACTED]
Attorney for Appellants

Bruce B. Smith
Attorney at Law
119 First Street SE
P.O. Box 395
Magee, Mississippi 39111
601-849-2781 Telephone
601-849-4712 Facsimile