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**LEGAL REPORT**

November 1, 2016

**CRIMINAL CASES:**

CRAIGHEAD DISTRICT TRIALS  
2016 TO DATE (81 DATES) 1,806 CASES  
TOTAL TRIALS FOR 2015 2,155 CASES

AFFIDAVITS FILED WITH JONESBORO CITY ATTORNEY'S OFFICE  
2016 TO DATE 575  
TOTAL AFFIDAVITS FILED 2015 697

CONTEMPT PETITIONS FILED WITH JONESBORO CITY ATTORNEY'S OFFICE  
NONPAYMENT OF FINES  
2016 TO DATE 7,523  
TOTAL FOR 2015 5,768  
REVOCAION OF PROBATION AND PUBLIC SERVICE VIOLATIONS  
2016 TO DATE 1,061  
TOTAL CONTEMPT PETITIONS 2015 1,857

**CIVIL CASES:**

THERE IS CURRENTLY 1 CIVIL CASE PENDING WHICH IS BEING HANDLED BY THE JONESBORO CITY ATTORNEY'S OFFICE.

Samuel Rosse III v. City of Jonesboro, Arkansas  
Arkansas Court of Appeals Case No. CV 2016-479

*On February 12, 2016, the court dismissed the Plaintiff's appeal of the condemnation. An appeal was filed. The case is currently pending with the Arkansas Court of Appeals*

THERE ARE CURRENTLY 11 CIVIL CASES BEING HANDLED BY ARKANSAS PUBLIC ENTITIES RISK MANAGEMENT ASSOCIATION (APERMA) ATTORNEY BURT NEWELL (SEE ATTACHED).

PENDING CASES  
as of October 18, 2016

JONESBORO, ARKANSAS

Clifton Burcham and all other similar situated persons                      Craighead County Circuit Court  
v. Craighead County, Arkansas & City of Jonesboro, Arkansas      Case No. CV-2016-401

*Plaintiff alleges an illegal exaction due to the Courts imposing fines and costs on DID charges. An Answer was filed on behalf of the City of Jonesboro on August 23, 2016. A pending Motion to Dismiss was filed by all Defendants and is currently pending before the Court.*

C.A.M.P vs Marcus Devine, City of Jonesboro, et al                      Craighead County Circuit Court  
Case No. CV-2013-350

*On June 8, 2016, the Plaintiffs filed an Amended Complaint concerning a landfill near the corner of Strawfloor and Parker Roads; an Answer was filed on June 20, 2016. This complaint was originally filed in 2003. A hearing was held on August 8, 2016, and a Status Hearing is set for January 5, 2017.*

Lee Lloyd v. Kerry D. Wilkinson, et al      Craighead Co. Circuit Court Case No. CV-2010-84 (JF)

*This case was resolved in mediation with the only item remaining being city engineering department work. This matter is set for a jury trial August 24-25, 2017.*

Hal McPheeters vs Keith Baggett, et al                      USDC Case No. 3:15-cv-00057

*Complaint filed on March 2, 2015 alleging excessive force and illegal search and seizure; Answer filed on June 29, 2015. Parties in the discovery phase with a jury trial set for week of February 13, 2017.*

Thurstle Mullen v. City of Jonesboro, et al                      USDC Case No. 3:16-cv-00136

*Plaintiff alleges unlawful arrest and detainment, and excessive force. The Court has set this matter for a jury trial with a proposed date during the week of August 7, 2017. The parties are currently in the discovery phase.*

Teresa Rudd vs Jonesboro Arkansas, et al                      USDC Case No. 3:13-cv-173

*Defendants filed a Motion for Summary Judgment, which the Court granted on all of Plaintiff's claims, except their allegations of improper search and seizure under the 4<sup>th</sup> Amendment. The Court allowed the Defendants to file a brief on this issue, which is currently pending before the Court.*

Unico Bank and Pat Watson, Trustee of the Watson Family Trust v. City of Jonesboro, et al  
Craighead County Circuit Court Case No. CV-2013-350

*This case concerns denial of re-zoning application. It is scheduled for a 2-day bench trial on October 27-28, 2016.*

\*This case has been continued to February 6-7, 2017.