

**IN THE SUPREME COURT OF THE STATE OF MISSISSIPPI**

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**2009-CP-01306**

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**RUBEN PINSON  
APPELLANT**

**vs.**

**BART GRIMES, ET AL.  
APPELLEES**

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**On Appeal From the Circuit Court  
of Lauderdale County, Mississippi**

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**BRIEF OF APPELLEES- BART GRIMES, WENDELL K. BANKS,  
ROBERT GRUBB, WILLIE RUFFIN, SHIRLEY ENTERKIN,  
GAIL HAYGOOD, JOYCE GRAHAM, CHRISTY COVERT AND  
MERRIAN CARMICHAEL**

**LEE THAGGARD  
MSB [REDACTED]  
BOURDEAUX & JONES, LLP  
Post Office Box 2009  
Meridian, MS 39302-2009  
(601) 693-2393**

## CERTIFICATE OF INTERESTED PARTIES

The undersigned counsel of record certifies that the following listed persons have an interest in the outcome of this case. These representations are made in order that the justices of this Court may evaluate possible disqualifications of recusal:

1. Ruben Pinson, Appellant
2. Faye Noel, Appellee
3. Bart Grimes, Wendell K. Banks, Robert Grubb, Willie Ruffin, Shirley Entrekin, Gail Haygood, Joyce Graham, Christy Covert, and Merrian Charmichael, Appellees
4. Robert Bailey, Circuit Court Judge
5. Jim Hood, Mississippi Attorney General

The undersigned counsel further certifies that the following attorneys have an interest in the outcome of this case:


For Appellees Bart Grimes, Wendell K. Banks, Robert Grubb, Willie Ruffin, Shirley Entrekin, Gail Haygood, Joyce Graham, Christy Covert, and Merrian Carmichael:

1. Lee Thaggard, Bourdeaux & Jones, LLP

For Appellee Faye Noel:

1. Jane Mapp, Special Assistant Attorney General, State of Mississippi
2. James M. "Jim" Norris, Special Assistant Attorney General, State of Mississippi

By:

  
\_\_\_\_\_  
Lee Thaggard

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ISSUE

I. Whether the Lower Court Erred in Denying/Dismissing Pinson's Motion for an Order to Show Cause and Temporary Restraining Order.

### **PROCEDURAL HISTORY**

Bart Grimes, Wendell K. Banks, Robert Grubb, Willie Ruffin, Shirley Entrekin, Gail Haygood, Joyce Graham, Christy Covert, and Merrian Carmichael hereby join and adopt the factual statements and legal assertions of separate appellee, Faye Noel, as set forth in her Brief filed in this matter on or about December 1, 2009.

### **SUMMARY OF THE ARGUMENT**

Bart Grimes, Wendell K. Banks, Robert Grubb, Willie Ruffin, Shirley Entrekin, Gail Haygood, Joyce Graham, Christy Covert, and Merrian Carmichael hereby join and adopt the factual statements and legal assertions of separate appellee, Faye Noel, as set forth in her Brief filed in this matter on or about December 1, 2009.

### **ARGUMENT**

Bart Grimes, Wendell K. Banks, Robert Grubb, Willie Ruffin, Shirley Entrekin, Gail Haygood, Joyce Graham, Christy Covert, and Merrian Carmichael hereby join and adopt the factual statements and legal assertions of separate appellee, Faye Noel, as set forth in her Brief filed in this matter on or about December 1, 2009.

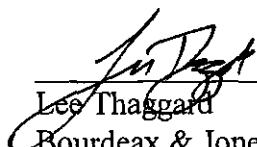
### **CONCLUSION**

Based on the argument of facts and law presented, the Appellees submit that the trial court was clearly within its discretion in dismissing Pinson's complaint for want of prosecution, and the dismissal should be affirmed.

Respectfully Submitted,

BART GRIMES, WENDELL K. BANKS,  
ROBERT GRUBB, WILLIE RUFFIN, SHIRLEY  
ENTREKIN, GAIL HAYGOOD, JOYCE  
GRAHAM, CHRISTY COVERT, MERRIAN  
CARMICHAEL

BY:

  
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**CERTIFICATE OF SERVICE**

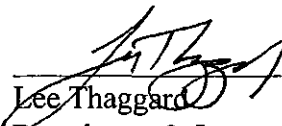
I, Lee Thaggard, do hereby certify that this day I caused to be mailed via United States Postal Service, first class postage prepaid, a true and correct copy of the foregoing Brief of Appelles in the above-styled and numbered cause to the following:

Ruben Pinson, #M3475  
Delta Correctional Facility  
3800 County Road 540  
Greenwood, MS 38930

Hon. Robert W. Bailey  
Circuit Court Judge  
P.O. Box 1167  
Meridian, MS 39302

Ms. Jane L. Mapp  
Special Assistant Attorney General  
510 George Street, Suite 212  
Jackson, MS 39202  
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This the 13th day of January, 2010.

  
\_\_\_\_\_  
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