

**IN THE CIRCUIT COURT OF THE FIRST JUDICIAL DISTRICT
OF HINDS COUNTY, MISSISSIPPI**

STATE OF MISSISSIPPI

PLAINTIFF

VS.

CAUSE NO. 22-0-238(1-20)

JOHN DAVIS

ORDER OF NOLLE PROSEQUI

CAME THIS DAY to be heard the State's motion *ore tenus* to *nolle prosequi* the within Cause and Jamie McBride, Assistant District Attorney, having appeared on behalf of the State of Mississippi and the Court and being fully advised of the premises herein finds as follows:

1. On February 4, 2020, the Defendant, John Davis, was indicted by a Hinds County Grand Jury in a five count indictment alleging that he committed the crimes of Conspiracy, three counts, and Fraud in Public Office, one count, and Making False Statements, one count, in the within Cause.

2. On March 25, 2022, the Defendant, John Davis was re-indicted by a Hinds County Grand Jury, in a superceding Indictment, in Hinds County Cause Nos. 22-0-238(1-20).

3. The State and Defense have announced that a global plea resolution has been reached between the State, the federal authorities and the Defendant, John Davis, whereby the Defendant, John Davis has agreed to fully cooperate, including providing truthful testimony at trial, with the State and all federal authorities in the prosecution of any and all additional criminally charged defendants, in State or Federal Court, for the criminal misuse of Federal TANF grant funds, State of Mississippi Funds, Mississippi Community of Education Center funds or any other funds available to or through the Mississippi Department of Human Services during his tenure as the Executive Director of the Mississippi Department of Human Services. The State and the Defense have advised the Court that pursuant to the global plea resolution, all parties have agreed that the Defendant, John Davis will serve all of his incarcerated time in the custody of the Federal Bureau of Prisons.

4. On September 21, 2022 the United States unsealed an indictment against the Defendant, John Davis, alleging the felony crimes of Conspiracy and Theft from Programs Receiving Federal Funds, in violation of 18 U.S.C 371 and 18 U.S.C. 666. The State and the Defense have advised the Court that the Defendant, John Davis will enter guilty pleas to the federal charges, with a recommendation on the morning of September 22, 2022, in the United States District Court for the Southern District of Mississippi.

5. The State and the Defense has announced to the Court that a plea agreement has been reached between the State and the Defendant, John Davis, whereby the Defendant, John Davis, will enter a guilty plea to five counts of Conspiracy and thirteen counts of Fraud Against the Government, in violation of Section 97-1-1 and 97-7-10 of the Mississippi Code Ann., with a recommendation from the State. The plea in State Court will occur be by way of a Bill of Information and is scheduled to take place before this Court on September 22, 2022, subsequent to the Defendant's federal guilty plea.

6. The State has advised the Court that in order to ensure that the Defendant, John Davis, is incarcerated on all of his charges in the custody of the Federal Bureau of Prisons it is necessary for the within Cause be dismissed and for the State to proceed on charges contained in a Bill of Information that is filed subsequent to the unsealing of the federal charges currently pending against the Defendant, John Davis, in the United States District Court for the Southern District of Mississippi, Cause Number 3:22CR1004.

THEREFORE IT IS ORDERED AND ADJUDGED that an Order of *Nolle Prosequi* with out prejudice in the above styled cause be and hereby is entered.

SO ORDERED, this the 21st day of September, 2022.


CIRCUIT COURT JUDGE

AGREED TO BY:

STATE OF MISSISSIPPI

BY: 

Jamie K. McBride, Assistant District Attorney

JOHN DAVIS

BY: 

Merrida Coxwell, Esq.
Attorney for John Davis