

UNITED STATES SENATE
COMMITTEE ON THE JUDICIARY

QUESTIONNAIRE FOR JUDICIAL NOMINEES

PUBLIC

1. **Name**: State full name (include any former names used).

James Earl Graves, Jr.

2. **Position**: State the position for which you have been nominated.

United States Circuit Judge for the Fifth Circuit

3. **Address**: List current office address. If city and state of residence differs from your place of employment, please list the city and state where you currently reside.

Office: Mississippi Supreme Court
450 High Street
Jackson, MS 39201

[REDACTED]

4. **Birthplace**: State year and place of birth.

1953; Hinds County, Mississippi

5. **Education**: List in reverse chronological order each college, law school, or any other institution of higher education attended and indicate for each the dates of attendance, whether a degree was received, and the date each degree was received.

Summer 1977 – Spring 1980, Syracuse University School of Law; Syracuse, New York; J.D., 1980

Summer 1979 – Spring 1980, Syracuse University, The Maxwell School of Citizenship and Public Affairs; Syracuse, New York; M.P.A. – Public Administration, 1981

Fall 1971 – Spring 1975, Millsaps College; Jackson, Mississippi; B.A. – Sociology

6. **Employment Record**: List in reverse chronological order all governmental agencies, business or professional corporations, companies, firms, or other enterprises, partnerships, institutions or organizations, non-profit or otherwise, with which you have been affiliated as an officer, director, partner, proprietor, or employee since graduation from college, whether or not you received payment for your services. Include the name and address of the employer and job title or description.

2001 – Present
Mississippi Supreme Court
450 High Street
Jackson, MS 39201
Current position: Presiding Justice (January 2009 – present)
Previous position: Associate Justice (2001 – 2008)

2003 – Present
R. Palmer Enterprises, LLC
180 Bristol Boulevard
Jackson, MS 39204
Position held: Proprietor

2009, 2006 and 2004
Tougaloo College
500 West County Line Road
Jackson, MS 39174
Position held: Adjunct Professor, Department of Journalism
Subject: Media Law

2005
Millsaps College
1701 North State Street
Jackson, MS 39216
Position held: Adjunct Professor, Departments of Sociology and Political Science
Subject: Law and Society

1991 – 2001
Hinds County Circuit Court
407 East Pascagoula Street
Jackson, MS 39201
Position held: Circuit Court Judge

1990 – 1991
Mississippi Department of Human Services
750 North State Street
Jackson, MS 39202
Position held: Director of the Division of Child Support Enforcement

1986 – 1990

Office of the Attorney General of the State of Mississippi

550 High Street, Suite 1200

Jackson, MS 39201

Position held: Special Assistant Attorney General (1986 – 1990)

Position held: Chief Legal Counsel, Human Services Division (1989 – 1990)

Position held: Legal Counsel, Health Law Division (1986 – 1989)

1984 – 1986

Walker and Walker, Attorneys at Law

1410 Livingston Lane, Suite A

Jackson, MS 39213

Position held: Associate Attorney

1983 – 1984

MurRAIN and Graves, Attorneys at Law

3175 J.R. Lynch Street

Jackson, MS 39209

Position held: Partner

1980 – 1983

Central Mississippi Legal Services

414 South State Street, Third Floor

Jackson, MS 39205

Position held: Staff Attorney

1980 – 1997

Jackson State University

1400 Lynch Street

Jackson, MS 39217

Position held: Adjunct Professor

Department of Mass Communications, Subject: Media Law (Fall 1980 – Spring 1982;
Spring 1985 – Spring 1997)

Department of Political Science, Subject: Civil Rights Law (Spring 1990)

Department of Public Policy & Administration, Subject: Black Perspectives in Public
Administration (Spring 1996)

Department of Public Policy & Administration, Subject: Correctional Systems (Spring
1995)

1978 – 1979

Department of Community Development

201 East Washington Street, Room 612

Syracuse, NY 13202

Position held: Clerk

1975 – 1977

Department of Public Welfare

1775 Wilson Boulevard

Jackson, MS 39204

Positions held: Eligibility Worker, Social Worker

Uncompensated Positions

Board Member, National Consortium on Racial and Ethnic Fairness in the Courts, 2007
– present

c/o John Douglas

Sr. Court Management Consultant

National Center for State Courts

707 Seventeenth Street, Suite 2900

Denver, Colorado 80202-3429

Board Member, Greater Jackson Arts Council, 2007 – present

Mailing Address:

P.O. Box 17

Jackson, MS 39205

Board Member, Mississippi Children's Museum, 2009 – present

3010 Lakeland Cove

Flowood, MS 39232-9784

Board Member, Operation Shoestring, 2006 – present

1711 Bailey Avenue

Jackson, MS 39203-1204

Board Member, Mississippi Center for Education Innovation, 2009 – present

200 South Lamar Street

Jackson, MS 39201-4016

President, Wingfield Place Neighborhood Association, 2000 – 2002

No permanent address

1984

Jackson Urban League

2310 Highway 80 West

Jackson, MS 39204

Position held: Interim Board Chair (uncompensated)

7. **Military Service and Draft Status:** Identify any service in the U.S. Military, including dates of service, branch of service, rank or rate, serial number (if different from social security number) and type of discharge received, and whether you have registered for selective service.

I have not served in the military. I am registered for selective service.

8. **Honors and Awards:** List any scholarships, fellowships, honorary degrees, academic or professional honors, honorary society memberships, military awards, and any other special recognition for outstanding service or achievement.

Maxwell Public Administration Award, The Maxwell School, Syracuse University, 2009

Oasis of Freedom and Justice Award, Dream 365, 2008

President's Award, National Conference of Black Mayors, 2006

Equal Justice Award, 100 Black Men of America, 2005

NAACP Legal Award, Mississippi Chapter, 2004

Livesay Service Award, Millsaps College, 2004

Award of Excellence, Mississippi Council for the Social Studies, 2003

Doctor of Laws, Honorary Degree, Millsaps College, 2002

Law-Related Public Education Award, Mississippi Bar Foundation, 2002

Humanized Education Award, Mississippi Association of Educators, 2002

Special Achievement Award, Jackson Federal Executive Association, 2002

Thurgood Marshall Award, City of Jackson's Martin Luther King Celebration, 2002 and 1994

Parent of the Year (First Alternate) State of Mississippi, 2000 – 2001

Parent of the Year, Jackson Public School District, 2000 – 2001

Commissioner's Award, United States Department of Health and Human Services, 2001

Innovation Award, Hinds County Bar Association, 2000

Government Service Award, Magnolia Bar Association, 1998 and 1993

Distinguished Jurist Award, National Bar Association, 1996

R. Jess Brown Award, Magnolia Bar Association, 1994

Community Service Award, Alpha Phi Alpha Fraternity, 1993 (I am not a member of any Greek organization)

Alumnus of the Year, Millsaps College Black Students Association, 1993

Judge of the Year, National Conference of Black Lawyers, 1992

Champion Adopter, Mentor in Lake Elementary Schools – Boys for a Brighter Tomorrow Program, 1991

9. **Bar Associations:** List all bar associations or legal or judicial-related committees, selection panels or conferences of which you are or have been a member, and give the titles and dates of any offices which you have held in such groups.

Chair, Mississippi Supreme Court Rules Committee on Criminal Practice and Procedure, 2010 – present

Board Member, National Consortium on Racial and Ethnic Fairness in the Courts, 2007 – present; Chair of the History CD Committee, 2009 – present

Chair, Courts and the Media Committee, Mississippi Supreme Court, 2001 – present

Chair, Mississippi Supreme Court Committee on Administrative and Related Matters, 2009

Chair, Public Defender's Task Force, 2005 – 2009

Mississippi Bar Association, current member

Fellow (2005 – present)

Designated Trustee, Mississippi Bar Foundation, Inc. (2003 – 2004)

Board Member, Mississippi Access to Justice Commission, 2006 – present

Magnolia Bar Association, current member

Central District Representative (1985 – 1987)

American Bar Association, current member

Chair-Elect, National Conference of State Trial Judges (2001)

Vice-Chairman, National Conference of State Trial Judges (2000)

Member, Executive Committee of the National Conference of State Trial Judges (1994 – 2001)

Chairman, Law and Technology Committee, National Conference of State Trial Judges

Delegate, America Bar Association on behalf of the Mississippi Conference of Circuit Judges (1993 – 2001)

Hinds County Bar Association, former member

Association of Trial Lawyers of America, former member

Mississippi Trial Lawyers Association, former member

American Association of Public Welfare Attorneys, former member
Executive Committee (1989 – 1991)

10. **Bar and Court Admission:**

- a. List the date(s) you were admitted to the bar of any state and any lapses in membership. Please explain the reason for any lapse in membership.

Mississippi, 1980

- b. List all courts in which you have been admitted to practice, including dates of admission and any lapses in membership. Please explain the reason for any lapse in membership. Give the same information for administrative bodies that require special admission to practice.

Admitted to practice in all Mississippi State Courts in September 1980 with no lapse in membership.

Admitted to practice in the United States District Courts for the Northern and Southern Districts of Mississippi in September 1980 with no lapse in membership.

11. **Memberships:**

- a. List all professional, business, fraternal, scholarly, civic, charitable, or other organizations, other than those listed in response to Questions 9 or 10 to which you belong, or to which you have belonged, since graduation from law school. Provide dates of membership or participation, and indicate any office you held. Include clubs, working groups, advisory or editorial boards, panels, committees, conferences, or publications.

Board Member, Greater Jackson Arts Council, 2007 – present

Board Member, Mississippi Children's Museum, 2009 – present

Board Member, Operation Shoestring, 2006 – present

Board Member, Mississippi Center for Education Innovation, 2009 – present

Chairman, Anti-Violence Committee, 100 Black Men of America, 1994 – 1996

Millsaps College Alumni Advisory Council, 2000 – 2002

Wingfield Place Neighborhood Association, Member, 1991 – present, President, 2000 – 2002

100 Black Men of Jackson, Mississippi, 1992 – 2009

Interim Board Chair, Jackson Urban League, 1984

National Association for the Advancement of Colored People (NAACP), 1980 – 1992

- b. The American Bar Association's Commentary to its Code of Judicial Conduct states that it is inappropriate for a judge to hold membership in any organization that invidiously discriminates on the basis of race, sex, or religion, or national origin. Indicate whether any of these organizations listed in response to 11a above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies. If so, describe any action you have taken to change these policies and practices.

None of the organizations listed above currently discriminate or formerly discriminated on the basis of race, sex, religion or national origin either through formal membership requirements or the practical implementation of membership policies.

12. Published Writings and Public Statements:

- a. List the titles, publishers, and dates of books, articles, reports, letters to the editor, editorial pieces, or other published material you have written or edited, including material published only on the Internet. Supply four (4) copies of all published material to the Committee.

Bold indicates that the publication is included in the attachment. For all others, I do not have a copy.

***Judicial Independence: The Courts and the Media*, Bench Press, at 114, (Stanford University Press 2007).**

***"I Quit!" - Commonsense Guide to Taking Back Control of Your Career*, By Verna Felton, Foreword by James Graves, (Xlibris Corporation 2006)**

The Constitution and Judicial Independence, The 2005 Judge William H. Keady Lecture, 25 Miss. C. L. Review 283 (2006).

The Judges' Journal (American Bar Association), Spring 2004, Article Entitled "Brown v. Board of Education: A Look Back"

The Mississippi Lawyer, October 2001, Article Entitled, "Technology in the Courtroom - Changes in Hinds County"

The Judges' Journal (American Bar Association), Summer 2001, Article Entitled, "Technological Changes in Hinds County" (Same text as above.)

The Mississippi Lawyer, May – June 1999, Article Entitled, "The Big Case: A Perspective from the Bench"

- b. Supply four (4) copies of any reports, memoranda or policy statements you prepared or contributed in the preparation of on behalf of any bar association, committee, conference, or organization of which you were or are a member. If you do not have a copy of a report, memorandum or policy statement, give the name and address of the organization that issued it, the date of the document, and a summary of its subject matter.

I have not prepared or contributed in the preparation of any such report, memoranda or policy statement.

- c. Supply four (4) copies of any testimony, official statements or other communications relating, in whole or in part, to matters of public policy or legal interpretation, that you have issued or provided or that others presented on your behalf to public bodies or public officials.

To the best of my recollection, I have never given any such testimony, official statements or other communications.

- d. Supply four (4) copies, transcripts or recordings of all speeches or talks delivered by you, including commencement speeches, remarks, lectures, panel discussions, conferences, political speeches, and question-and-answer sessions. Include the date and place where they were delivered, and readily available press reports about the speech or talk. If you do not have a copy of the speech or a transcript or recording of your remarks, give the name and address of the group before whom the speech was given, the date of the speech, and a summary of its subject matter. If you did not speak from a prepared text, furnish a copy of any outline or notes from which you spoke.

The following represents, to the best of my recollection, all of my speeches, talks, remarks, lectures, panel discussions, conference presentations, political speeches and question-and-answer sessions. Readily available transcripts, recordings, press reports are noted.

In most cases, I do not speak from a prepared text. I do use notes and frequently rely on previously used notes. However, it is a very rare occasion where everything which appears in my notes is actually delivered during my address. Hence, my pre-speech notes may include topics and statements that were never made during the actual presentation.

Additionally, during 2004 I was involved in an election campaign. During that year I made a significant number of speeches, often without notes. I have also done a significant number of speeches for which notes were not retained.

Bold indicates that speech notes are included in attachment. For all others, no notes exist.

2010

January 27, 2010 – Broadmeadow Methodist Church After School Program, Jackson, Mississippi. Guest Speaker.

January 21, 2010 – Keynote address to Mississippi Economic Council Leadership Mississippi Annual Dinner, Jackson, Mississippi.

2009

December 11, 2009 – Keynote address to Greenwood Voters League, Greenwood, Mississippi.

November 16, 2009 – Pike County Drug Court Graduation, Magnolia Mississippi.

November 14, 2009 – Mississippi School Nutritionist Association 40th Annual Awards Banquet, Jackson, Mississippi.

November 10, 2009 – Mississippi Black Leadership Summit, Jackson Mississippi. Panelist, “Expanding the Judiciary.”

October 16, 2009 – Career Day, McWillie Elementary School, Jackson, Mississippi.

October 5, 2009 – Watchdogs for Dads, John Hopkins Elementary School, Jackson, Mississippi.

September 21 – 25, 2009 – Harvard Trial Advocacy Workshop, Cambridge, Massachusetts. Teaching team member.

September 15, 2009 – Gulfport High School Constitution Week Program, Gulfport, Mississippi.

August 8, 2009 – Norman Chapel Church Youth Rally, Jackson, Mississippi. Motivational speech to church youth.

July 31, 2009 – ABA Annual Meeting, Drake Hotel, Chicago, Illinois. Panel moderator, “Courts and the Media in the 21st Century: Twitterers, Bloggers, the New Media, the Old Media, and What’s A Judge to Do?”

July 27 – 28 – Basic Legal Affairs for Journalists, National Center for the Courts and Media, Reno, Nevada.

July 21, 2009 – Education for Democracy Camp for Teachers, State Capitol, Jackson, Mississippi. Guest speaker, “The Civil Rights Movement.” Scholarly presentation to group of international teachers.

June 27, 2009 – United Way Day of Action Volunteer Rally, Hal & Mal’s, Jackson, Mississippi. Motivational speech to volunteers.

June 18, 2009 – Mississippi Department of Employment Security Leadership Development Program, Reservoir Pointe, Ridgeland, Mississippi. Interactive presentation on leadership.

June 17, 2009 – “We the People” Institute, State Capitol, Jackson, Mississippi. Guest lecturer on the topic of Courts and Judicial Review.

June 8, 2009 – National Association of Unemployment Insurance Appellate Boards Conference, Oxford, Mississippi. Lunch presentation on the topic of Professionalism.

May 24, 2009 – Boys State, Wesson, Mississippi. Guest speaker.

May 23, 2009 – Corinth Contraband Camp Memorial Park Dedication, Corinth, Mississippi. Co-keynote address with Senator Thad Cochran.

May 22, 2009 – Mississippi School for the Blind Commencement, Jackson, Mississippi. Keynote address.

May 16, 2009 – Commissioning of Gravelly DDG-107, Northrop Grumman Shipbuilding, Pascagoula, Mississippi.

April 16, 2009 – Mississippi Economic Council 2009 Education Celebration, Jackson Convention Center, Jackson, Mississippi. Keynote address and STAR Student Award presentation.

March 19, 2009 – Veterans of the Mississippi Civil Rights Movement Annual Conference, Jackson State University, Jackson, Mississippi. Keynote speaker, “The Movement that Produced Change Now Empowers our Youth in the 21st Century.”

February 22, 2009 – Glen Addie United Methodist Church, Anniston, Alabama.

February 15, 2009 – National Council of Negro Women Black History Program, Jackson, Mississippi.

February 10, 2009 – Mission Mississippi Governor’s Prayer Luncheon, Jackson, Mississippi.

February 9, 2009 – NATLE Winter Meeting, Sheraton, New Orleans, Louisiana. Presentation on “A Commitment to Diversity.”

February 6, 2009 – Mississippi Conference of Black Mayors Luncheon, McComb Events Center, McComb, Mississippi. Keynote speaker.

February 3, 2009 – Donuts for Dads, Jackson State University, Jackson, Mississippi. Motivational speech to fathers of children in campus childcare program.

January 27, 2009 – Lee Elementary School / Jackson Chamber of Commerce Core Traits Program. Keynote speaker on topic of justice.

January 23, 2009 - The Alliance for Graduate Education in Mississippi Winter Scholar Symposium. Jackson, Mississippi. Motivational speech.

January 22, 2009 – Mississippi Economic Council Leadership Mississippi Annual Dinner, Fairview Inn, Jackson, Mississippi. Keynote address.

January 12, 2009 – Mayor’s Youth Council Awards Ceremony, McComb Sports Park, McComb Mississippi. Keynote address.

2008

December 8, 2008 – League of Women Voters Forum, Willie Morris Library, Jackson, Mississippi. Panelist for forum on judicial selection process.

