

## Clinton Brilla boys team attends Gulf Coast Invitational tournament



Special to The Clinton Courier

The Brilla JUNIORS 2007 Boys Clinton team, part of the Mississippi Brilla Juniors club, attended the thirty-sixth annual Gulf Coast Invitational soccer tournament in Foley, Alabama. They played four matches and won the championship for their bracket. In the process, the team claimed three shutouts, no losses, and they only allowed one goal scored against them the entire weekend. The weekend was their final tournament under the leadership of Coach Michael Pletzke. Pictured (l to r) are, front row: Reeves Radicioni, Corbin Burroughs, Kellan Brown, Ben Hughes, Walker Raney, and Carlos Castillo Orellana; and back row: Grayson Fortenberry, Bradley Wells, Robert Lee, Sun Michael Williams, Nicholas Morgan, Reece Watts and Coach Michael Pletzke. Players who couldn't attend were Dillon Watson and Adam Boone.

## City claims Hinds Co. Public Defender refusing felony cases in Clinton Court

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Mayor Phil Fisher held a press conference on April 30 expressing frustration over interaction between the Hinds County's Public Defender's office and City of Clinton courts.

"I believe that prosecuting and convicting criminals in Hinds County requires cooperation between multiple agencies, beginning with investigation of the crime through dispensation of verdict and beyond," said Fisher.

"This partnership between the police, courts, prosecutors and defense attorneys is vital to the appropriate dispensation of justice for the accused and victims alike," said Fisher. "When one of the legs of the partnership fails to participate appropriately within the constitutional framework, the consequences can be tragic for all parties involved."

"The City of Clinton has had problems in the defense of felony cases originating within the lawful jurisdiction of the municipality," said Fisher.

"I am concerned, that unless this issue is addressed and brought to light," said Fisher, "the effective prosecution of criminals and the public safety of residents could be placed at risk."

"The Hinds County Public Defender's office's (HCPD) refusal to represent indigent felony defendants as assigned by the City of Clinton judge [is] in clear conflict with Mississippi Code § 21-



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23-7 (Powers and Duties of Municipal Judge). This code states that the municipal court judge 'may conduct preliminary hearings in all violations of the criminal law of this state occurring within the municipality...'"

Fisher continued, "At issue is the refusal of the Hinds County Public Defender's office to handle preliminary matters in Clinton. This refusal to participate in Clinton's Municipal Court began several years prior."

"Previously, the Hinds County Public Defender refused to attend the City of Clinton's court, so the City prosecutor would go to the Hinds County Courthouse. Despite attending court in Hinds County, cases would languish due to absentee judges or other unexplainable circumstances," explained Fisher.

"State law requires that all defendants receive an initial appearance within 48

hours of charges and must receive a preliminary hearing within fourteen days, if requested. Defendants must receive an indictment within ninety days," said Fisher.

"Due to the inability of the cases to progress through the Hinds County Court system, the City of Clinton now conducts preliminary hearings in Clinton Municipal Court, in accordance with applicable State statute."

"Clinton Municipal Judge Steven Boone appoints the City's Public Defender for the preliminary hearings and then binds them over to the Grand Jury," said Fisher. "Once a case is sent to the Grand Jury, the case is handed over to the Hinds County Public Defender's Office, in accordance with state law."

"According to Clinton Municipal Judge Steven Boone, 'the City of Clinton has the statutory authority to conduct all preliminary hearings for misdemeanors and felonies occurring within our lawful jurisdiction,'" said Fisher.

"Hinds County Public Defender's Office representatives have now created a constitutional quandary by refusing to represent the defendants," explained Fisher. "As a result, many defendants languish in jail without representation."

"In refusing to represent indigent defendants, the HCPD is asserting that the City of Clinton does not have legal authority to hear preliminary hearings in City Court. Once again, referencing

Mississippi Code § 21-23-7. Hinds County Public Defender's Office representatives are mistakenly referencing State statute, State Supreme Court rulings, and Mississippi Rule of Criminal Procedure (MRCP) in relation to appointment of the Mississippi Public Defender to represent felony cases in Clinton Municipal Court."

"In their first objection in accepting Clinton cases," said Fisher, "the HCPD representative references an order from the Mississippi Supreme Court relative to Mississippi Code 25-32-9. This case and subsequent order, is in regards to a Circuit Judge attempting to remove HCPD from cases. Wherein, Clinton Court officials are attempting to get the HCPD to represent our indigent defendants."

"The second objection erroneously cited by the HCPD office is Mississippi Code § 25-32-1, where they claim that only the Board of Supervisors have authority to establish a public defender's office," continued Fisher. "Nothing in the statute precludes a municipality from appointing a public defender. City officials are willing to allow HCPD counsel to represent cases in Clinton; it was only after HCPD's refusal to represent indigent defendants in Clinton and cases being delayed in the Hinds County Court that Clinton Municipal Court Judge Steven Boone began the current procedure."