

IN THE CIRCUIT COURT OF OKTIBBEHA COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

PLAINTIFF

VS.

CAUSE NO. 2015-0403-CRO

HENRY N. VAUGHN, SR.

DEFENDANT

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DEFENDANT'S ATTORNEY'S MOTION TO WITHDRAW HIS MOTION FOR  
THE COURT TO AWARD ATTORNEY'S FEES AND FOR OTHER RELIEF

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COMES NOW, THE DEFENDANT'S ATTORNEY, ROY A. PERKINS, ESQUIRE,  
and files this his Motion To Withdraw His Motion For The Court To  
Award Attorney's Fees and For Other Relief, and, the Defendant's  
Attorney respectfully offers the following in support of said  
Motion, to-wit:

I.

On or about December 17, 2015, the Defendant's attorney filed  
with this Honorable Court a Motion For The Court To Award  
Attorney's Fees and For Other Relief. The Defendant's attorney, in  
pleadings filed with this Court, indicated that the State clearly  
and absolutely is apparently without authority to appeal a "Not  
Guilty" verdict from the Justice Court of Oktibbeha County,  
Mississippi, to this Honorable Court.

II.

As a result of a Notice of Appeal that was filed in this case  
by the former Special Prosecutor without any apparent statutory  
authority or constitutional authority and as a result of the work

performed by the Defendant's attorney in light of the said Notice of Appeal, the Defendant's attorney requested for this Honorable Court to enter an Order awarding attorney's fees to the Defendant's attorney.

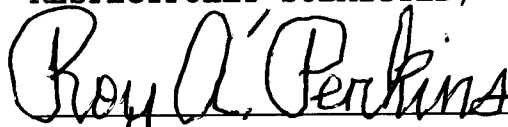
V.

Even though the Defendant's attorney has expended a substantial amount of time and work in light of the herein referenced Notice of Appeal that was filed by the State regarding this case, the Defendant's attorney has decided not to pursue his Motion Requesting For An Award of Attorney's Fees. As a result, the Defendant's attorney respectfully requests for this Honorable Court to enter an Order indicating that said Motion Requesting Attorney's Fees shall be and is hereby withdrawn.

**WHEREFORE, PREMISES CONSIDERED, THE DEFENDANT'S ATTORNEY, ROY A'. PERKINS,** respectfully requests and prays for this Honorable Court to enter an Order Withdrawing his Motion Requesting For An Award of Attorney's Fees, based on all of the foregoing.

**THIS, THE 28TH DAY OF MARCH, 2016.**

RESPECTFULLY SUBMITTED,



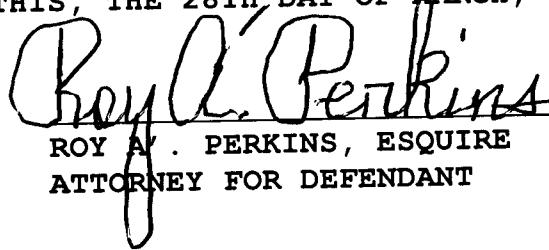
ROY A' PERKINS, ESQUIRE  
ATTORNEY FOR DEFENDANT  
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STARKVILLE, MS 39760-0678  
BUS PHONE: (662) 324-7300  
MISS. BAR NUMBER 4118



CERTIFICATE OF SERVICE

I, ROY A' . PERKINS, ESQUIRE, ATTORNEY FOR DEFENDANT, do hereby certify that I have this day, forwarded via e-mail, a true and correct copy of the foregoing Motion, to the Honorable Lee S. Coleman, Circuit Court Judge, 16th Circuit Court District, through his Court Administrator.

SO CERTIFIED, THIS, THE 28TH DAY OF MARCH, 2016.

  
ROY A' . PERKINS, ESQUIRE  
ATTORNEY FOR DEFENDANT