November 11, 2008 – Magnolia Bar Association Fall CLE, Marriott, Jackson, Mississippi. Presenter, “Appellate Brief Writing and Oral Argument.”

November 17, 2008 – National Center for Courts and the Media, Reno, Nevada. Presenter, “Changes in the Courts – What the Media should know about new challenges and opportunities facing the Courts.”

September 25, 2008 – Mississippi Minority Enterprise Development Luncheon, Jackson, Mississippi. Luncheon speaker.

September 12, 2008 – Mississippi Center for Justice Annual Dinner, Jackson, Mississippi. Emcee.

August 29, 2008 – Blues Trail Marker Dedication Ceremony, Piney Woods School, Rankin County, Mississippi. Presenter.

August 24, 2008 – Mount Beulah Baptist Church Men's Day Program, Indianola, Mississippi. Guest speaker.

August 12, 2008 – Coahoma Community College Opening Convocation, Clarksdale, Mississippi.

July 27, 2008 – National Center for Courts and the Media, Reno, Nevada. Presenter.

July 13 2008 – “Appellate Brief Writing and Oral Argument,” AAJ Annual Convention, Philadelphia, Pennsylvania, July 13 2008. Presenter.

June 26, 2008 – Hometown Hero & SUMITT Awards, Jackson, Mississippi. Co-emcee.

June 13, 2008 – Mississippi Postal Workers Convention, Jackson, Mississippi.

July 12, 2008 – New Heights Seventh Day Adventist Church, Men's Prayer Summit, Jackson, Mississippi.

June 10, 2008 – Coahoma Community College Commencement, Clarksdale, Mississippi.

May 14, 2008 – Hattiesburg Police Department Memorial Service, Hattiesburg, Mississippi.

May 9, 2008 – Central Elementary School, Gulfport, Mississippi

March 27, 2008 – Mississippi Paralegal Association Luncheon, Jackson, Mississippi.

March 8, 2008 – Mississippi NAACP State Conference Luncheon, Jackson, Mississippi.

February 28, 2008 – Sixth Judicial Circuit Drug Court Graduation, Natchez, Mississippi.

February 18, 2008 – University of Toledo Martin Luther King Scholarship Dinner and Student Luncheon, Toledo, Ohio.

February 1, 2008 – Beth Israel Temple Social Justice / Tikkun Olam Sabbath, Jackson, Mississippi.

January 19, 2008 – Joshua Project Martin Luther King Gala, Columbus, Mississippi.

2007

Man to Man Breakfast, Clinton Jr. High School, Clinton, Mississippi, November 8, 2007

Legal Services Check Presentation, Jackson, Mississippi, October 28, 2007

Wells Grove Missionary Baptist Church 110th Anniversary, Clinton, Mississippi, October 28, 2007

Adams County School District Teachers Professional Development, Natchez, Mississippi, October 25, 2007

NAACP Clinton Branch, Jackson, Mississippi, October 19, 2007

Mississippi Arts Commission Halbrook Awards Banquet, Jackson, Mississippi, October 7, 2007

GEAR UP Birmingham, Birmingham, Alabama, August 8, 2007

Canton Public School District Opening Convocation, Canton, Mississippi, August 6, 2007

William Carey University Summer Commencement, Hattiesburg, Mississippi, August 4, 2007

Tipton County Board of Education Teachers In-Service, Brighton, Tennessee, August 3, 2007

Leflore County School District Opening Convocation, Greenwood, Mississippi, August 1, 2007

Rotary Club of West Jackson, Jackson, Mississippi, July 31, 2007

Alliance of Prison Ministries Organizations and Affiliates Annual Convention Awards Banquet, Downers Grove, Illinois, July 28, 2007

New Heights Seventh Day Adventist Community Guest Day, Jackson, Mississippi, May 26, 2007

Syracuse University College of Law Spring Commencement, Syracuse, New York, May 20, 2007

Florida School Nutrition Association, Orlando, Florida, May 4, 2007

Moss Point – Jackson County NAACP Freedom Fund Awards Banquet, Biloxi, Mississippi, April 27, 2007

S.V. Marshall High School Scholarship Banquet, Lexington, Mississippi, March 2, 2007

Georgia Legislative Black Caucus Heritage Dinner, Atlanta, Georgia, February 19, 2007

J.D. Empowerment Day, Baton Rouge, Louisiana, February 24, 2007

Perry Burroughs Democratic Women's Club Black History Month Brunch, Toledo, Ohio, February 17, 2007

**Wayne County High School Black History Program, Waynesboro, Mississippi,
February 14, 2007**

**Mt. Matthew Missionary Baptist Church Black History Program, Jackson, Mississippi,
February 4, 2007**

**St. Andrew's Episcopal School Martin Luther King Program, Ridgeland, Mississippi,
January 16, 2007**

**Medgar Evers / Martin Luther King Day Ceremony, Decatur, Mississippi, January 15,
2007**

Mississippi Association of County Administrators, January 9, 2007

Judge Veldore Young Investiture, January 3, 2007

2006

HBCU-ETS Summit, Jackson, Mississippi, December 4, 2006

Rotary Club of Greenwood, Greenwood, Mississippi, December 4, 2006

100 Black Men of Memphis Black Tie Gala, Memphis, Tennessee, December 1, 2006

**Presenter, "Election v. Appointment: Rethinking the Judicial Selection Process, the
Constitution and Judicial Independence," Delta State University, Itta Bena, Mississippi,
November 28, 2006**

AIM-IRS 2006 Southeast Regional Fall Conference, Jackson, Mississippi, October 21, 2006

**Presenter, Department of Health and Human Services Office of Civil Rights, "Eliminating
Health Disparities in Mississippi: Diabetes and Obesity," Jackson, Mississippi, October 20,
2006**

**International Reading Association Southeastern Regional Conference, Mobile, Alabama,
October 16, 2006**

100 Black Men of Jackson Scholarship Banquet, Jackson, Mississippi, October 7, 2006

Watkins Elementary School Parents Conference, Jackson, Mississippi, September 21, 2006

National Forum for Black Public Administrators, Atlanta, Georgia, September 20, 2006

Tipton County School District, Covington, Tennessee, September 16, 2006

Hattiesburg School District Opening Convocation, Hattiesburg, Mississippi, August 7, 2006

Jackson Public Schools Opening Convocation, Jackson, Mississippi August 3, 2006

McComb High School Professional Development, McComb, Mississippi, August 2, 2006

Jackson State University Executive Ph.D. Program Lecture, "The Constitution and Judicial Independence," Jackson, Mississippi, July 13, 2006

Southeast Regional Civil Rights Training Conference, Jackson, Mississippi, July 11, 2006

New Hope Baptist Church Men's Day Service, Jackson, Mississippi, June 25, 2006

Hinds County Bar Association Luncheon, Jackson, Mississippi, June 20, 2006

Presenter, "We the People" Lecture Series, Mississippi State University, June 20, 2006

Mississippi Coalition, "Putting Victims First," Philadelphia, Mississippi, June 2, 2006

Alcorn State University National Alumni Association, Birmingham, Alabama, June 2, 2006

Southern Minority Leadership Conference, Tunica, Mississippi, May 30, 2006

Rosa Fort High School Spring Commencement, Tunica, Mississippi, May 28, 2006

Northwest Rankin High School Commencement, Brandon, Mississippi, May, 23, 2006

Mississippi State University at Meridian Spring Commencement, Meridian, Mississippi, May 12, 2006

Mayor's Prayer Breakfast, Hattiesburg, Mississippi, May 4, 2006

Boys and Girls Club, Batesville, Mississippi, April 6, 2006

Brandon High School Black History Program, Brandon, Mississippi, February 27, 2006

Hope Springs Missionary Baptist Church Black History Program, Jackson, Mississippi, February 26, 2006

2005

Sunflower / Humphreys Counties Head Start Program, December 16, 2005

Gate City Bar Association, "The Judiciary and the Role of Judges," Atlanta, Georgia, December 2, 2005

Mt. Pisgah Missionary Baptist Church, Memphis, Tennessee, November 20, 2005

Guest Speaker, Belhaven College Chapel Service, Jackson, Mississippi, November 15, 2005

Judge William H. Keady Lecture, "The Constitution and Judicial Independence," Jackson, Mississippi, October 24, 2005

Panelist, "Bench Press: The collision of Media, Politics, Public Pressure, and an Independent Judiciary." Washington, D.C., October, 2005.

Bolivar County D.M. Smith Middle School, Cleveland, Mississippi, September 8, 2005

Mississippi Juvenile Justice Conference, Biloxi, Mississippi, August 4, 2005

Leon County School District Opening Convocation, Tallahassee, Florida, August 3, 2005

Jim Hill High School 1970 Class Reunion, Jackson, Mississippi, July 9, 2005

Sumner Hill High School Class Reunion, Jackson, Mississippi, July 2, 2005

National Judges Association, Biloxi, Mississippi, June 30, 2005

Fannin Missionary Baptist Church, Fannin, Mississippi, June 12, 2005

Ruleville Central High School Spring Commencement, Ruleville, Mississippi, May 21, 2005

Meridian Community College Spring Commencement, Meridian, Mississippi, May 16, 2005

Keynote, International Reading Association, San Antonio, Texas, May 4, 2005

Louisiana GEAR UP Explorers Clubs, Ruston, Louisiana, April 22, 2005

Gulf Coast Fair Housing Conference, Gulfport, Mississippi, April 21, 2005

Presenter, "Mississippi Judicial System," Millsaps College, Jackson, Mississippi, March 4, 2005

Woodman Hill Missionary Baptist Church Black History Program, February 27, 2005

Rock Star Baptist Church Black History Program, February 27, 2005

Cassie Pennington Jr. High School, "Citizenship, Scholarship, Sportsmanship," Indianola, Mississippi, February 23, 2005

Perry Burroughs Democratic Women's Club Black History Month Brunch, Toledo, Ohio, February 19, 2005

Ridgeland High School, "Citizenship, Scholarship, Sportsmanship," Ridgeland, Mississippi, February 15, 2005

100 Black Men Families and Mentors Conference, Hardy Middle School, Jackson, Mississippi, February 12, 2005

8th Annual Mississippi Youth Service Summit, February 10, 2005

Black History Month Program, Crystal Springs Middle School, Crystal Springs, Mississippi, February 6, 2005

Black History Month Program, Central Elementary School, Gulfport, Mississippi, February 4, 2005

John Hopkins Elementary School Fathers & Sons Breakfast, Jackson, Mississippi, February 3, 2005

Simpson County NAACP, Mendenhall, Mississippi, January 17, 2005

Mississippi Museum of Art Martin Luther King Day Program, Jackson, Mississippi, January 17, 2005

Claiborne County NAACP Martin Luther King Program, Port Gibson, Mississippi, January 17, 2005

2004

Keynote, NAACP Banquet, DeKalb County, Mississippi, October 23, 2004

Guest Speaker, Springhill Association Meeting, Florence, Mississippi, October 9, 2004

Candidate Forum, State Farm Legislative Outreach, Flowood, Mississippi, October 6, 2004

Keynote, Mount Zion Missionary Baptist Church Mens Day, Benton, Mississippi, October 3, 2004

Guest Speaker, Fourth Annual Fannie Lou Hamer Celebration, Cleveland, Mississippi, October 2, 2004

Candidate Forum, Blacks in Government / Deltas Candidates Forum, Vicksburg, Mississippi, October 1, 2004

Guest Speaker, Jackson Junior League “Girls Night Out,” Jackson, Mississippi, September 28, 2004

Candidate Forum, Central Mississippi Medical Center Political Forum, Jackson, Mississippi, September 23, 2004

Guest Speaker, Mississippi College School of Law Christian Legal Society, Jackson, Mississippi, September 21, 2004

Guest Speaker, Southern Union Conference of Seventh Day Adventists, Brunswick, Georgia, September 17, 2004

Guest Speaker, Greenville Kiwanis Club, Greenville, Mississippi, September 14, 2004

Keynote Speaker, Kemper County High School Assembly, Dekalb, Mississippi, September 13, 2004

Keynote, White Star Missionary Baptist Church, Belzoni, Mississippi, September 12, 2004

Guest Speaker, AFL-CIO Picnic, Jackson, Mississippi, September 6, 2004

Guest Speaker, Warren County Bar Association, Vicksburg, Mississippi, August 30, 2004

Presenter, Canton Gospel Awards Show, Canton, Mississippi, August 29, 2004

Keynote, Mississippi Valley State University Faculty & Staff Luncheon, Itta Bena, Mississippi, August 16, 2004

Virginia College Commencement, Jackson, Mississippi, August 14, 2004

Annual Pre-Service Training For Hinds County Head Start, Jackson, Mississippi, August 2, 2004

Guest Speaker, Metcalfe Youth Mass Choir Anniversary Banquet, Greenville, Mississippi, July 30, 2004

Political Speech, Neshoba County Fair, Philadelphia, Mississippi, July 29, 2004

Guest Speaker, Jackson Medical Mall Officer Appreciation & Crime Prevention Luncheon, Jackson, Mississippi, July 22, 2004

Presenter, Legal Services Check Presentation, Jackson, Mississippi, July 21, 2004

Guest Speaker, General Assembly of Baptists, Jackson, Mississippi, July 19, 2004

Keynote, Holmes County NAACP Banquet, Lexington, Mississippi, July 16, 2004

Keynote, Greater Ross Chapel Youth Program, Gluckstadt, Mississippi, July 11, 2004

Mississippi NAACP Banquet, Jackson, Mississippi, July 4, 2004

Keynote, Tchula Town Hall, Tchula, Mississippi, July 2, 2004

Guest Speaker, Municipal League Conference, Biloxi, Mississippi, June 28, 2004

Keynote, Port Gibson Town Hall Meeting, Port Gibson, Mississippi, June 26, 2004

Keynote, Lighthouse Outreach Youth Drug Rally, Jackson, Mississippi, June 26, 2004

Guest Speaker, Madison Stewpot, Madison, Mississippi, June 25, 2004

Guest Speaker, Drug Court Graduation, Greenville, Mississippi, June 24, 2004

Luncheon Speaker, Central / Southwest Mississippi Legal Services Conference, Biloxi, Mississippi, June 22, 2004

Keynote, St. James Vacation Bible School, Hazlehurst, Mississippi, June 21, 2004

Guest Speaker, Cade's Chapel Church Men's Day, Jackson, Mississippi, June 20, 2004

Guest Speaker, Philadelphia Civil Rights Workers Memorial, Philadelphia, Mississippi, June 20, 2004

Keynote, Noxubee County Courthouse Address, Macon, Mississippi, June 19, 2004

Keynote, Jackson Young Lawyers Luncheon, Jackson, Mississippi, June 18, 2004

Guest Speaker, AFL-CIO 22nd Annual Convention, Jackson, Mississippi, June 16, 2004

Keynote, Antonelli College Commencement, Jackson, Mississippi, June 15, 2004

Lecturer, Mississippi State University "We The People," Starkville, Mississippi, June 9, 2004

Guest Speaker, Mississippi Board of Education MEGA Conference, Biloxi, Mississippi, June 7, 2004

Guest Speaker, Boy's State, Wesson, Mississippi, June 2, 2004

Guest Speaker, Investiture Of Chief Judge Leslie King, Jackson, Mississippi, June 1, 2004

Keynote, Siwell Middle School Commencement, Jackson, Mississippi, May 21, 2004

Keynote, East Side High School Commencement, Cleveland, Mississippi, May 20, 2004

Keynote, Port Gibson Middle School Graduation, Port Gibson, Mississippi, May 20, 2004

Guest Speaker, American Association of Blacks in Energy, Jackson, Mississippi, May 19, 2004

Guest Speaker, Prentiss High School Graduation, Prentiss, Mississippi, May 16, 2004

Keynote, Mississippi College School of Law School Senior Banquet, Jackson, Mississippi, May 13, 2004

Guest Speaker, Hattiesburg Police Memorial Service, Hattiesburg, Mississippi, May 12, 2004

Guest Speaker, Mississippi Department of Education Conference, Jackson, Mississippi, May 7, 2004

Guest Speaker, Ruleville High School Career Day, Ruleville, Mississippi, May 7, 2004

Guest Speaker, Provine High School Annual Academic Ceremony, Jackson, Mississippi, May 5, 2004

Panelist, Magnolia Bar Association Conference, Biloxi, Mississippi, April 29, 2004

Guest Speaker, Rotary Club of Jackson, Jackson, Mississippi, April 26, 2004

Guest Speaker, Truelight Baptist Church Men's Day Program, Jackson, Mississippi, April 25, 2004

Guest Speaker, 2004 Crime Victims Week, Gulfport, Mississippi, April 20, 2004

Keynote, Hinds County Head Start Parents Banquet, Jackson, Mississippi, April 15, 2004

Guest Speaker, Madison Middle School 8th Grade Assembly, Madison, Mississippi, April 14, 2004

Keynote, NOT HERE Foundation Youth Leadership Seminar, Jackson, Mississippi, April 13, 2004

Keynote, Simpson Central School, Pinola, Mississippi, April 5, 2004

Guest Speaker, Truelight Baptist Men's Day, Jackson, Mississippi, April 4, 2004

Guest Speaker, Hinds Community College "Mississippi and the Arts Week," Raymond, Mississippi, April 2, 2004

Guest Speaker, Youth Crime Watch Rally, Clinton, Mississippi, April 1, 2004

Keynote, Greater Hinds Street Baptist Men's Day, Greenville, Mississippi, March 28, 2004

Keynote, Society Ridge Baptist Church Spring Prom Conference, Pochontas, Mississippi, March 27, 2004

Celebrity Juror, Magnolia Bar Mock Trial Competition, Jackson, Mississippi, March 27, 2004

Keynote, Central Elementary Black History Assembly, Gulfport, Mississippi, February 27, 2004

Keynote, Chevron Texaco's "Black History Awareness Celebration," Pascagoula, Mississippi, February 26, 2004

Keynote, Pennington Jr. High School, Black History Month Program, Indianola, Mississippi, February 25, 2004

Keynote, Forest Hill High School, Black History Program, Jackson, Mississippi, February 24, 2004

Presenter, Mississippi Trial Lawyers Association "Daubert From A Judicial Standpoint," Jackson, Mississippi, February 24, 2004

Keynote, "Brown vs. Board of Education Anniversary," U.S.D.A. Facility , Stoneville, Mississippi, February 23, 2004

Guest Speaker, St. Luke's Presbyterian Church Black History Program, Jackson, Mississippi, February 22, 2004

Guest Speaker, New Travelers Rest Missionary Baptist Church Black History Program, Jackson, Mississippi, February 15, 2004

Guest Speaker, Mount Zion Baptist Church Black History Program, Canton, Mississippi, February 15, 2004

Guest Speaker, Priestley Chapel Baptist Church Black Hist. Program, Canton, Mississippi, February 8, 2004

Keynote, "Take Flight" Awards Banquet, Mississippi Valley State University, Greenville, Mississippi, February 7, 2004

Keynote, Pearl Street A.M.E. Church Scholarship Banquet, Jackson, Mississippi, February 6, 2004

Guest Speaker, West Oktibbeha County High School, Maben, Mississippi, February 3, 2004

**Keynote, Jackson Public Schools Just For Dads Conference, Jackson, Mississippi,
January 29, 2004**

Presenter, Haley Barbour Inaugural Lecture on Civic Virtue, Mississippi Humanities Council,
Jackson, Mississippi, January 12, 2004

2003

Mississippi Center For Justice Event with Henry Kirksey & Mike Moore, Jackson, Mississippi,
November 18, 2003

Spann Elementary School, Jackson, Mississippi, November 18, 2003

Mississippi College School of Law Moot Court Competition, Jackson, Mississippi,
November 10, 2003

NAACP Annual Banquet "Having Our Say, Telling The Truth," Hazlehurst, Mississippi,
November 8, 2003

Forest Hill High School, Spanish I, Jackson, Mississippi, October 27, 2003

Mississippi Council for the Social Studies Fall Conference, Greenwood, Mississippi,
October 24, 2003

Presenter, "Cameras in the Courtroom," Trial Judges, Prosecutors, Journalists, and Court
Administrators Conferences, 2003

Vicksburg Rotary Luncheon, Vicksburg, Mississippi, October 16, 2003

Seminar In State Government, Politics and Criminal Justice, Jackson State University, Jackson,
Mississippi, October 9, 2003

Greenville High School, Greenville, Mississippi, October 7, 2003

Mississippi Association of Professionals In Corrections, Gulfport, Mississippi,
September 18, 2003

Memorial Service, Mississippi Supreme Court Staff, Jackson, Mississippi, September 11, 2003

Civitas Exchange, Budapest, Hungary, August 31, 2003

Teamsters National Black Caucus, Jackson, Mississippi, August 23, 2003

Mississippi Trial Lawyers Association "Changes In The Legal Profession" Seminar, Biloxi,
Mississippi, August 22, 2003

Hazlehurst High School, Hazlehurst, Mississippi, August 5, 2003

Mississippi Department of Education, Management Information Systems Motivational Speech, Biloxi, Mississippi, July 28, 2003

New Judges Seminar, Jackson, Mississippi, July 17, 2003

Presenter, "We The People" Lecture on the U.S. Constitution, Mississippi State University, June 18, 2003

Farish Street Baptist Church Father's Day Service, Jackson, Mississippi, June 16, 2003

Blacks In Government Juneteenth Day Celebration, Vicksburg, Mississippi, June 14, 2003

A.S.I. Luncheon, Huntsville, Alabama, June 7, 2003

Mississippi Department of Education Conference, "Leadership In The 21st Century," Biloxi, Mississippi, June 5, 2003

Northwest Rankin Graduation, Jackson, Mississippi, May 27, 2003

Timberlawn Elementary School Promotion Day, Jackson, Mississippi, May 22, 2003

Mccomb High School Positive Incentive Program, Mccomb, Mississippi, May 16, 2003

Jury Selection in Mississippi, Jackson, Mississippi, April 30, 2003

Mississippi Judicial College Spring Conference, "Courts And The Media," Gulfport, Mississippi, April 24, 2003

Not Here Foundation "Growing Tomorrow's Leaders Today," Jackson, Mississippi, April 22, 2003

Ole Miss National Remote Sensing and Space Law Center "Technology In The Courthouse," Oxford, Mississippi, April 16, 2003

Illinois Association of Prison Ministries, Hyde Park Seventh Day Adventist Prison Ministry Day, Chicago, Illinois, April 12, 2003

"Protecting The Civil Rights Of The Elderly," Mississippi Association of Planning and Development Districts, Biloxi, Mississippi, April 9, 2003

Chastain Middle School, "Parent Involvement," Jackson, Mississippi, April 5, 2003

YMCA 23rd Annual Youth Assembly Conference, Jackson, Mississippi, April 4, 2003

Jim Hill High School Athletic Banquet, Jackson, Mississippi, April 3, 2003

Biloxi High School Social Studies Department assembly, "Pride In State," Biloxi, Mississippi, April 1, 2003

Men Of Excellence, University of Southern Mississippi, Hattiesburg, Mississippi, April 1, 2003

Mississippi Coalition Against Sexual Assault, Jackson, Mississippi, March 27, 2003

Pleasant Green Baptist Church Men's Day Program, Clinton, Mississippi, March 23, 2003

Eliathah Seventh Day Adventist Church, Tamarac, Florida, March 15, 2003

Forum/Lecture, Syracuse University College Of Law, Jurist-In-Residence, Syracuse, New York, March 5, 2003

Stanford Law School "Politicizing The Judiciary," Stanford, California, February 25, 2003

Overstreet Elementary School, Starkville, Mississippi, February 25, 2003

Missionary Union Baptist Church Black History Program, February 23, 2003

Alcorn State University Black History Month Program, Lorman, Mississippi, February 20, 2003

Clinton Jr. High School, "Black History Month," Clinton, Mississippi, February 19, 2003

Mississippi Judicial College, Chancery Court Clerks Seminar, Jackson, Mississippi, February 18, 2003

Lizzie Coleman Middle School, Progressive Art & Civic Club "Lizzie Coleman Day," Greenville, Mississippi, February 16, 2003

Simmons High School, Hollandale, Mississippi, February 13, 2003

Jackson State University "Leadership By Examples," Jackson, Mississippi, January 28, 2003

Millsaps College Mentor Orientation, Jackson, Mississippi, January 21, 2003

Mount Bethel Baptist Church Martin Luther King, Jr. Convocation, Greenville, Mississippi, January 20, 2003

Vicksburg Alpha Phi Alpha - Martin Luther King, Jr. Program, Vicksburg, Mississippi, January 20, 2003

Greenville 100 Black Men Martin Luther King, Jr. Program, Greenville, Mississippi, January 20, 2003

Hanson Place Seventh Day Adventist Church, Brooklyn, New York, January 18, 2003

Siwell Middle School, International Baccalaureate Program, Jackson, Mississippi, January 15, 2003

Tougaloo College Martin Luther King, Jr. Program, Jackson, Mississippi, January 15, 2003

Jack And Jill Of America Founder's Day Program, Jackson, Mississippi, January 12, 2003

· Louis C. Westerfield Judicial Symposium, Jackson, Mississippi, January 10, 2003

2002

Jackson County Youth Court / Rotary Club "Face to Face," Pascagoula, Mississippi, December 18, 2002

100 Black Women, Inc. , Jackson, Mississippi, November 30, 2002

Panelist, "Courtroom Etiquette and Decorum," Magnolia Bar Association Fall CLE, Jackson, Mississippi, November 22, 2002

Moot Court Competition, Mississippi College, Jackson, Mississippi, November 18, 2002

Career Development Center, Jackson, Mississippi, November 7, 2002

North Jackson Exchange Club, Jackson, Mississippi, November 4, 2002

Illinois Association of Prison Ministries Annual Awards Banquet, Chicago, Illinois, October 20, 2002

"Youth On Fire 2002," Ephesus Seventh Day Adventist Church, Birmingham, Alabama, October 19, 2002

Mississippi Attorney General's Conference On Domestic Violence, Jackson, Mississippi, September 30, 2002

College Hill Baptist Church, Jackson, Mississippi, September 18, 2002

100 Black Men Inaugural Brunch, Washington, D.C., September 14, 2002

Adventist Risk Management, "Your Day In Court – Settle In Or Settle Out," Miami, Florida, September 9, 2002

Division of Family Services Partnership, "United We Stand," Biloxi, Mississippi, August 22, 2002

ABA Annual Meeting, Judicial Branch Bar and Bench Program, Washington, DC, August 11, 2002

Jackson State University Summer Commencement Address, Jackson, Mississippi, August 3, 2002

New Mount Zion Men's Conference, Jackson, Mississippi, July 19, 2002

Alcohol and Drug Free Conference, Crystal Springs, Mississippi, July 18, 2002

New Zion Baptist Church, Jackson, Mississippi, June 15, 2002

Mississippi American Legion Boys State 2002, Cleveland, Mississippi, June 13, 2002

Panelist, Courtroom Etiquette and Decorum, Jackson Young Lawyers Conference, Biloxi, Mississippi, June 6, 2002

Millsaps College Commencement Address, Jackson, Mississippi, May 11, 2002

Central United Methodist Church, Men's Day Program, Jackson, Mississippi, April 28, 2002

Millsaps Pre-Med Alumni Banquet, Jackson, Mississippi, April 27, 2002

Lauderdale County Bar Association, Meridian, Mississippi, April 26, 2002

Mississippi Economic Council STAR Student Program, Mississippi College, Clinton, Mississippi, April 26, 2002

Lexington Elementary School P.T.S.A. Banquet, Lexington, Mississippi, April 25, 2002

Mississippi Judicial College Spring Conference For Court Administrators, Bay St. Louis, Mississippi, April 25, 2002

Youth Crime Watch Rally, Jackson, Mississippi, April 19, 2002

Hinds Community College Utica Campus Honors And Awards Day Program, Utica, Mississippi, April 10, 2002

National Drug Court Month, Drug Court Graduation, Jackson, Mississippi, April 8, 2002

University of Mississippi Black Law Students Association Banquet, Oxford, Mississippi, March 23, 2002

Mississippi Association of Educators Humanized Education Award Recipient, Jackson, Mississippi, March 11, 2002

Missionary Union Baptist Church, Black History Program, Columbus, Mississippi, February 23, 2002

2002 ABA Mid-year Meeting, Philadelphia, Pennsylvania, January 30, 2002

Panelist, Courtroom Etiquette and Decorum, Magnolia Bar Association Mid-Winter Banquet, Jackson, Mississippi, January, 2002

Speaker, Diversity in the Workplace, United States Department of Agriculture, 2002

2001

14th Circuit Drug Court Graduation, Brookhaven, Mississippi, December 17, 2001

True Light Community Center, Walnut Grove, Mississippi, December 8, 2001

Investiture of Mississippi Supreme Court Justice James Graves, November 15, 2001

YMCA Youth Governor's Breakfast, Jackson, Mississippi, November 9, 2001

New Heights Men's Day Program, Jackson, Mississippi, August 11, 2001

Digital Discovery, A Fred Friendly Seminar hosted by Law Professor, Charles Nesson, University of Mississippi Law, Center, 2001

2000

Capital Area Student Council Workshop, Mississippi College Office of Continuing Education, Clinton, Mississippi, October 25, 2000

Mississippi Legal Services State Conference, Jackson, Mississippi, June 17, 2000

Blacks In Energy Scholarship Banquet, Jackson, Mississippi, May 11, 2000

Presenter, Technology in the Courtroom, Mississippi Trial Lawyers Association, Biloxi, Mississippi, 2000

Presenter, Technology in the Courtroom, Mississippi Judicial College, Jackson, Mississippi, 2000

Presenter, Insurance Litigation, Mississippi Trial Lawyers Association, Jackson, Mississippi, 2000

Presenter, Technology in the Courtroom, American Trial Lawyers Association, San Juan, Puerto Rico, 2000

1999 & earlier

Seven Springs United Methodist Church Lock-In, Raymond, Mississippi, July 30, 1999

Volunteer Law Project, Jackson, Mississippi, July 23, 1999

Mount Olive Church, Bolton, Mississippi, June 20, 1999

New Heights Seventh Day Adventist Church Graduation Program, Jackson, Mississippi, May 22, 1999

Presenter, Technology in the Courtroom, Hinds County Bar Association, Jackson, Mississippi, April 7, 1999

New Heights Seventh Day Adventist Church Career Day, Jackson, Mississippi, March 28, 1999

St. Peters Missionary Baptist Church, Utica, Mississippi, March 24, 1999

Martin Luther King Dedication, Biloxi, Mississippi, January 1, 1999

Presenter, Improving Trial Skills, Mississippi Trial Lawyers Association, Jackson, Mississippi, 1998

Presenter, Workshop on Re-Inventing Government, 100 Black Men of America, New Orleans, Louisiana, 1998

Judge, "We the People" Competition, Washington, D.C., 1997, 1998

Presenter, Workshop on Violence Prevention Strategies, Congressional Black Caucus Foundation, Washington, D.C., 1994, 1995, 1996 and 1997

Speaker, Safe Schools Rally, Alton, Illinois, 1996

Presenter, Mississippi Department of Public Safety, Workshop on Domestic Violence, Jackson, Mississippi, 1996

Presenter, Ethics for Lawyers, Magnolia Bar Association, Jackson, Mississippi, 1996

Westside Community Center, "Empowerment Through Awareness," February 11, 1995

Federal Employees, "Booker T. Washington," Jackson, Mississippi, February 16, 1995

Presenter, “Community Involvement,” Central Mississippi Chapter of Bank Administration Institute, Jackson, Mississippi, February 16, 1995

Guest speaker, Men’s Day Program, Faith Presbyterian Church, October 29, 1995

Presenter, Mississippi Bar Association, Jackson, Mississippi, 1995

Presenter, Anti-Violence Seminar (Domestic Violence), NAFEO, Washington, D.C., 1995

Speaker, Youth Crime Summit, City of Jackson, Mississippi, 1995

Presenter, Ethics for Lawyers, American Trial Lawyers Association, Maui, Hawaii, 1995

Presenter, Ethics for Lawyers, Mississippi Trial Lawyers Association, Jackson, Mississippi, 1995

Presenter, Improving the Effectiveness of Counsel: A Perspective from the Bench, American Trial Lawyers Association, New York, New York, 1995

Presenter, Southern Regional Victim Assistance Conference, New Orleans, Louisiana, 1995

Presenter, Violence Prevention Workshop, National Conference on Strategies by Historically Black Colleges and Universities to Prevent Violence in African-American Communities, Charleston, South Carolina, 1994

Presenter, Magnolia Bar Association, Views from the Bench, Biloxi, Mississippi, 1994

Presenter, 100 Black Men of America National Convention, Workshop on Violence Prevention Strategies, Nashville, Tennessee, 1994

Guest speaker, “The Whole Duty of Man,” Greater Mt. Calvary Church, Jackson, Mississippi, June 18, 1994

Guest speaker, Greater Allen Temple A.M.E. Church, Jackson, Mississippi, November 20, 1994

US Department of Justice, Bureau of Justice Assistance Developing and Implementing Anti-stalking Codes, Central Regional Seminar, Chicago, IL, October 27 – 28, 1994

Guest speaker, Pathfinder’s Day, Riverside Seventh Day Adventist Church, Nashville, Tennessee, September 11, 1993

- e. List all interviews you have given to newspapers, magazines or other publications, or radio or television stations, providing the dates of these interviews and four (4) copies of the clips or transcripts of these interviews where they are available to you.

Items listed in **bold** are included in attachment. No clips or transcripts available for all others.

“May It Please the Court,” Jackson Young Lawyers, Summer Issue, 2009.

Hinds County Bar Association Newsletter, Aug. 2009.

Marilyn Tinnin, “Renaissance Man,” Metro Christian Living, Sep. 2006.

Audrey Stovall, Roy Brown, “James Graves: Dialogue with a Supreme Court Judge in Mississippi,” College and University Dialogue, 2006.

“Five Questions with James Graves,” Magnolia Report, 2005.

Kevin Chappell, Scotty Ballard, Clarence Waldron, “Katrina Aftermath,” Jet, September 26, 2005.

“Graves Wins High Court Runoff,” Clarion Ledger, Nov. 17, 2004

Casey Parks, “The JFP Interview Justice James Graves,” Jackson Free Press, Oct. 21, 2004.

Midday Mississippi, WLBT, Aug. 6 2004.

Editorial Board Interview, Clarion Ledger, June 28, 2004

Statewide Live, “Cameras in the Courtroom,” A Panel Discussion, Mississippi Educational Television, 2003

“Trading Democracy,” Bill Moyers Reports, PBS, 2002.

Statewide Live, “Government in Mississippi,” A Panel Discussion, Mississippi Educational Television, 2002

A Black History Month promotional honoring Dr. Martin Luther King, 2002, Local UPN Affiliate

Judges and Journalists, A Fred Friendly Seminar hosted by Harvard Law Professor, Arthur Miller, Public Television, 2000

The Public Affairs Office at the Mississippi Supreme Court periodically prepared press releases which contained quotes from me. Those that could be located are listed below and attached:

“Justice Graves Receives Public Service Award,” June 26, 2009.

“Justice Graves to Unveil Blues Trail Marker at Piney Woods School,” Aug., 26, 2008.

“Justice Graves Will Speak at Gulfport Central Elementary May 9,” May 6, 2008.

“Justice Graves Will Read to Students at Barr Elementary,” Feb. 29, 2008.

“Justices to Present \$193,000 from Civil Legal Assistance Fund,” Oct. 24, 2007.

“Justice Graves to Teach Trial Advocacy at Harvard Law School,” Sep. 14, 2007

“Justice Graves to Deliver Commencement Address at Syracuse University College of Law,” Mar. 30, 2007.

“Supreme Court Justices Read Dr. Seuss,” Mar. 2, 2007.

“Justice Graves Honored by National Conference of Black Mayors,” Apr. 17, 2006.

“Justice Graves Receives 100 Black Men of America Award,” Sep. 29, 2005.

“Hurricane Katrina Judicial Assessment Committee Preliminary Report Issued,” Sep. 15, 2005.

“Justice Graves Speaks to International Reading Association,” May 6, 2005.

“Justice Graves to Teach at Millsaps and Participate in Lovett Elementary Program,” Jan. 14, 2005.

“Justices Present Funds to Assist Civil Representation of the Poor,” July 21, 2004.

“4th Circuit Drug Court Celebrates Graduation,” June 25, 2004.

“Millsaps College Honors Justice Graves with Livesay Service Award,” Feb. 20, 2004

“Justice Graves Discusses Civics Education With Hungarian Officials and Students,” Sep. 10, 2003.

“Supreme Court Justices Visit North Mississippi Rural Legal Services,” July 17, 2003.

“Camera Coverage Allowed in Mississippi Courts,” Apr. 17, 2003.

“Justice Graves Teaches Trial Advocacy at Harvard Law School,” Oct. 2, 2002.

“Media and the Courts Study Committee to Meet Oct. 11 in Meridian,” Sep. 27, 2002

“Study Committee Favors Cameras in Some Trial Court Proceedings,” Dec. 20, 2002.

“Media and the Courts Study Committee to Meet Aug. 30 in Gulfport,” Aug. 19, 2002.

“Media and the Courts Study Committee to Meet Sept. 20 in Greenville,” Aug. 23, 2002.

“Justice Graves Honored for Advancing Public Understanding of the Law,” July 16, 2002.

“Justice Graves to Lecture on Constitution at MSU Program,” June 11, 2002.

“Media and the Courts Study Committee to Meet in Tupelo,” May 31, 2002.

“Graves is Featured Speaker for Black Law Students Association Banquet,” Mar. 31, 2002.

“Public Access Committee Calls for Meetings with Media,” Mar. 19, 2002.

“Graves is Featured Speaker for Black History Programs,” Feb. 15, 2002.

“Justice Graves Will Head Committee to Study Court and Media Issues,” Nov. 29, 2001.

“Justice Graves Pledges to Serve With Honor, Dignity and Integrity,” Nov. 15, 2001.

“Justice Graves Will Spotlight Education at Nov. 15 Investiture,” Nov. 7, 2001.

“Justice James E. Graves Jr. to Address Youth Legislature,” Nov. 7, 2001.

“Winston L. Kdd is Sworn In As Hinds County Circuit Judge,” Nov. 5, 2001.

“Governor Appoints Judges George C. Carlson and James E. Graves Jr. to Supreme Court,” Oct. 29, 2001.

13. **Judicial Office:** State (chronologically) any judicial offices you have held, including positions as an administrative law judge, whether such position was elected or appointed, and a description of the jurisdiction of each such court.

In 1991, I was appointed as a circuit judge of Hinds County. I was elected to that seat in 1991 and re-elected in 1994 and 1998. In 2001, I was appointed to the Mississippi Supreme Court. I was elected to that seat in 2004.

- a. Approximately how many cases have you presided over that have gone to verdict or judgment?

As a circuit judge, I made rulings in hundreds of cases which were finally disposed of by settlement, summary judgment or dismissal for various reasons.

However, as a circuit judge, I presided over approximately 250 cases that proceeded through trial to verdict.

- i. Of these, approximately what percent were:

jury trials? 90%; bench trials 10% [total 100%]

civil proceedings? 75%; criminal proceedings? 25% [total 100%]

- b. Provide citations for all opinions you have written, including concurrences and dissents.

Majority Opinion citations:

Miss. Bar v. DeLaughter, --- So. 3d ----, 2010 WL 2197429 (Miss. June 3, 2010)

Rice v. Merkich, --- So. 3d ----, 2010 WL 1795605 (Miss. May 6, 2010)

Long v. State, --- So. 3d ----, 2010 WL 1795455 (Miss. May 6, 2010)

Prewitt v. City of Oxford, --- So. 3d ---, 2010 WL 1379984 (Miss. April 8, 2010)

Miss. Comm'n on Judicial Performance v. DeLaughter, 29 So. 3d 750 (Miss. 2010)

Barnes v. State, 30 So. 3d 313 (Miss. 2010)

Dialysis Solution, LLC v. Miss. State Dep't of Health, --- So. 3d ---, 2010 WL 548188 (Miss. Feb. 18, 2010)

Miss. Bar v. Burlison, --- So. 3d ---, 2009 WL 4679878 (Miss. Dec. 10, 2009)

Doss v. State, 19 So. 3d 690 (Miss. 2009)

King v. State, 23 So. 3d 1067 (Miss. 2009)

Stuart v. Univ. of Miss. Med. Ctr., 21 So. 3d 544 (Miss. 2009)

Solanki v. Ervin, 21 So. 3d 552 (Miss. 2009)

Edmonds v. Williamson, 13 So. 3d 1283 (Miss. 2009)

Am. States Ins. Co. v. Rogillio, 10 So. 3d 463 (Miss. 2009)

Jordan (ex rel. Est. of Guillotte) v. Delta Health Group, Inc., 5 So. 3d 393 (Miss. 2009)
Byrd v. Simmons, 5 So. 3d 384 (Miss. 2009)
Caldwell v. State, 6 So. 3d 1076 (Miss. 2009)
Eash v. Imperial Palace of Miss., LLC, 4 So. 3d 1042 (Miss. 2009)
Trinity Mission Health & Rehab of Holly Springs, LLC v. Lawrence, 19 So. 3d 647 (Miss. 2009)
Wilson v. Nance, 4 So. 3d 336 (Miss. 2009)
J.C.N.F. v. Stone County Dept. of Human Servs., 996 So. 2d 762 (Miss. 2008)
Wong v. Miss. Bar, 5 So. 3d 369 (Miss. 2008)
Derouen v. State, 994 So. 2d 748 (Miss. 2008)
Univ. Med. Ctr. v. Martin, 994 So. 2d 740 (Miss. 2008)
A.D.R. v. J.L.H., 994 So. 2d 177 (Miss. 2008)
U.S. Fid. & Guar. Co. of Miss. v. Martin, 998 So. 2d 956 (Miss. 2008)
Jordan v. State, 995 So. 2d 94 (Miss. 2008)
In re Enlarging, Extending and Defining the Corporate Limits and Boundaries of the City of Meridian, 992 So. 2d 1113 (Miss. 2008)
Parchman v. Amwood Prods., Inc., 988 So. 2d 346 (Miss. 2008)
McLemore v. Miss. Transp. Comm'n, 992 So. 2d 1107 (Miss. 2008)
In re Hines, 978 So. 2d 1275 (Miss. 2008)
Bishop v. State, 982 So. 2d 371 (Miss. 2008)
Chim v. State, 972 So. 2d 601 (Miss. 2008)
Miss. Bar v. Whitfield, --- So. 2d ---, 2008 WL 161674 (Miss. Jan. 17, 2008)
Pate v. Consec Life Ins. Co., 971 So. 2d 593 (Miss. 2008)
Burleson v. Lathem, 968 So. 2d 930 (Miss. 2007)
Bauhaus USA, Inc. v. Copeland (In re Guardianship of Holmes), 965 So. 2d 662 (Miss. 2007)
Hodgin v. State, 964 So. 2d 492 (Miss. 2007)
Miss. Bar v. Naugle, 968 So. 2d 1266 (Miss. 2007)
Burrows v. State, 961 So. 2d 701 (Miss. 2007)
In re Estate of Holmes, 961 So. 2d 674 (Miss. 2007)
Miss. Comm'n on Judicial Performance v. Roberts, 952 So. 2d 934 (Miss. 2007)
Gatlin v. Sanderson Farms, Inc., 953 So. 2d 220 (Miss. 2007)
Flowers v. State, 947 So. 2d 910 (Miss. 2007)
Brown v. State, 948 So. 2d 405 (Miss. 2006)
Smith v. King, 942 So. 2d 1290 (Miss. 2006)
Edmonds v. Edmonds, 935 So. 2d 980 (Miss. 2006)
Flowers v. State, 2004-DP-00738-SCT, 2006 Miss. LEXIS 356 (Miss. Jun. 29, 2006) (opinion withdrawn and superseded on denial of rehearing)
Bennett v. McCaffrey, 937 So. 2d 11 (Miss. 2006)
J.P.M. v. T.D.M., 932 So. 2d 760 (Miss. 2006)
Aldridge v. West, 929 So. 2d 298 (Miss. 2006)
Johns v. State, 926 So. 2d 188 (Miss. 2006)
Wooten v. Miss. Farm Bureau Ins. Co., 924 So. 2d 519 (Miss. 2006)
Bedford Care Center-Monroe Hall, LLC v. Lewis, 923 So. 2d 998 (Miss. 2006)
Allred v. Fairchild, 916 So. 2d 529 (Miss. 2005)

Wooten v. Miss. Farm Bureau Ins. Co., 2005-CA-00303-SCT and 2003-CA-024560-SCT, 2005 Miss. LEXIS 716 (Miss. Oct. 27, 2005) (opinion withdrawn and superseded on denial of rehearing)
Keener Properties, LLC v. Wilson, 912 So. 2d 954 (Miss. 2005)
Prime Rx, LLC v. McKendree, Inc., 917 So. 2d 791 (Miss. 2005)
Ferrara v. Walters, 919 So. 2d 876 (Miss. 2005)
Yarbrough v. State, 911 So. 2d 951 (Miss. 2005)
Willis v. State, 911 So. 2d 947 (Miss. 2005)
Dycus v. State, 910 So. 2d 1100 (Miss. 2005)
USF & G Ins. Co. of Miss. v. Walls, 911 So. 2d 463 (Miss. 2005)
Chesney v. Chesney, 910 So. 2d 1057 (Miss. 2005)
James v. State, 912 So. 2d 940 (Miss. 2005)
Powers v. Tiebauer, 939 So. 2d 749 (Miss. 2005)
Shaw v. State, 915 So. 2d 442 (Miss. 2005)
Miss. Bar v. Robinson, 918 So. 2d 1264 (Miss. 2005)
Green v. Cleary Water, Sewer & Fire Dist., 910 So. 2d 1022 (Miss. 2005)
Johnson v. State, 904 So. 2d 162 (Miss. 2005)
Stephens v. State, 911 So. 2d 424 (Miss. 2005)
USF & G Ins. Co. of Miss. v. Walls, 2002-IA-00185-SCT, 2005 Miss. LEXIS 326 (Miss. Jun. 9, 2005) (opinion withdrawn and superseded on rehearing)
Mercer v. Moody, 918 So. 2d 664 (Miss. 2005)
Miss. Bar v. Drungole, 913 So. 2d 963 (Miss. 2005)
Tupelo Redevelopment Agency v. Abernathy, 913 So. 2d 278 (Miss. 2005)
Kelly v. State, 910 So. 2d 535 (Miss. 2005)
Price v. State, 898 So. 2d 641 (Miss. 2005)
Manix v. State, 895 So. 2d 167 (Miss. 2005)
Owens v. Mai, 891 So. 2d 220 (Miss. 2005)
Ferguson v. Snell, 905 So. 2d 516 (Miss. 2004)
Phillips v. Phillips, 904 So. 2d 999 (Miss. 2004)
Jenkins v. State, 888 So. 2d 1171 (Miss. 2004)
Rinehart v. State, 883 So. 2d 573 (Miss. 2004)
Noxubee County School Dist. v. United Nat. Ins. Co., 883 So. 2d 1159 (Miss. 2004)
Brooks v. Roberts, 882 So. 2d 229 (Miss. 2004)
Farmland Mut. Ins. Co. v. Scruggs, 886 So. 2d 714 (Miss. 2004)
McIntosh v. Dept. of Human Servs., 886 So. 2d 721 (Miss. 2004)
Perez v. Garden Isle Cmty. Ass'n, 882 So. 2d 217 (Miss. 2004)
Brown v. State, 890 So. 2d 901 (Miss. 2004)
Easley v. Roach, 879 So. 2d 1041 (Miss. 2004)
Janssen Pharmaceutica, Inc. v. Keys, 879 So. 2d 446 (Miss. 2004)
Cooper Tire & Rubber Co. v. McGill, 890 So. 2d 859 (Miss. 2004)
Janssen Pharmaceutica, Inc. v. Scott, 876 So. 2d 306 (Miss. 2004)
Miss. Comm'n on Judicial Performance v. Osborne, 876 So. 2d 324 (Miss. 2004)
Goeldner v. Miss. Bar, 891 So. 2d 130 (Miss. 2004)
Morley v. Jackson Redevelopment Authority, 874 So. 2d 973 (Miss. 2004)
Snow v. State, 875 So. 2d 188 (Miss. 2004)

Town of Prentiss v. Jefferson Davis County, 874 So. 2d 962 (Miss. 2004)
Lane v. Oustalet, 873 So. 2d 92 (Miss. 2004)
Kerr-McGee Corp. v. Maranatha Faith Ctr., Inc., 873 So. 2d 103 (Miss. 2004)
Manning v. State, 884 So. 2d 717 (Miss. 2004)
Willie v. State, 876 So. 2d 278 (Miss. 2004)
Jacobs v. State, 870 So. 2d 1202 (Miss. 2004)
Dycus v. State, 875 So. 2d 140 (Miss. 2004)
In re Estate of Law, 869 So. 2d 1027 (Miss. 2004)
Barbour v. Gunn, 890 So. 2d 843 (Miss. 2004)
Murray v. State, 870 So. 2d 1182 (Miss. 2004)
Miss. Employment Sec. Comm'n v. Marion County Sheriff's Dep't, 865 So. 2d 1153 (Miss. 2004)
Gaines v. K-Mart Corp., 860 So. 2d 1214 (Miss. 2003)
Farm Servs., Inc. v. Oktibbeha County Bd. of Supervisors, 860 So. 2d 804 (Miss. 2003)
Woodell v. Parker, 860 So. 2d 781 (Miss. 2003)
Fairley v. State, 871 So. 2d 1282 (Miss. 2003)
Perkins v. State, 863 So. 2d 47 (Miss. 2003)
Moore v. State, 859 So. 2d 379 (Miss. 2003)
Citizens Ass'n for Responsible Dev., Inc. v. Conrad Yelvington Distribs., Inc., 859 So. 2d 361 (Miss. 2003)
Moore v. Miss. Valley Gas Co., 863 So. 2d 43 (Miss. 2003)
Tew v. Estate of Doe, 859 So. 2d 347 (Miss. 2003)
Perez v. Garden Isle Cmty. Ass'n, 2001-CA-01184-SCT, 2003 Miss. LEXIS 604, (Miss. Nov. 6, 2003) (opinion withdrawn and superseded on denial of rehearing)
Rinehart v. State, 2002-KA-00723-SCT, 2003 Miss. LEXIS 558 (Miss. Oct. 23, 2003) (opinion withdrawn and superseded on denial of rehearing)
Lee v. State, 858 So. 2d 124 (Miss. 2003)
Buchanan v. Ameristar Casino Vicksburg, Inc., 852 So. 2d 25 (Miss. 2003)
Paradise Corp. v. Amerihost Dev., Inc., 848 So. 2d 177 (Miss. 2003)
Meyers v. Miss. Ins. Guar. Ass'n, 883 So. 2d 10 (Miss. 2003)
Miss. Comm'n on Judicial Performance v. Blakeney, 848 So. 2d 824 (Miss. 2003)
Missala Marine Servs., Inc. v. Odom, 861 So. 2d 290 (Miss. 2003)
Gordon v. Nat'l States Ins. Co., 851 So. 2d 363 (Miss. 2003)
Kingston v. State, 846 So. 2d 1023 (Miss. 2003)
Miss. Bar v. Shelton, 855 So. 2d 444 (Miss. 2003)
Wise v. Valley Bank, 2000-CT-00443-SCT, 2003 Miss. LEXIS 231 (Miss. May 15, 2003) (opinion withdrawn and superseded on rehearing)
Rosenthal v. State, 844 So. 2d 1156 (Miss. 2003)
Wells v. State, 849 So. 2d 1231 (Miss. 2003)
Webb v. DeSoto County, 843 So. 2d 682 (Miss. 2003)
Pub. Employees' Ret. Sys. v. Dearman, 846 So. 2d 1014 (Miss. 2003)
Malone v. Leake County Bd. of Supervisors, 841 So. 2d 141 (Miss. 2003)
Barber v. State, 840 So. 2d 100 (Miss. 2003)

Miss. Comm'n on Judicial Performance v. Osborne, 2003-JP-00057, 2003 Miss. LEXIS 748 (Miss. Jan. 30, 2003) (corrected separate statement to order on petition for interim suspension)
Prestridge v. City of Petal, 841 So. 2d 1048 (Miss. 2003)
Clayton v. Harkey, 826 So. 2d 1283 (Miss. 2002)
Hardy v. Brock, 826 So. 2d 71 (Miss. 2002)
Jundoosing v. Jundoosing, 826 So. 2d 85 (Miss. 2002)
Titan Indem. Co. v. Estes, 825 So. 2d 651 (Miss. 2002)
A.B.E., Inc. v. City of Oxford, 830 So. 2d 615 (Miss. 2002)
Jackson HMA, Inc. v. Miss. State Dep't of Health, 822 So. 2d 968 (Miss. 2002)
Rials v. Duckworth, 822 So. 2d 283 (Miss. 2002)
Hensarling v. Hensarling, 824 So. 2d 583 (Miss. 2002)
Brewer v. State, 819 So. 2d 1169 (Miss. 2002)
Walker v. State, 815 So. 2d 1209 (Miss. 2002)
Nguyen v. Miss. Valley Gas Co., 859 So. 2d 971 (Miss. 2002)
Evans v. State, 813 So. 2d 724 (Miss. 2002)
Mitchell v. State, 809 So. 2d 672 (Miss. 2002)
Miss. Bureau of Narcotics v. Stacy, 817 So. 2d 523 (Miss. 2002)
Parker v. Livingston, 817 So. 2d 554 (Miss. 2002)
Miss. Bar v. Turnage, 2001-BD-01202-SCT, 2002 Miss. LEXIS 90 (Miss. Mar. 5, 2002)

Separate Opinion (concurring and dissenting) citations:

Mackey v. State, --- So. 3d ---, 2010 WL 2246303 (Miss. June 7, 2010)
Williams v. State, --- So. 3d ---, 2010 WL 1239538 (Miss. April 1, 2010)
Transocean Enterprise, Inc. v. Ingalls Shipbuilding, Inc., --- So. 3d ---, 2010 WL 817328 (Miss. March 11, 2010)
Abernathy v. State, 30 So. 3d 320 (Miss. 2010)
Bloodgood v. Leatherwood, 25 So. 3d 1047 (Miss. 2010)
Flagstar Bank, FSB v. Danos, 2007-CT-00418-SCT (Miss. Dec. 3, 2009) (separate written objection to order)
City of Laurel v. Williams, 21 So. 3d 1170 (Miss. 2009)
Holmes v. McMillan, 21 So. 3d 614 (Miss. 2009)
Doss v. State, 19 So. 3d 690 (Miss. 2009)
Transocean Enterprise, Inc. v. Ingalls Shipbuilding, Inc., 2008-CA-01823-SCT, 2009 Miss. LEXIS 611 (Miss. Sept. 24, 2009) (opinion withdrawn and superseded on rehearing)
Franklin Corp. v. Tedford, 18 So. 3d 215 (Miss. 2009)
Arceo v. Tolliver, 19 So. 3d 67 (Miss. 2009)
Price v. Clark, 21 So. 3d 509 (Miss. 2009)
Brazzle v. State, 13 So. 3d 810 (Miss. 2009)
Deere & Co. v. First Nat'l Bank of Clarksdale, 12 So. 3d 516 (Miss. 2009)
Bolden v. Williams, 17 So. 3d 1069 (Miss. 2009)
Williams v. Skelton, 6 So. 3d 428 (Miss. 2009)

Covenant Health & Rehab. of Picayune, LP v. Braddock, 14 So. 3d 695 (Miss. 2009)
American Family Life Assur. of Columbus v. Ellison, 4 So. 3d 1049 (Miss. 2009)
City of Jackson v. Spann, 4 So. 3d 1029 (Miss. 2009)
Hinds County School Dist. Bd. of Trustees v. R.B. ex rel D.L.B., 10 So. 3d 387 (Miss. 2008)
Fletcher v. Limeco Corp., 996 So. 2d 773 (Miss. 2008)
Wilbourn v. Equitable Life Assur. Soc. of the U.S., 998 So. 2d 430 (Miss. 2008)
Thomas v. Warden, 999 So. 2d 842 (Miss. 2008)
Derouen v. State, 994 So. 2d 748 (Miss. 2008)
Booker v. State, 5 So. 3d 356 (Miss. 2008)
Causey v. Sanders, 998 So. 2d 393 (Miss. 2008)
Bunton v. King, 995 So. 2d 694 (Miss. 2008)
Huss v. Gayden, 991 So. 2d 162 (Miss. 2008)
Caves v. Yarbrough, 991 So. 2d 142 (Miss. 2008)
James v. Carawan, 995 So. 2d 69 (Miss. 2008)
Williams v. State, 991 So. 2d 593 (Miss. 2008)
Magnolia Healthcare, Inc. v. Barnes, 994 So. 2d 159 (Miss. 2008)
Smith v. State, 986 So. 2d 290 (Miss. 2008)
Finn v. State, 978 So. 2d 1270 (Miss. 2008)
Barbour v. State ex rel Hood, 974 So. 2d 232 (Miss. 2008)
Miss. Comm'n on Jud. Perf. v. Osborne, 977 So. 2d 314 (Miss. 2008)
Miller v. R.B. Wall Oil Co., Inc., 970 So. 2d 127 (Miss. 2007)
Kirk v. Pope, 973 So. 2d 981 (Miss. 2007)
Caves v. Yarbrough, 2006-CA-01857-SCT, 2007 Miss. LEXIS 710 (Miss. Dec. 6, 2007) (opinion withdrawn and superseded on rehearing)
River Region Medical Corp. v. Patterson, 975 So. 2d 205 (Miss. 2007)
Hayden v. State, 972 So. 2d 525 (Miss. 2007)
Prudential Ins. Co. of America v. Stewart, 969 So. 2d 17 (Miss. 2007)
Mariner Health Care, Inc. v. Turner, 964 So. 2d 1138 (Miss. 2007)
Bullock v. Lott, 964 So. 2d 1119 (Miss. 2007)
Century 21 Maselle & Assoc., Inc. v. Smith, 965 So. 2d 1031 (Miss. 2007)
Green v. Allendale Planting Co., 954 So. 2d 1032 (Miss. 2007)
Johnson v. Rao, 952 So. 2d 151 (Miss. 2007)
Garrison v. State, 950 So. 2d 990 (Miss. 2006)
Arceo v. Tolliver, 949 So. 2d 691 (Miss. 2006)
Lift-All Co., Inc. v. Warner, 943 So. 2d 12 (Miss. 2006)
Myers v. City of McComb, 943 So. 2d 1 (Miss. 2006)
Howard v. State, 945 So. 2d 326 (Miss. 2006)
Miss. Comm'n on Jud. Perf. v. Britton, 936 So. 2d 898 (Miss. 2006)
Gannett River States Pub. Co., Inc. v. Entergy Miss., Inc., 940 So. 2d 221 (Miss. 2006)
Arceo v. Tolliver, 2005-IA-00652-SCT, 2006 Miss. LEXIS 385 (Miss. Aug. 3, 2006) (opinion withdrawn and superseded on denial of rehearing)
Era Franchise Systems, Inc. v. Mathis, 931 So. 2d 1278 (Miss. 2006)
Scaggs v. GPCH-GP, Inc., 931 So. 2d 1274 (Miss. 2006)

Irby v. Travis, 935 So. 2d 884 (Miss. 2006)
Davis v. Attorney General, 935 So. 2d 856 (Miss. 2006)
St. Dominic-Madison County Med. Ctr. v. Madison County Med. Ctr., 928 So. 2d 822 (Miss. 2006)
Smith v. State, 925 So. 2d 825 (Miss. 2006)
Hobgood v. State, 926 So. 2d 847 (Miss. 2006)
In re Adoption of Minor Child, 931 So. 2d 566 (Miss. 2006)
Shelter Mut. Ins.Co. v. Dale, 914 So. 2d 698 (Miss. 2005)
St. Dominic-Madison County Med. Ctr. v. Madison County Med. Ctr., 2004-SA-01240-SCT, 2005 Miss. LEXIS 560 (Miss. Sept. 8, 2005) (opinion withdrawn and superseded on rehearing)
Boyd v. Tishomingo County Democratic Executive Comm., 912 So. 2d 124 (Miss. 2005)
Pope v. Brock, 912 So. 2d 935 (Miss. 2005)
Alfa Ins. Corp. v. Ryals, 918 So. 2d 1260 (Miss. 2005)
Quitman County v. State, 910 So. 2d 1032 (Miss. 2005)
Wyeth Laboratories v. James, 918 So. 2d 1243 (Miss. 2005)
Miss. Farm Bureau Mut. Ins. Co. v. Parker, 921 So. 2d 260 (Miss. 2005)
Blailock v. Hubbs, 919 So. 2d 126 (Miss. 2005)
Miss. Comm'n on Jud. Perf. v. Lewis, 913 So. 2d 266 (Miss. 2005)
Miss. Bar v. Lumumba, 912 So. 2d 871 (Miss. 2005)
Wright v. Quesnel, 876 So. 2d 362 (Miss. 2004)
Williamson v. State, 876 So. 2d 353 (Miss. 2004)
Miss. Comm'n on Jud. Perf. v. U.U., 875 So. 2d 1083 (Miss. 2004)
Boddie v. State, 875 So. 2d 180 (Miss. 2004)
Gulley v. State, 870 So. 2d 652 (Miss. 2004)
Janssen Pharmaceutica, Inc. v. Armand, 866 So. 2d 1092 (Miss. 2004)
Howell v. State, 860 So. 2d 704 (Miss. 2003)
Ginn v. State, 860 So. 2d 675 (Miss. 2003)
State v. Oliver, 856 So. 2d 328 (Miss. 2003)
Ray v. Keith, 859 So. 2d 995 (Miss. 2003)
Gannett River States Pub. Corp. v. Jackson Advocate, 856 So. 2d 247 (Miss. 2003)
Venton v. Beckham, 845 So. 2d 676 (Miss. 2003)
Fancher v. Pell, 831 So. 2d 1137 (Miss. 2002)
Rigby v. State, 826 So. 2d 694 (Miss. 2002)
Farmer v. B & G Food Enters., Inc., 818 So. 2d 1154 (Miss. 2002)
Russell v. Miss. Dept. of Corrections, 814 So. 2d 802 (Miss. 2002)
In re Miss. Code of Judicial Conduct, Canon 3(E)(2) (Dissent published 2002-2004 and later removed from publication by internal rule of Mississippi Supreme Court)

I realize that a search of legal databases, including those on websites such as Westlaw and/or Lexis, may produce cases where the Mississippi Supreme Court issued a per curiam affirmance. In those cases, there is no written opinion. Therefore, those cases have not been included.

- c. For each of the 10 most significant cases over which you presided, provide: (1) a capsule summary of the nature the case; (2) the outcome of the case; (3) the name and contact information for counsel who had a significant role in the trial of the case; and (3) the citation of the case (if reported) or the docket number and a copy of the opinion or judgment (if not reported). No opinions or judgments were reported in any trial cases. They were docketed and placed in the court file.

I presided over these cases as a Circuit Court Judge in Hinds County. Copies of the judgments are not readily available. However, I included the appellate citation where applicable for matters that were subsequently appealed.

1. *Smith v. Chevron U.S.A., Inc.*, No. 25196511

Plaintiffs sued defendant Chevron over alleged environmental contamination of their retirement property in connection with a saltwater facility maintained on the land pursuant to a mineral lease by defendant Chevron. Although the jury found Chevron liable for compensatory damages, they could not resolve the issue of punitive damages. The trial judge granted a mistrial regarding punitive damages, but denied a new trial in connection with punitive damages, as Miss. Code §11-1-65 requires the same trier of fact to determine whether to award punitive damages after arriving at compensatory damages, if any. *Chevron U.S.A., Inc. v. Smith*, 844 So. 2d 1145 (Miss. 2002).

Counsel:

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Reuben V. Anderson, Phelps Dunbar, P.O. Box 23066, Jackson, MS 39225 (601) 352-2300

Robert L. Johnson, III, P.O. Box 1678, Natchez, MS 39121 (601) 442-9371
Stuart H. Smith, Smith Stag LLC, 365 Canal Street, Suite 850, New Orleans, LA 70130 (504) 953-9600

2. *Taylor v. East Ford, Inc.*, No. 25100278

Defendant sought to enforce an arbitration agreement when Plaintiff-consumer sued Defendant, a vehicle dealership, alleging that a used vehicle was sold to him as new. The trial court held that the arbitration clause in the adhesive agreement was unconscionable where the clause was in very fine print and there was no discussion of the clause with the Plaintiff-consumer. *East Ford, Inc. v. Taylor*, 826 So. 2d 709 (Miss. 2002).

Counsel:

Brenda B. Bethany, Daniel Coker Horton & Bell, P.O. Box 1084, Jackson, MS 39215 (601) 969-7607

William Liston, III, Liston & Lancaster, P.O. Box 22983, Jackson, MS 39225 (601) 944-0820

3. *IP Timberlands Operating Co. v. Denmiss Corp.*, No. 9065406

Plaintiff sued defendant in connection with a long-term land lease for timber. The trial court held that the “purchase option” of the lease called for appraisers, as opposed to arbitrators, to fix the value of land where contractual provisions indicated the an appraisal

would determine land value, superseding any adherent clause for a panel of three arbiters to determine land value. *IP Timberlands Operating Co. v. Denmiss Corp.*, 726 So. 2d 96 (Miss. 1998).

Counsel:

Charles Clark, Watkins & Eager, P.O. Box 650, Jackson, MS 39205 (601) 948-6470

John Corlew, Bryan Nelson Schroeder, Castigliola & Banahan, P.O. Box 1529,
Pascagoula, MS 39568 (228) 762-6631

Luther T. Munford, Phelps Dunbar, P.O. Box 23066, Jackson, MS 39225 (601) 352-2300

Ross F. Bass, Jr., Phelps Dunbar, P.O. Box 23066, Jackson, MS 39225 (601) 352-2300

4. *Abels v. Puckett*, No. 25195535

Plaintiff inmates filed a complaint alleging that a legislative amendment requiring that 85% of sentence be served was an ex post facto law for those who had committed offenses prior to the effective date of the amendment, but had not yet been sentenced. The trial court held that the amendment was an ex post facto law pursuant to Article I, §10, Clause 1 of the United States Constitution and *Beazell v. Ohio*, 269 U.S. 167 (1925), if applied retroactively, had the effect of increasing punishment beyond what was prescribed when the offenses were committed, by eliminating the possibility of parole that existed prior to passage of the amendment. *Puckett v. Abels*, 684 So. 2d 671 (Miss. 1996).

Counsel:

Joseph A. Goff, Miss. Dept. of Transp., P.O. Box 1850, Jackson, MS 39215 (601) 359-7843

Thomas M. Fortner, 505 W. Vernon Avenue, Phoenix, AZ 85003 (602) 374-5063

5. *Associated Press v. Bost*, No. 917086

When electronic and print media outlets sought permission to photograph and broadcast images from the trial of Byron De Le Beckwith for the murder of civil rights activist Medgar Evers, the Court held that while it favored the use of cameras in the courtroom, the matter of cameras therein was covered by a Mississippi Supreme Court rule which prohibited their use. Hence, the trial court ruled against the media and opined that the sole authority for changing the rule rested with the Mississippi Supreme Court inasmuch as those rules were not inconsistent with the time, place, and manner restrictions on Free Speech in accordance with the First Amendment of the United States Constitution. *Associated Press v. Bost*, 656 So. 2d 113 (Miss. 1995).

Counsel:

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Terryl K. Rushing, U.S. District Court, 245 East Capitol Street, Suite 316, Jackson, MS 39201 (601) 965-4361

James F. Steel, 54 St. Anne's Drive, Hattiesburg, MS 39401 (601) 583-4276

Larry Stroud, Office of Hearings & Appeals, 100 West Capitol Street, Suite 1014,
Jackson, MS 39269 (601) 965-4650

6. *Thomas v. Fordice*, No. 927438

The Court held that the Governor was an “agency” pursuant to Mississippi’s Administrative Procedures Law, and thus was required to give public notice of his plans to adopt a Capacity Assurance Plan to deal with hazardous waste treatment, storage, and disposal. *Fordice v. Thomas*, 649 So. 2d 835 (Miss. 1995)

Counsel:

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(601) 601-968-5500

Trudy D. Fisher, Dept. of Environmental Quality, P.O. Box 2249, Jackson, MS 39225
(601) 961-5000

John C. Henegan, Butler Snow O’Mara Stevens & Cannada, P.O. Box 22567, Jackson,
MS 39225 (601) 985-4530

T. Hunt Cole, Forman Perry Watkins Krutz & Tardy, P.O. Box 22608, Jackson MS
39225 (601) 960-8600

7. *Latham v. Molpus*, No. 25194937

The Court held that a party-endorsed candidate for the State Supreme Court was required to “qualify” pursuant to a newly-enacted statute which declared that judicial elections would be non-partisan. *Latham v. Molpus*, 642 So. 2d 1340 (Miss. 1994).

Counsel:

James D. Bell, Bell Flechas & Gaggini, 318 South State Street, Jackson, MS 39201 (601)
981-9221

Sandra Shelson, The Partnership for a Healthy Miss., 617 Renaissance Way, Suite 210,
Ridgeland, MS 39157 (601) 898-7188

8. *Hobson v. Wilbourn*, 9170092

The Court held that it would be “an unconstitutional disenfranchisement of duly-qualified electors” if affidavit ballots were not counted solely because the “initialing manager” failed to initial the affidavit ballots. The counting of those ballots led the court to declare that the Plaintiff was winner of the election inasmuch the counting of the votes evidenced the will of the people. *Wilbourn v. Hobson*, 608 So. 2d 1187 (Miss. 1992).

Counsel:

Natie P. Caraway (deceased)

John L. Walker, Jr., Walker & Walker, P.O. Box 22849, Jackson, MS 39225 (601) 948-
4589

9. *O’Keefe v. Loewen Group, Inc.*, No. 9167423

Plaintiffs/funeral homes sued Defendants for, *inter alia*, tortious interference with contractual relations, breach of contract, and intentional infliction of emotional distress. After a seven-week trial, the jury found for the Plaintiffs, and awarded four hundred

million dollars in compensatory damages and one hundred million dollars in punitive damages. The court denied post-trial motions for judgment notwithstanding the verdict, and for a new trial. No appeal was taken, and the case was settled.

Counsel:

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Michael Allred, The Allred Law Firm, P.O. Box 3828, Jackson, MS 39207 (601) 944-0661

David Clark, Bradley Arant Boult Cummings LLP, P.O. Box 1789, Jackson, MS 39215 (601) 948-8000

Richard Sinkfield, Rogers & Hardin, 229 Peachtree Street NE, 2700 International Tower, Atlanta, GA 30303 (404) 522-4700

10. *McKenna v. Gaylord Chemical Corp.*, No. 25196493

A train car carrying nitrogen tetroxide exploded in Bogalusa, Louisiana. There were more than one thousand Plaintiffs and multiple defendants. After protracted pre-trial discovery, numerous pre-trial conferences, and unsuccessful settlement negotiations, a bellwether group of Plaintiffs presented their claims for damages in a ten-week long trial. The jury found for the Defendants. The court denied post-trial motions for judgment notwithstanding the verdict and for new trial. An appeal was taken, but the matter was subsequently settled.

Counsel:

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Tom Kuhns, Kirkland & Ellis, 300 North LaSalle, Chicago, IL 60654 (312) 862-2302

- d. For each of the 10 most significant opinions you have written, provide: (1) citations for those decisions that were published; (2) a copy of those decisions that were not published; and (3) the names and contact information for the attorneys who played a significant role in the case.

1. *Flowers v. State*, 947 So. 2d 910 (Miss. 2007)

Counsel:

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Marvin L. White, Jr., Office of the Attorney General, P. O. Box 220, Jackson, MS 39205 (601) 359-3813

2. *Johns v. State*, 926 So. 2d 188 (Miss. 2006)

Counsel:

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Jeffrey Klingfuss, Office of the Attorney General, P. O. Box 220, Jackson, MS 39205
(601) 359-3811

3. *Booker v. State*, 5 So. 3d 356 (Miss. 2008)

Counsel:

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James M. Hood, III, Office of the Attorney General, P. O. Box 220, Jackson, MS 39205
(601) 359-3680

4. *Barbour v. State ex rel. Hood*, 974 So. 2d 232 (Miss. 2008)

Counsel:

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MS 39225 (601) 985-4530
Ricky G. Luke, Office of the Attorney General, P. O. Box 220, Jackson, MS 39205 (601)
359-3680

5. *Prudential Ins. Co. v. Stewart*, 969 So. 2d 17 (Miss. 2007)

Counsel:

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8321
Alex A. Alston, Jr., 1304 Poplar Boulevard, Jackson, MS 39202 (601) 969-3351

6. *Arceo v. Tolliver*, 949 So. 2d 691 (Miss. 2006)

Counsel:

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MS 39205 (601) 960-6854
Deborah McDonald, P. O. Box 2038, Natchez, MS 39121-2038 (601) 445-5577

7. *Howell v. State*, 860 So. 2d 704 (Miss. 2003)

Counsel:

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Marvin L. White, Jr., Office of the Attorney General, P. O. Box 220, Jackson, MS 39205
(601) 359-3813

8. *Quitman County v. State*, 910 So. 2d 1032 (Miss. 2005)

Counsel:

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Harold Edward Pizzetta, III, Office of the Attorney General, P. O. Box 220, Jackson, MS
39205 (601) 359-3680

9. *Janssen Pharmaceutica, Inc. v. Armond*, 866 So. 2d 1092 (Miss. 2004)

Counsel:

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Merrida Coxwell, Coxwell & Associates, P. O. Box 1337, Jackson, MS 39215 (601) 948-1600

10. *U.S. Fid. & Guar. Co. of Miss. v. Martin*, 998 So. 2d 956 (Miss. 2008)

Counsel:

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Charles W. Wright, Jr., P.O. Box 1677, Meridian, MS 39302 (601) 693-6555

e. Provide a list of all cases in which certiorari was requested or granted.

A review of Court records indicates that certiorari was requested or granted in the following cases in which I wrote a majority opinion:

Bauhaus USA, Inc. v. Copeland (In re Guardianship of Holmes), 965 So. 2d 662 (Miss. 2007), *cert. denied*, 552 U.S. 1243 (2008).

Brown v. State, 948 So. 2d 405 (Miss. 2006), *cert. denied*, 552 U.S. 848 (2007).

Green v. Cleary Water, Sewer & Fire Dist., 910 So. 2d 1022 (Miss. 2005), *cert. denied*, 547 U.S. 1098 (2006).

Brown v. State, 890 So. 2d 901 (Miss. 2004), *cert. denied*, 544 U.S. 981 (2005).

Dycus v. State, 875 So. 2d 140 (Miss. 2004), *cert. granted, judgment vacated*, 544 U.S. 901 (2005).

A review of Court records indicates that certiorari was requested or granted in the following cases in which I wrote a dissenting opinion:

Huss v. Gayden, 991 So. 2d 162 (Miss. 2008), *cert. denied*, --- S.Ct. ---, 2010 WL 149140 (2010).

Booker v. State, 5 So. 3d 356 (Miss. 2008), *cert. denied*, 130 S. Ct. 1135, 2010 WL 155057 (2010).

Howard v. State, 945 So. 2d 326 (Miss. 2006), *cert. denied*, 552 U.S. 829 (2007).

Hobgood v. Miss., 926 So.2d 847 (Miss. 2006), *cert. denied*, 549 U.S. 1118 (2007).

Miss. Bar v. Lumumba, 912 So. 2d 871 (Miss. 2005), *cert. denied*, 546 U.S. 825 (2005).

Howell v. State, 860 So. 2d 704 (Miss. 2003), *cert. granted*, *Howell v. Miss.*, 542 U.S. 936 (2005); *cert. dismissed as improvidently granted*, 543 U.S. 440 (2005); *rehearing denied*, 544 U.S. 944 (2005).

Russell v. Miss. Dept. of Corrections, 814 So. 2d 802 (Miss. 2002), *cert. denied*, 537 U.S. 955 (2002).

Simmons v. State, 805 So. 2d 452 (Miss. 2001), *cert. denied*, *Simmons v. Miss.*, 537 U.S. 833 (2002).

A review of Court records indicates that certiorari was requested or granted in the following cases in which I was the trial judge:

East Ford, Inc. v. Taylor, 826 So. 2d 709 (Miss. 2002), *cert. denied*, 537 U.S. 1194 (2003).

Chevron U.S.A., Inc. v. Smith, 844 So. 2d 1145 (Miss. 2002), *cert. denied*, 540 U.S. 881 (2003).

Gross v. Chevrolet Country, Inc., 655 So.2d 873 (Miss. 1995), *cert. denied*, 516 U.S. 1094 (1996).

- f. Provide a brief summary of and citations for all of your opinions where your decisions were reversed by a reviewing court or where your judgment was affirmed with significant criticism of your substantive or procedural rulings. If any of the opinions listed were not officially reported, provide copies of the opinions.

The following appellate opinion was reversed by the United States Supreme Court:

1. *Dycus v. State*, 875 So. 2d 140 (Miss. 2004)
In 544 U.S. 901, 125 S. Ct. 1589, 161 L. Ed. 2d 271 (2005), the United States Supreme Court granted Dycus' petition for writ of certiorari, vacated the judgment and remanded the case to the Mississippi Supreme Court for further consideration in light of the subsequent decision of *Roper v. Simmons*, 543 U.S. 551, 125 S. Ct. 1183, 161 L. Ed. 2d 1 (2005).

The following Mississippi Court of Appeals or Mississippi Supreme Court decisions reversed in part or in whole my trial court decisions:

1. *McGee v. State*, 953 So. 2d 241 (Miss. Ct. App. 2005), *aff'd*, 953 So. 2d 211 (Miss. 2007).

The defendant was convicted of armed robbery. The Court of Appeals reversed and remanded, holding that gender discrimination occurred in the selection of the jury. The Mississippi

Supreme Court initially reversed the Court of Appeals on certiorari, but then later affirmed the Court of Appeals on rehearing.

2. *Wayne Gen'l Hosp. v. Hayes*, 868 So. 2d 997 (Miss. 2004).

I denied a change of venue motion in a wrongful death suit after certain defendants had been dismissed from the case. The appellate court reversed and remanded.

3. *Miss. Dept. of Corrections v. Harris*, 831 So. 2d 1190 (Miss. Ct. App. 2002).

I affirmed a decision of the Employee Appeals Board to reinstate a security guard's employment. The Court of Appeals reversed, finding the Board's determination to be arbitrary and capricious.

4. *AmSouth Bank v. Gupta*, 838 So. 2d 205 (Miss. 2002).

Following a jury trial, I entered a judgment for a customer in a lawsuit against the bank for negligent misrepresentation, breach of fiduciary duty and breach of duty of disclosure. The appellate court affirmed in part, reversed and rendered in part, and reversed and remanded in part.

5. *Chevron USA, Inc. v. Smith*, 844 So. 2d 1145 (Miss. 2002).

I entered judgment on a jury verdict in favor of property owners who brought an action against the oil company for polluting water with radioactive materials. The appellate court reversed and rendered, holding that the property owners were required to exhaust their administrative remedies before the Oil and Gas Board.

6. *Stewart v. City of Jackson*, 804 So. 2d 1041 (Miss. 2002).

I granted summary judgment in favor of a city and a city employee in a personal injury case. The appellate court reversed and remanded, finding no immunity for the defendants and that there were genuine issues of material fact.

7. *City of Jackson v. Sutton*, 797 So. 2d 977 (Miss. 2001).

I denied the defendant's motion for summary judgment in an action where an injured motorist and a deceased motorist's family filed a complaint against the driver of a vehicle who collided with them, the officer who completed an accident report on that same driver earlier on the day of the fatal accident, and the city. The appellate court reversed and remanded, holding that the Tort Claims Act precluded the state constitutional claim.

8. *Rawson v. Jones*, 816 So. 2d 367 (Miss. 2001).

I entered judgment on a jury verdict for the parent of a deceased newborn in a wrongful death action. The appellate court reversed and remanded, holding that the parent was "not" ignorant of the names of the doctor and his medical group within the meaning of the rule allowing a plaintiff to sue fictitious defendants.

9. *Thompson v. Patino*, 784 So. 2d 220 (Miss. 2001).

In a medical malpractice action, I granted the defendant's motion to strike the patient's supplemental responses to interrogatories requesting names of expert witnesses because of the patient's delay in providing them, and I granted summary judgment for defendant. The Mississippi Court of Appeals affirmed. On certiorari, the Mississippi Supreme Court reversed and remanded, finding that striking the expert's affidavit was not warranted by the patient's discovery delays.

10. *Sarris v. Smith*, 782 So. 2d 721 (Miss. 2001).

I entered summary judgment in favor of defendants on the ground that the medical malpractice claim was barred by the statute of limitations. The appellate court reversed and remanded, holding that the medical malpractice action accrued and the two-year statute of limitations began to run on the date nine months after death when the plaintiff first had access to the medical records.

11. *Turner v. Terry*, 799 So. 2d 25 (Miss. 2001).

I found promissory notes in which directors evidenced indebtedness to corporate chairman to be unenforceable, but enforced stock pledge and security agreements. The appellate court affirmed in part and reversed and remanded in part, holding that the directors failed to prove allegations of fraudulent behavior in creation of the notes.

12. *Edelen v. Jackson Coca-Cola Bottling Co.*, 782 So. 2d 1256 (Miss. Ct. App. 2001).

I granted additur after a jury verdict for the plaintiff and later denied the plaintiff's motion for new trial on the grounds of inadequacy of damages on condition of additur. The appellate court reversed and remanded, holding that the defendant did not accept additur within thirty days, which acted as accession to a new trial on damages.

13. *NCI Building Components v. Berry*, 811 So. 2d 321 (Miss. Ct. App. 2001).

I reversed a decision of the Mississippi Employment Security Commission finding that the claimant was disqualified from receiving unemployment benefits as he voluntarily left work without good cause. The appellate court reversed and reinstated the Commission's decision.

14. *Entergy Miss., Inc. v. Robinson*, 777 So. 2d 53 (Miss. Ct. App. 2000)

I affirmed a Workers' Compensation Commission decision awarding the claimant compensation. The appellate court reversed and remanded, holding that the Commission erred as a matter of law when it refused to consider the extent of the claimant's efforts to find other suitable employment better suited to his post-injury condition in assessing permanent injury partial disability.

15. *Smith v. Braden*, 765 So. 2d 546 (Miss. 2000).

I entered summary judgment in favor of the defendant doctor in a medical malpractice action. The appellate court reversed and remanded.

16. *Sullivan v. Washington*, 768 So. 2d 881 (Miss. 2000).

I entered judgment for the patient in a medical malpractice action. The appellate court reversed and rendered.

17. *Miller v. Meeks*, 762 So. 2d 302 (Miss. 2000).

I entered summary judgment in favor of the defendant doctor in a medical malpractice action. The appellate court reversed and remanded.

18. *City of Jackson v. Perry*, 764 So. 2d 373 (Miss. 2000).

I entered a judgment for damages in a personal injury case. The appellate court upheld my judgment but modified it to reflect that there was no joint and several liability.

19. *Tyson Foods, Inc. v. Thompson*, 765 So. 2d 589 (Miss. Ct. App. 2000).
I reversed a Workers' Compensation Commission award and reinstated the Administrative Law Judge's decision. The appellate court reversed, holding that substantial evidence supported the Commission's decision.

20. *Johnson v. State*, 754 So. 2d 1178 (Miss. 2000).
The defendant was convicted of murder. The appellate court reversed and remanded, holding that a factual determination on the record was required in considering peremptory challenges.

21. *Richmond v. Miss. Dept. of Human Servs.*, 745 So. 2d 254 (Miss. 1999).
I reversed the Employee Appeals Board's reversal of a DHS employee's dismissal for use of a racial slur. The Mississippi Court of Appeals reinstated the Board's decision. On certiorari, the Mississippi Supreme Court held that a single use of a racial slur did not warrant dismissal, but might have warranted a lesser penalty. The court reversed and remanded to the Board for imposition of a lesser penalty.

22. *Burns v. Public Employees Retirement System of Miss.*, 748 So. 2d 181 (Miss. Ct. App. 1999).
I affirmed the denial of plaintiff's claim for disability benefits. The appellate court reversed and remanded.

23. *McNair v. Univ. of Miss. Medical Center*, 742 So. 2d 1078 (Miss. 1999).
I granted the defendant's motion to dismiss for failure to comply with the notice requirement of the Mississippi Tort Claims Act. The appellate court reversed and remanded, holding that substantial compliance was sufficient.

24. *Carrington v. Methodist Medical Center, Inc.*, 740 So. 2d 827 (Miss. 1999).
I granted summary judgment for the defendant in a wrongful death action. The Mississippi Court of Appeals affirmed. On certiorari, the Mississippi Supreme Court reversed and remanded.

25. *City of Jackson v. Williamson*, 740 So. 2d 818 (Miss. 1999).
I entered judgment on a jury verdict awarding damages in a negligence action. The Mississippi Court of Appeals affirmed in part and reversed in part. On certiorari, the Mississippi Supreme Court affirmed the judgment and remanded, holding that the City was not exempt from paying interest, that the City was required to pay the statutory penalty, and that the City was liable for costs.

26. *City of Jackson v. Brown*, 729 So. 2d 1231 (Miss. 1998).
I denied a motion for summary judgment on the ground of sovereign immunity and entered judgment on a jury verdict for the plaintiff in a wrongful death action. The appellate court reversed.

27. *State v. U.G.*, 726 So. 2d 151 (Miss. 1998).
Following the indictment of a fourteen-year-old defendant for armed robbery, I transferred the case to youth court. The appellate court reversed and remanded.

28. *Cossitt v. Alfa Ins. Corp.*, 726 So. 2d 132 (Miss. 1998).

On remand, I entered summary judgment in favor of an insurance carrier on a bad faith claim and denied the insured's motion to amend pleading. The appellate court affirmed in part, reversed in part and remanded.

29. *Stevens v. State*, 717 So. 2d 311 (Miss. 1998).

The defendant was convicted of manslaughter. The appellate court reversed in part and remanded for a new trial.

30. *Estate of Jones v. Quinn*, 716 So. 2d 624 (Miss. 1998).

I denied a motion asserting improper venue. The appellate court reversed and remanded.

31. *J. & W. Foods Corp. v. State Farm Mut. Auto. Ins. Co.*, 723 So. 2d 550 (Miss. 1998).

I entered judgment on pleadings in favor of insurer in an action to recover uninsured motorist benefits. The appellate court reversed and remanded.

32. *Miss. Power & Light Co. v. Lumpkin*, 725 So. 2d 721 (Miss. 1998).

I entered judgment on a jury verdict that found automobile passenger fifty percent at fault, the utility company fifty percent at fault and the driver not at fault. In reversing and remanding, the appellate court overruled a previous decision.

33. *Hord v. City of Yazoo*, 702 So. 2d 121 (Miss. 1997).

I granted the City's motion to dismiss for failure to state a claim involving a state prison inmate's action for damages. The appellate court reversed and remanded.

34. *Lacy v. State*, 700 So. 2d 602 (Miss. 1997).

The defendant was convicted of manslaughter. The Mississippi Court of Appeals affirmed. The Mississippi Supreme Court reversed and remanded for a new trial.

35. *Perry v. Nationwide General Ins. Co.*, 700 So. 2d 600 (Miss. 1997).

I granted summary judgment to the insurer in an action to recover uninsured motorist benefits. The appellate court reversed and remanded.

36. *USPCI of Miss., Inc. v. State ex rel. McGowan*, 688 So. 2d 783 (Miss. 1997).

I issued a bench opinion that the Governor did not comply with the Administrative Procedures Law. The Mississippi Supreme Court reversed and rendered, holding that the APL does not apply to the Governor and that the resident lacked standing to obtain a writ of mandamus to enjoin the Governor in connection with a permit to build a hazardous waste treatment facility.

37. *Clark Printing Co., Inc. v. Miss. Employment Sec. Comm'n*, 681 So. 2d 1328 (Miss. 1996).

I affirmed a Mississippi Employment Security Commission decision regarding higher unemployment contribution rates involving the use of employee leasing firms. The appellate court reversed and remanded.

38. *Austin v. Padgett*, 678 So. 2d 1002 (Miss. 1996).

I entered summary judgment for successor and borrowers based on the successor's affirmative defense of accord and satisfaction. The appellate court reversed and remanded.

39. *Allen v. Mac Tools, Inc.*, 671 So. 2d 636 (Miss. 1996).

I granted summary judgment for defendant on the plaintiff's inducement claim, and, following trial, I entered a judgment for the defendant on the counterclaim. The appellate court reversed and remanded.

40. *American Fire Protection, Inc. v. Lewis*, 653 So. 2d 1387 (Miss. 1995).

I awarded damages in a breach of contract action and denied the defendant's motion for directed verdict and motion for judgment notwithstanding the verdict. The appellate court affirmed in part and reversed in part on the direct appeal, and reversed and remanded on the cross-appeal.

41. *Canizaro v. Mobile Communications Corp. of America*, 655 So. 2d 25 (Miss. 1995).

I granted summary judgment for defendant in a breach of contract action. The appellate court reversed and remanded.

42. *T.M. v. Noblitt*, 650 So. 2d 1340 (Miss. 1995).

I dismissed a complaint against a school principal on the ground of qualified immunity. The appellate court reversed and remanded.

43. *Young v. Miss. State Tax Comm'n*, 635 So. 2d 869 (Miss. 1994).

I reversed the State Employee Appeal Board's reinstatement with back pay of a discharged employee. The appellate court affirmed in part and reversed and remanded in part.

44. *Housing Authority of City of Jackson v. Lampley*, 749 So. 2d 134 (Miss. 1999).

I denied the Housing Authority's motion for summary judgment in an action under the Mississippi Tort Claims Act. On interlocutory review, the Mississippi Supreme Court vacated the judgment and remanded for reconsideration in light of intervening decisions.

45. *Southland Management Co. v. Brown*, 730 So. 2d 43 (Miss. 1998).

Jury returned a verdict of \$2 million against Southland in a personal injury action. I reduced the verdict to \$1,980,000 and Southland appealed. The Mississippi Court of Appeals, 6-4 in an unpublished opinion, reversed and rendered, holding that the evidence could not support a finding of negligence as a matter of law. On certiorari, the Mississippi Supreme Court affirmed the decision of the Court of Appeals.

46. *IP Timberlands Operating Co., Ltd. v. Denmiss Corp.*, 726 So. 2d 96 (Miss. 1998).

I found that a purchase option called for appraisers to fix lands' value and that it called for lands' value to be appraised as unencumbered from the remainder of a prepaid ninety-nine-year lease. The appellate court reversed and remanded, holding that the Federal Arbitration Act applied, that the value of the purchase option was to be determined by arbitrators and that the lands were to be valued as encumbered.

47. *City of Jackson v. Lumpkin*, 697 So. 2d 1179 (Miss. 1997).

After a bench trial, I awarded \$5,663.80 to the plaintiff in an action against the City and a police officer to recover damages caused from the officer's negligent driving. The appellate court vacated the judgment and dismissed the cause for failure to comply with the notice requirements of the Mississippi Tort Claims Act. However, the court later overruled *Lumpkin* on the notice issue. *Carr v. Town of Shubuta*, 733 So. 2d 261 (Miss. 1999).

48. *Miss. Dept. of Corrections v. McClee*, 677 So. 2d 732 (Miss. 1996).

I affirmed an Employee Appeals Board determination that a Department of Corrections action terminating an employee was too harsh and that he should be reinstated with back pay. The appellate court reversed and remanded to the Board for reconsideration and application of the correct standard.

49. *Allstate Ins. Co. v. Chicago Ins. Co.*, 676 So. 2d 271 (Miss. 1996).

I granted declaratory judgment in an action in which a pharmacist sought coverage from his two insurers when he was sued for wrongful death. I ordered one insurer to pay the defense costs and potential liability for claim. The appellate court reversed and remanded, holding that the clauses were mutually repugnant and had to be disregarded, and that benefits would have to be prorated according to each policy's coverage limits.

50. *Travis v. State*, 687 So. 2d 786 (Miss. Ct. App. 1996).

The defendant was convicted of aggravated assault. In an unpublished opinion, the Mississippi Court of Appeals reversed and remanded for a new trial on the basis that the record did not establish that a unanimous verdict was reached where a juror first indicated a "no" as to whether she voted for the verdict, but then indicated "yes" and that "we all agreed" multiple times.

<http://www.mssc.state.ms.us/Images/Opinions/Conv1474.pdf>

51. *Barrett v. Int'l Paper Co.*, 687 So. 2d 762 (Miss. Ct. App. 1996).

I entered judgment on a jury verdict finding that Barrett was eighty-eight percent negligent and that the International Paper employee was twelve percent negligent in a suit from an automobile accident in which Barrett stopped his automobile on the interstate. The jury further awarded Barrett \$1,000 in damages and his passenger, Jones, \$2,400. In an unpublished opinion, the Mississippi Court of Appeals reversed and remanded as to Barrett's liability and Barrett's and Jones' damages, finding an error in the jury instructions.

<http://www.mssc.state.ms.us/Images/Opinions/Conv1139.pdf>

52. *MBF Corp. v. Century Business Communications Inc.*, 663 So. 2d 595 (Miss. 1995).

I granted directed verdict for defendant in an action against a competitor for tortious interference with business relationships of a corporation and its customers. The appellate court affirmed in part and reversed and remanded in part, finding that the issue of whether the acts of the defendant constituted tortious interference were questions for the jury and that the plaintiff was not entitled to amend the complaint to add the defendant's parent company as an additional defendant.

53. *Regency Nissan, Inc. v. Jenkins*, 678 So. 2d 95 (Miss. 1995).

I awarded treble damages after a jury trial in an action against a car dealer for fraudulent misrepresentation in violation of the Odometer Disclosure Act. The Mississippi Supreme Court affirmed. On rehearing, the court affirmed in part and reversed and remanded in part, finding that, on all issues, the defendant and third-party-defendant were entitled to indemnity.

54. *Westbrook v. City of Jackson*, 665 So. 2d 833 (Miss. 1995).

I granted the City's motion to dismiss, or alternatively motion for summary judgment, in an action by a homeowner after the home burned from lack of water for fire protection. The appellate court affirmed in part and reversed and remanded in part, holding that summary

judgment was improper as the issue regarding the City's claims fund was inadequately developed.

55. *Clark v. St. Dominic-Jackson Memorial Hosp.*, 660 So. 2d 970 (Miss. 1995).
I granted defendant's motion for summary judgment in a wrongful death action. The appellate court affirmed in part and reversed and remanded in part.

56. *Anderton v. Business Aircraft, Inc.*, 650 So. 2d 473 (Miss. 1995).
I granted partial summary judgment to defendant in a breach of contract suit. The appellate court reversed and remanded.

57. *Fordice v. Thomas*, 649 So. 2d 835 (Miss. 1995).
In a case involving procedural rights in the placement of a hazardous waste facility, I ruled that the procedures used were improper and enjoined all permits issued under that administrative process. The appellate court upheld my statement of the law but determined that the administrative process did not taint all permits and thus my injunction was too broad.

58. *Ferrill v. Miss. Employment Sec. Comm'n*, 642 So. 2d 933 (Miss. 1994).
I affirmed the denial of benefits to an unemployment compensation claimant who voluntarily quit his job. The appellate court reversed and remanded, finding that the appeals referee misallocated the burden of proof by requiring the claimant to prove that he left his job for good cause.

59. *In re Wilbourn*, 590 So. 2d 1381 (Miss. 1991).
I granted a temporary restraining order in a post-election dispute temporarily stopping a ballot recount and certification of a winner. The appellate court issued a writ of mandamus, holding that judicial intervention was not proper at that point.

A search also reveals that the following Mississippi Court of Appeals decisions reversed in part or in whole my trial court decisions. However, further information on these cases is not readily available.

1. *Young v. Miss. State Tax Comm'n*, 678 So. 2d 1035 (Miss. Ct. App. 1996).
The appellate court reversed and remanded on appeal from a judgment dated June 8, 1994.

2. *Miss. Power & Light Co. v. Washington*, 678 So. 2d 1014 (Miss. Ct. App. 1996).
The appellate court vacated a judgment dated April 14, 1993, and the appeal was dismissed.

3. *Joiner v. Joiner*, 675 So. 2d 1285 (Miss. Ct. App. 1995).
The appellate court reversed and remanded on appeal from a judgment dated December 12, 1994.

4. *Burton v. Johnson*, 669 So. 2d 787 (Miss. Ct. App. 1995).
The appellate court reversed and rendered as to the appellants only on an appeal from a judgment dated April 2, 1993.

5. *Griffin v. Wilson*, 662 So. 2d 190 (Miss. Ct. App. 1995).

The appellate court reversed and remanded on appeal from a judgment dated December 14, 1992.

6. *McIntyre v. Plunkett*, 678 So. 2d 1019 (Miss. Ct. App. 1996).

The appellate court reversed and rendered in part and reversed and remanded in part on appeal from a judgment dated April 14, 1994.

In the following case, I wrote the majority opinion for the Court, which subsequently withdrew the opinion on rehearing and issued a new opinion with a different outcome:

1. *Wise v. Valley Bank*, 861 So. 2d 1029 (Miss. 2003)

The original opinion, 2000-CT-00443-SCT, 2003 Miss. LEXIS 231 (Miss. May 15, 2003), held that punitive damages may be appropriate against a bank for theft of money from client's account. The superseding opinion held that the bank did not have a trust relationship with the client and that restitution was the appropriate remedy.

The following decision was reversed by the Court of Appeals, but my trial-level decision was subsequently upheld by the Supreme Court:

1. *McGrone v. State*, 807 So. 2d 1232 (Miss. 2002).

I ruled that, absent evidence of a *Miranda* violation, cross-examination of a criminal defendant regarding his post-arrest silence did not violate his due process rights and he was convicted. The Court of Appeals reversed the conviction, but the Supreme Court reversed the Court of Appeals and affirmed the conviction.

- g. Provide a description of the number and percentage of your decisions in which you issued an unpublished opinion and the manner in which those unpublished opinions are filed and/or stored.

The Mississippi Supreme Court does not issue any unpublished opinions. I have, on occasion, issued orders in matters involving bar discipline that were not published. These orders are available on Lexis and/or Westlaw.

None of my written opinions as a trial judge were published. They have been filed with other case documents with the Hinds County Circuit Court.

- h. Provide citations for significant opinions on federal or state constitutional issues, together with the citation to appellate court rulings on such opinions. If any of the opinions listed were not officially reported, provide copies of the opinions.

This list contains significant opinions on federal or state constitutional issues in cases before the Mississippi Supreme Court:

Doss v. State, 19 So. 3d 690 (Miss. 2009) (majority issue one and dissenting issue two)
Booker v. State, 5 So. 3d 356 (Miss. 2008) (dissenting)
Barbour v. State ex rel. Hood, 974 So. 2d 232 (Miss. 2008) (dissenting)
Flowers v. State, 947 So. 2d 910 (Miss. 2007) (majority)
Johns v. State, 926 So. 2d 188 (Miss. 2006) (majority)
Arceo v. Tolliver, 949 So. 2d 691 (Miss. 2006) (dissenting)
Garrison v. State, 950 So. 2d 990 (Miss. 2006) (dissenting in part)
Dycus v. State, 910 So. 2d 1100 (Miss. 2005) (majority)

This list contains appellate court decisions regarding my circuit court rulings on cases involving significant federal or state constitutional issues:

Puckett v. Abels, 684 So. 2d 671 (Miss. 1996)
Associated Press v. Bost, 656 So. 2d 113 (Miss. 1995)
Hobson v. Wilbourn, 608 So. 2d 1187 (Miss. 1992)

- i. Provide citations to all cases in which you sat by designation on a federal court of appeals, including a brief summary of any opinions you authored, whether majority, dissenting, or concurring, and any dissenting opinions you joined.

I have never sat by designation on a federal court of appeals.

14. **Recusal:** If you are or have been a judge, identify the basis by which you have assessed the necessity or propriety of recusal (If your court employs an "automatic" recusal system by which you may be recused without your knowledge, please include a general description of that system.) Provide a list of any cases, motions or matters that have come before you in which a litigant or party has requested that you recuse yourself due to an asserted conflict of interest or in which you have recused yourself sua sponte. Identify each such case, and for each provide the following information:

- a. whether your recusal was requested by a motion or other suggestion by a litigant or a party to the proceeding or by any other person or interested party; or if you recused yourself sua sponte;
- b. a brief description of the asserted conflict of interest or other ground for recusal;
- c. the procedure you followed in determining whether or not to recuse yourself;
- d. your reason for recusing or declining to recuse yourself, including any action taken to remove the real, apparent or asserted conflict of interest or to cure any other ground for recusal.

The Mississippi Code of Judicial Conduct sets forth standards for the ethical conduct of judges. It serves as my primary resource in matters regarding the necessity or propriety of recusal. My determination in that regard is influenced by: (1) my personal and family interests; (2) the existence, nature and duration of personal and professional relationships; (3) any other relevant factors which could lead to a reasonable question about my impartiality in a given case.

I have two sons who currently practice law in Mississippi. For a very brief period of the time at the beginning of their respective practices, they resided in my home. It was my routine practice to recuse from all cases involving my sons and/or the firms where they worked as associates while they resided in my household. Now that they no longer reside in my home, I routinely recuse from all cases involving my sons and my daughter-in-law. Of course, I was automatically recused from all cases appealed to the Mississippi Supreme Court wherein I was the trial judge.

To the best of my knowledge and recollection, there have been only two cases during my tenure on the Supreme Court in which a litigant has requested that I recuse myself. In *Mayor Zachary Patterson v. Gregory Martin*, July 2009, the appellant alleged that there was a “personal relationship of some sort” with the Mayor and therefore I should recuse. Upon review and consideration of the applicable Canons and in light of my limited contact with and knowledge of the appellee, (Mayor Patterson), I determined that I would not recuse myself.

In *Robert W. Kennedy v. Illinois Central Railroad Company*, September 2009, there was a motion for recusal which alleged that counsel for the appellant was a “major donor” in my 2004 election campaign. Upon review and consideration of the applicable Canons and in light of the Rules and Statutes regarding campaign contributions in judicial races, I determined that recusal was not warranted.

I am providing a list of all cases wherein Mississippi Supreme Court records indicate that I entered an Order of Recusal. The reasons for recusal in those cases were diverse. However, we are not required to state a reason in a sua sponte Order of Recusal and I have, for the most part, no independent recollection of the reason for recusal in each case listed. The likelihood is that a significant number of the cases wherein I recused involved matters where I was the trial judge. The remainder would be for reasons specific to each case listed and no reason for recusal is listed in the Order of Recusal.

1999-IA-01527-SCT
2000-CC-02011-SCT
2000-CA-01517-SCT
1999-CA-01658-SCT
1999-KA-01779-SCT
2000-IA-01527-SCT
1999-CT-01698-SCT
2000-CC-00508-SCT
1999-CA-00523-SCT
1999-CA-00557-SCT
2000-CA-01480-SCT
1999-CA-00257-SCT

2000-CA-00977-SCT
2000-KA-00786-SCT
2001-JP-01910-SCT
2001-CA-01393-SCT
2001-CA-00900-SCT
2000-CA-01909-SCT
2001-CC-01269-SCT
2001-CA-00730-SCT
2002-CA-00653-SCT
2000-CA-01241-SCT
2001-CT-01400-SCT
2002-CA-00122-SCT
2001-CT-00277-SCT
96-CT-01136-SCT
2001-CA-01674-SCT
2001-KA-01854-SCT
2002-CT-02038-SCT
2003-CA-01471-SCT
2002-CA-01659-SCT
2002-KA-01832-SCT
2004-BD-00632-SCT
2002-CT-00261-SCT
2002-CT-00644-SCT
2002-CT-00857-SCT
2002-CT-00918-SCT
2002-CT-01025-SCT
2002-CT-01048-SCT
2002-CT-01208-SCT
2002-CT-01461-SCT
2002-CT-01658-SCT
2002-CT-00795-SCT
2002-CT-01026-SCT
2002-CT-01613-SCT
2001-CT-01622-SCT
2002-CT-00975-SCT
2002-CT-01071-SCT
2002-CT-01554-SCT
2002-CT-01738-SCT
2002-CT-01748-SCT
2001-CA-00869-SCT
2003-CA-00123-SCT
2003-CA-01728-SCT
2004-BD-00683-SCT
2003-CA-02046-SCT
2003-CA-00190-SCT
2003-KA-00946-SCT

2003-CA-01013-SCT
1999-IA-01060-SCT
2003-CA-01413-SCT
2004-CA-00902-SCT
2003-IA-02533-SCT
2005-TS-00593-SCT
2005-BR-02366-SCT
2006-BD-00136-SCT
2005-IA-01001-SCT
2003-CA-02595-SCT
2005-CA-00206-SCT
2005-BA-01622-SCT
2006-SA-00358-SCT
2005-CA-01316-SCT
2005-IA-02020-SCT
2005-IA-01703-SCT
2006-SA-01088-SCT
2005-IA-02238-SCT
2006-CA-00669-SCT
2005-IA-01827-SCT
2005-CA-02328-SCT
2006-CA-02122-SCT
2007-M-00915-SCT
2007-TS-01041-SCT
2006-CA-00875-SCT
2006-IA-00872-SCT
2007-CA-00100-SCT
2006-CA-02120-SCT
2007-EC-01162-SCT
2008-BA-00081-SCT
2007-CP-01552-SCT
2008-CA-01335-SCT
2008-CA-01558-SCT
2008-KA-01318-SCT
2008-CA-00382-SCT

I have no independent recollection of any specific cases where a recusal motion was filed in a case where I was trial judge. However, in *In re Wilbourn*, November 1991, the plaintiff filed a recusal motion in an election dispute case. I determined that a recusal was not warranted in this situation. I only recall this case because the recusal motion is mentioned in a Mississippi Supreme Court opinion where the recusal was not discussed as an issue on appeal. Upon review of the appellate opinion, I then recalled that there was a motion for recusal of all four circuit judges in Hinds County, including me.

15. Public Office, Political Activities and Affiliations:

- a. List chronologically any public offices you have held, other than judicial offices, including the terms of service and whether such positions were elected or appointed. If appointed, please include the name of the individual who appointed you. Also, state chronologically any unsuccessful candidacies you have had for elective office or unsuccessful nominations for appointed office.

I have not held any public offices other than judicial offices.

- b. List all memberships and offices held in and services rendered, whether compensated or not, to any political party or election committee. If you have ever held a position or played a role in a political campaign, identify the particulars of the campaign, including the candidate, dates of the campaign, your title and responsibilities.

In 1991, I was a candidate for election to the position of Hinds County Circuit Court Judge. (I had been appointed.) At this time Mississippi had partisan judicial elections. I ran as a Democrat, formed a campaign committee and raised campaign funds.

In 1994, I ran unopposed in the general election for my seat as Hinds County Circuit Court Judge. This was a non-partisan race. I had no formal campaign, formed no campaign committee and raised no funds.

In 1998, I ran unopposed in the general election for my seat as Hinds County Circuit Court Judge. This was a non-partisan race. I did form a campaign committee and raised funds to run a small campaign.

I was appointed to the Mississippi Supreme Court in 2001. Existing law required that I run as a non-partisan candidate in a special election in the fall of 2002 in order to retain my seat. In 2002 I formed a campaign committee through which funds were raised for this purpose. However, during the legislative session of 2002 the law was changed in such a way that I was no longer required to run in 2002 to keep my seat. The campaign committee was dissolved and campaign funds were transferred to my 2004 general election campaign.

In 2004, I was a candidate to retain my seat on the Mississippi Supreme Court to which I was appointed in 2002. This was a non-partisan race in which I had three opponents in the general election and one opponent in a run-off election. I formed a campaign committee through which funds were raised to run a large-scale campaign in a 22-county district.

16. **Legal Career:** Answer each part separately.

- a. Describe chronologically your law practice and legal experience after graduation from law school including:

- i. whether you served as clerk to a judge, and if so, the name of the judge, the court and the dates of the period you were a clerk;

I have never served as a clerk to a judge.

- ii. whether you practiced alone, and if so, the addresses and dates;

I have never practiced law alone.

- iii. the dates, names and addresses of law firms or offices, companies or governmental agencies with which you have been affiliated, and the nature of your affiliation with each.

2001 – Present

Mississippi Supreme Court

450 High Street

Jackson, MS 39201

Current position: Presiding Justice (January 2009 – present)

Previous position: Associate Justice (2001 – 2008)

1991 – 2001

Hinds County Circuit Court

400 East Silas Brown Street

Jackson, MS 39201

Position held: Circuit Court Judge

1990 – 1991

Mississippi Department of Human Services

750 North State Street

Jackson, MS 39202

Position held: Director of the Division of Child Support Enforcement

1986 – 1990

Office of the Attorney General of the State of Mississippi

550 High Street, Suite 1200

Jackson, MS 39201

Position held: Special Assistant Attorney General (1986 – 1990)

Position held: Legal Counsel, Human Services Division (1989 – 1990)

Position held: Legal Counsel, Health Law Division (1986 – 1989)

1984 – 1986

Walker and Walker, Attorneys at Law
1410 Livingston Lane, Suite A
Jackson, MS 39213
Position held: Associate Attorney

1983 – 1984

Murray and Graves, Attorneys at Law
3175 J.R. Lynch Street
Jackson, MS 39209
Position held: Partner

1980 – 1983

Central Mississippi Legal Services
414 South State Street, Third Floor
Jackson, MS 39205
Position held: Staff Attorney

Fall Semester, 1974

Community Legal Services of Mississippi (now Central Mississippi Legal Services)
414 South State Street, Third Floor
Jackson, MS 39205
Position held: Intern

- iv. whether you served as a mediator or arbitrator in alternative dispute resolution proceedings and, if so, a description of the 10 most significant matters with which you were involved in that capacity.

I have not served as a mediator or arbitrator in alternative dispute resolution proceedings.

b. Describe:

- i. the general character of your law practice and indicate by date when its character has changed over the years.

I began my legal career as a staff attorney for Central Mississippi Legal Services. From June 1980 through August 1983, I handled domestic relations cases, contract cases, consumer problems and juvenile cases. My duties and responsibilities included handling those matters from the initial client interview through litigation when litigation was necessary. I handled matters in Chancery, County, Justice, Circuit and Federal Courts.

From August 1983 through August 1984, I was a partner at Murrain and Graves, Attorneys at Law. Ours was a general practice where we handled some Title VII Federal Court litigation, and some immigration matters. I handled matters in Chancery, County, Circuit and Federal Courts. In addition to practicing law it was also necessary to handle the administrative aspects of running a small business.

From September 1984 through November 1986, I was an associate attorney at Walker and Walker, Attorneys at Law. The firm was primarily a litigation firm which handled personal injury and workers' compensation cases. I was primarily responsible for handling workers' compensation cases and some personal injury claims. I handled both personal injury claims and workers' compensation claims from the initial stages of the investigations throughout the litigation. I also handled various other types of matters in Chancery, County, Circuit and Federal Court.

I served in the office of the Attorney General from November 1986 through June 1990. From August 1989 through July 1990, I served as Chief Legal Counsel to the Department of Human Services, providing legal counsel to all of the various divisions within the Department of Human Services and handling all of the department's litigation. From January 1989 through July 1998, I served the Civil Litigation Division of the Attorney General's Office where I handled both federal and state court litigation involving various state agencies. From November 1986 through December 1988, I served in the Health Law Section of the Attorney General's Office where I served primarily as legal counsel for the Mississippi Department of Health.

From July 1990 through October 1991, I served as Division Director of the Child Support Enforcement Division of the Mississippi Department of Human Services.

On November 1, 1991, I was appointed as a Hinds County Circuit Court judge where I served until my appointment to the Mississippi Supreme Court in 2001. I have served as a justice since that date.

- ii. your typical clients and the areas at each period of your legal career, if any, in which you have specialized.

My typical clients at Legal Services were indigents who could not afford counsel. We handled only civil matters and we handled no fee generating cases.

In private practice, I handled worker's compensation claims, personal injury claims, and family law matters. I handled a small amount of misdemeanor cases.

At the Attorney General's Office, I represented state agencies in civil matters and I advised state boards and agencies on matters ranging from personnel issues to licensing issues involving doctors, nurses, and other professionals.

- c. Describe the percentage of your practice that has been in litigation and whether you appeared in court frequently, occasionally, or not at all. If the frequency of your appearances in court varied, describe such variance, providing dates.

About 75 percent of my practice involved litigation, but I only appeared in court approximately four to five times per month.

- i. Indicate the percentage of your practice in:
 - 1. federal courts – 5%
 - 2. state courts of record – 80%
 - 3. other courts – 5%
 - 4. administrative agencies – 10%
- ii. Indicate the percentage of your practice in:
 - 1. civil proceedings – 90%
 - 2. criminal proceedings – 10%
- d. State the number of cases in courts of record, including cases before administrative law judges, you tried to verdict, judgment or final decision (rather than settled), indicating whether you were sole counsel, chief counsel, or associate counsel.

In courts of record, I tried approximately thirty cases to verdict, judgment or final decision. In most I served as co-counsel. In about ten cases I was sole counsel.

- i. What percentage of these trials were:
 - 1. Jury – 30%
 - 2. non-jury – 70%
- e. Describe your practice, if any, before the Supreme Court of the United States. Supply four (4) copies of any briefs, amicus or otherwise, and, if applicable, any oral argument transcripts before the Supreme Court in connection with your practice.

I have never practiced before the Supreme Court of the United States.

17. **Litigation**: Describe the ten (10) most significant litigated matters which you personally handled, whether or not you were the attorney of record. Give the citations, if the cases

were reported, and the docket number and date if unreported. Give a capsule summary of the substance of each case. Identify the party or parties whom you represented; describe in detail the nature of your participation in the litigation and the final disposition of the case. Also state as to each case:

- a. the date of representation;
 - b. the name of the court and the name of the judge or judges before whom the case was litigated; and
 - c. the individual name, addresses, and telephone numbers of co-counsel and of principal counsel for each of the other parties.
1. *[Unknown] v. Jerry Cox*; Simpson County Circuit Court; Hon. Joe Pigott; November 1985 – July 1985

I represented the defendant in an action regarding a suit against a co-employee under Alabama worker's compensation law. The defendant obtained a jury verdict.

Co-counsel: None

Opposing counsel:
James F. Brantley
407 Roses Bluff Drive
Madison, MS 39110
(601) 946-3820

2. *City of Jackson v. Redmond*; Civil Service Commission; Chairman Gene Wilkinson; June 1984 – November 1984

I represented Steven Redmond, who was terminated for alleged misconduct. Redmond was ordered reinstated with back pay.

Co-counsel: None
Opposing counsel:
John Hedglin
Office of City Attorney of Madison
1004 Madison Avenue
Madison, MS 39110
(601) 898-1118

Sara O'Reilly
P.O. Box 1167
Jackson, MS 39215
(601) 842-5105

3. *Powell v. McGuffee*; Hinds County Chancery Court; Hon. Stuart Robinson; November 1984 – November 1986

I represented Powell in an action regarding fraud, misrepresentation and validity of a contract. The trial court ruled in favor of Powell.

Co-counsel: None

Opposing counsel:

Thomas W. Crockett, Jr.
Watkins Ludlam Winter & Stennis
190 East Capitol Street, Suite 800
Jackson, MS 39201
(601) 949-4900

William I. Gault, Jr.
401 Fontaine Place, Suite 101
Ridgeland, MS 39157
(601) 983-2255

4. *Majd v. Miss. Board of Medical Licensure, et al.*; United States District Court for the Southern District of Mississippi; Hon. John Countiss; September 1987 – June 1990

I represented the defendants in an action involving due process and racial discrimination. The verdict was for the defendants.

Co-counsel:

Sara DeLoach
Office of the Attorney General
450 High Street
Jackson, MS 39201
(601) 359-3680

Opposing counsel:

Jim Waide
Waide & Associates
332 North Spring Street
Tupelo, MS 38804
(662) 842-7324

5. *Osborne v. Hesselbein Tire Co. & Transit Casualty Co.*; Miss. Worker's Comp. Comm'n; Hon. Neil White; June 1985 - October 1986

I represented Osborne in an action regarding temporary total and permanent partial disability. The case settled after a hearing on the merits.

Co-counsel: None

Opposing counsel:
James M. Anderson
Anderson Crawley & Burke PLLC
216 Draper Court
Ridgeland, MS 39157
(601) 707-8800

6. *Lewis v. Wrenn*; Miss. Supreme Court; July 1985 – October 1985

I drafted an appellate brief for Lewis raising issues of comparative negligence and failure to grant jury instructions. The matter was affirmed on appeal.

Co-counsel:
John Walker
1410 Livingston Lane, Suite A
Jackson, MS 39213
(601) 948-4589

Opposing counsel:
Jack Dunbar
Holcomb Dunbar
1312 University Avenue
Oxford, MS 38655
(662) 238-7515

7. *Watkins v. Doss, et al.*; Hinds County Circuit Court; Hon. Breland Hilburn; February 1989 – September 1989

I was co-counsel for the defendants in an action regarding the wrongful denial of certification to operate a water treatment facility. The defendants obtained a directed verdict.

Co-counsel:
Gail Wright Lowery
1485 Livingston Lane, Suite 4
Jackson, MS 39213
(601) 366-4739

Opposing counsel:

A.F. Lefevre, Jr.
15255 Poole Street
Gulfport, MS 39503-4307
(228) 863-4660

8. *Townsend v. Miss. State Dept. of Health*; Hon. John Whitten; August 1986 – July 1987

I represented the Miss. State Dept. of Health when Townsend was terminated for sexual harassment. The judgment was in favor of the defendant.

Co-counsel:
Sanford Horton
107 Mandon Lane
Pearl, MS 39208
(601) 936-2176

Opposing counsel:
William Catledge
Catledge & Associates
P. O. Box 1581
Tupelo, MS 38802-1581
(662) 844-0697

9. *Chappel v. East Miss. State Hospital, et al.*; United States District Court for the Southern District of Mississippi; Hon. Tom S. Lee; May 1987 – September 1987

I represented the defendant in an action regarding an alleged violation of Title VII of the Civil Rights Act of 1964 and other anti-discrimination legislation. The judgment was in favor of the defendants.

Co-counsel:
Sara DeLoach
Office of the Attorney General
450 High Street
Jackson, MS 39201
(601) 359-3680

Opposing counsel:
William Duke
Tollison Law Firm
100 Courthouse Square
Oxford, MS 38655
(662) 234-7070

10. *Thompson v. Miss. State Hospital*; United States District Court for the Southern District of Mississippi; Hon. Henry T. Wingate; March 1988 – April 1988

I represented the defendant in an action regarding an alleged violation of Title VII of the Civil Rights Act of 1964. The judgment was in favor of the defendant.

Co-counsel:

Sara DeLoach

Office of the Attorney General

450 High Street

Jackson, MS 39201

(601) 359-3680

Opposing counsel:

Firmist Alexander

1435 Fourth Avenue

Jackson, MS 39203

(601) 352-5242

18. **Legal Activities:** Describe the most significant legal activities you have pursued, including significant litigation which did not progress to trial or legal matters that did not involve litigation. Describe fully the nature of your participation in these activities. List any client(s) or organization(s) for whom you performed lobbying activities and describe the lobbying activities you performed on behalf of such client(s) or organizations(s). (Note: As to any facts requested in this question, please omit any information protected by the attorney-client privilege.)

Over the years, as a practicing attorney, I obtained settlements for clients on personal injury and workers' compensation claims. I handled a variety of civil matters for various clients. I have never performed lobbying activities on behalf of any client or organization.

19. **Teaching:** What courses have you taught? For each course, state the title, the institution at which you taught the course, the years in which you taught the course, and describe briefly the subject matter of the course and the major topics taught. If you have a syllabus of each course, provide four (4) copies to the committee.

1998 – 2009

Harvard Law School

1563 Massachusetts Avenue

Cambridge, MA 02138

Position held: Teaching Team Member for Trial Advocacy Workshop

2004, 2006 and 2009
Tougaloo College
500 West County Line Road
Jackson, MS 39174
Position held: Adjunct Professor, Department of Journalism
Subject: Media Law

2005
Millsaps College
1701 North State Street
Jackson, MS 39216
Position held: Adjunct Professor, Departments of Sociology and Political Science
Subject: Law and Society

1992 – 1994
Brinkley Middle School
3535 Albermarle Road
Jackson, Mississippi 39213
Position held: Volunteer teacher
Subject: The Economics of Staying in School

1980 – 1997
Jackson State University
1400 Lynch Street
Jackson, MS 39217
Position held: Adjunct Professor
Department of Mass Communications, Subject: Media Law (Fall 1980 – Spring 1982;
Spring 1985 – Spring 1997)
Department of Political Science, Subject: Civil Rights Law (Spring 1990)
Department of Public Policy & Administration, Subject: Black Perspectives in Public
Administration (Spring 1996)
Department of Public Policy & Administration, Subject: Correctional Systems (Spring
1995)

20. **Deferred Income/ Future Benefits:** List the sources, amounts and dates of all anticipated receipts from deferred income arrangements, stock, options, uncompleted contracts and other future benefits which you expect to derive from previous business relationships, professional services, firm memberships, former employers, clients or customers. Describe the arrangements you have made to be compensated in the future for any financial or business interest.

I will receive payments, upon retirement, from the Mississippi State Employees Retirement System.

21. **Outside Commitments During Court Service:** Do you have any plans, commitments, or agreements to pursue outside employment, with or without compensation, during your service with the court? If so, explain.

I have no plans, commitments or agreements to pursue outside employment, with or without compensation, during my service with the court.

22. **Sources of Income:** List sources and amounts of all income received during the calendar year preceding your nomination and for the current calendar year, including all salaries, fees, dividends, interest, gifts, rents, royalties, licensing fees, honoraria, and other items exceeding \$500 or more (if you prefer to do so, copies of the financial disclosure report, required by the Ethics in Government Act of 1978, may be substituted here).

See attached Financial Disclosure Report.

23. **Statement of Net Worth:** Please complete the attached financial net worth statement in detail (add schedules as called for).

See attached Net Worth Statement.

24. **Potential Conflicts of Interest:**

- a. Identify the family members or other persons, parties, categories of litigation, and financial arrangements that are likely to present potential conflicts-of-interest when you first assume the position to which you have been nominated. Explain how you would address any such conflict if it were to arise.

I have two sons and a daughter-in-law who practice law in Jackson, Mississippi. I would recuse myself in cases where any of them were involved as counsel.

- b. Explain how you will resolve any potential conflict of interest, including the procedure you will follow in determining these areas of concern.

Upon presentation and/or discovery of an issue regarding the necessity or propriety of recusal, I would review and consider the applicable rules of ethics and/or the Code of Conduct for United States Judges and determine whether or not recusal was warranted.

25. **Pro Bono Work:** An ethical consideration under Canon 2 of the American Bar Association's Code of Professional Responsibility calls for "every lawyer, regardless of professional prominence or professional workload, to find some time to participate in serving the disadvantaged." Describe what you have done to fulfill these responsibilities, listing specific instances and the amount of time devoted to each.

Throughout my legal career, I have given speeches at more than 150 schools throughout the State of Mississippi. Upon being named Parent of the Year for the Jackson Public

School District in 2009, I discovered that I had visited 52 of the 59 schools in the Jackson Public School District.

I coached high school mock trial teams at inner city public high schools for twelve years, winning a state championship in 2001. During those twelve years, we would practice at least twice per week for three months. Each practice would last approximately two hours.

I serve on the board of Operation Shoestring which provides after school educational programs for inner city children. I also serve on the board of the Mississippi Children's Museum where we are currently building the first Children's Museum in the state of Mississippi. I have recently been asked to serve on the board of the Mississippi Center for Educational Innovation which seeks to improve the quality of early education in our state.

I chaired the Anti-Violence Committee for the 100 Black Men of America from 1994 to 1996.

I regularly deliver motivational speeches at elementary, middle, and high schools throughout Mississippi.

26. Selection Process:

- a. Please describe your experience in the entire judicial selection process, from beginning to end (including the circumstances which led to your nomination and the interviews in which you participated). Is there a selection commission in your jurisdiction to recommend candidates for nomination to the federal courts? If so, please include that process in your description, as well as whether the commission recommended your nomination. List the dates of all interviews or communications you had with the White House staff or the Justice Department regarding this nomination. Do not include any contacts with Federal Bureau of Investigation personnel concerning your nomination.

There is no selection commission in my jurisdiction to recommend candidates for nomination to the federal courts. My resume was submitted to the Office of White House Counsel in September of 2009. On December 8, 2009, I was contacted by the Office of White House Counsel for the purpose of scheduling a telephonic interview with members of White House Counsel Staff. That interview was conducted on December 9, 2009. On January 15, 2010, I was contacted by the Department of Justice regarding the completion of a Senate Questionnaire and various other documents germane to the selection process. On January 19, 2010, I contacted the Department of Justice regarding completion of the paperwork in connection with the selection process. I was interviewed by representatives from the Department of Justice and White House Counsel's Office on February 26, 2010. The President nominated me on June 10, 2010.

- b. Has anyone involved in the process of selecting you as a judicial nominee discussed with you any currently pending or specific case, legal issue or question in a manner that could reasonably be interpreted as seeking any express or implied assurances concerning your position on such case, issue, or question? If so, explain fully.

No one involved in the selection process has discussed any such case, issue or question with me.

AFFIDAVIT

I, James E. Graves, Jr., do swear
that the information provided in this statement is, to the best
of my knowledge, true and accurate.

06/08/10
(DATE)

James E. Graves, Jr.
(NAME)

Rani Oswalt
(NOTARY)

