

**MISSISSIPPI SUPREME COURT DECISIONS – NOVEMBER 21, 2019****SUPREME COURT - CIVIL CASES****ALEXIS V. BLACK****CIVIL - DOMESTIC RELATIONS**

**CRIMINAL LAW - ASSAULT - SIMPLE ASSAULT** - Simple assault is defined as either (1) attempting to cause or purposely, knowingly, or recklessly causing bodily injury to another; (2) negligently causing bodily injury to another with a deadly weapon or other means likely to produce death or serious bodily harm; or (3) attempting by physical menace to put another in fear of imminent serious bodily harm

**CRIMINAL LAW - ASSAULT - MINOR INJURY** - A minor injury is a bodily injury even though it may not be a traumatic injury

**CRIMINAL LAW - ASSAULT - BODILY INJURY** - Bodily injury is defined as physical pain, illness, or any impairment of physical condition

**FACTS**

Nadia Alexis met Marcus Black in 2012. In August 2016, Alexis and Black moved to Oxford, Mississippi, for Alexis to attend the University of Mississippi. In September 2017, Alexis and Black got into an argument that resulted, according to Alexis, in Black punching Alexis in the face. After the incident, Alexis asked Black to move out of the apartment. By January 2018, Black had yet to make any attempt to move out. On January 5, 2018, Alexis filed a petition for an emergency domestic-abuse protection order, which was granted through April 11, 2018. Alexis then filed for a domestic-abuse protection order, for which the chancery court found that the statutory requirements had not been met. Alexis appealed.

**ISSUES**

Whether the chancellor erred by (1) dismissing the petition for domestic-abuse protection order and (2) assessing costs against Alexis.

**HOLDING**

(1) Because sufficient evidence was before the chancellor to support his finding that a final domestic-abuse protection order was not warranted, the chancellor did not err by dismissing the petition for domestic-abuse protection order. (2) Because the chancellor found that the statutory requirements of § 93-21-3 were not met, he did not err by assessing costs against Alexis. Therefore, the Supreme Court affirmed the judgment of the Lafayette County Chancery Court.

**DISSENT**

Justice Griffis argued that, because Alexis testified that Black had stated a few days before the incident that it was sometimes acceptable to hit women, and because a protection order was required to get Black to eventually move out of the apartment, the chancellor erred by dismissing the petition. He also suggested reversing the chancellor's decision and remanding with instructions to issue a domestic-abuse protection order against Black until December 2019, when Alexis graduates.

**Affirmed - 2018-CA-00943-SCT (Nov. 21, 2019)**

En Banc Opinion by Justice Beam - Dissent by Justice Griffis  
Hon. Robert Q. Whitwell (Lafayette County Chancery Court)  
Christi R. McCoy for Appellant - Joshua A. Turner for Appellee  
Briefed by [Joshua Crownover](#)

[Click here to view the full opinion](#)

## HOWELL V. STATE

### CIVIL - POST-CONVICTION RELIEF

**POST-CONVICTION RELIEF - SENTENCING - STANDING** - Any person sentenced by a court of record of the State of Mississippi who claims that the sentence exceeds the maximum authorized by law can bring a claim for post-conviction relief

**POST-CONVICTION RELIEF - STATUTORY INTERPRETATION - PLAIN MEANING** - When presented with a question regarding the application of a statute, the court strives to give the statute its effect as intended by the Legislature. In doing so, the court must look to the statute's language, and if the words of a statute are clear and unambiguous, we apply the plain meaning of the statute and refrain from using principles of statutory construction

### FACTS

On January 29, 1998, Marlon Howell was indicted for the sale of a controlled substance. On March 3, 1999, the circuit court accepted Howell's guilty plea for possession of a controlled substance and sentenced him to three years, while retaining a right of review on the sentence for one year. The next year, the court suspended his remaining sentence and placed Howell on supervised probation for two years. In 2000, Howell was arrested in connection with murder. On March 30, 2001, he was convicted of capital murder and sentenced to death. In 2016, Howell filed a motion to vacate his prior sentence for possession of a controlled substance. The circuit court held that under Miss. Code Ann. § 99-39-5, plaintiff must be in custody to bring a post-conviction relief ("PCR") claim and granted the State's motion to dismiss for lack of jurisdiction because Howell was no longer serving his sentence for possession of a controlled substance. Howell appealed.

### ISSUE

Whether Howell had standing under the statute to file a motion for PCR.

### HOLDING

Because the statute was amended in 2009 to allow a claim brought by any person sentenced by a court of record in the State of Mississippi who claims that the sentence exceeds the maximum authorized by law, Howell has standing to proceed. Therefore, the Supreme Court reversed and remanded the judgment of the Union County Circuit Court.

### Reversed & Remanded - 2018-CA-00813-SCT (Nov. 21, 2019)

En Banc Opinion by Justice Coleman

Hon. Andrew K. Howorth (Union County Circuit Court)

C. Jackson Williams for Appellant - Ladonna C. Holland (Att'y Gen. Office) for Appellee

Briefed by [Winston Hudson](#)

[Click here to view the full opinion](#)

## NEWSOUTH NEUROSPINE, LLC V. HAMILTON

### CIVIL - OTHER

**CIVIL PROCEDURE - DISCOVERY - MEDICAL RECORDS PRODUCTION** - Under the Health Insurance Portability and Accountability Act ("HIPAA"), the fees charged for the production of medical records must be reasonable and cost-based

**CIVIL PROCEDURE - DISCOVERY - MEDICAL RECORDS AFFIDAVIT** - HIPAA does not apply to the execution of a medical records affidavit, and the entity producing the medical records is allowed to charge up to \$25 for the execution of the affidavit pursuant to Miss. Code Ann. § 11-1-52(3)

### **FACTS**

Melinda C. Hamilton sued Weatherford International, LLC, and William T. Dixon. Hamilton requested a copy of her medical records from NewSouth Neurospine, LLC. (“NewSouth”), which billed her \$210.65 for 233 pages of records and the execution of a medical records affidavit. Hamilton disputed the amount of the fees, and NewSouth asserted that the amount was allowed by Miss. Code Ann. § 11-1-52. Hamilton moved for discovery sanctions, claiming that NewSouth’s bill exceeded what was permissible under the Health Insurance Portability and Accountability Act (“HIPAA”). The Jasper County Circuit Court found that NewSouth was limited to charging a reasonable, cost-based fee under HIPAA, granted Hamilton’s motion, and ordered NewSouth to refund Hamilton \$159. NewSouth appealed.

### **ISSUE**

Whether the trial court erred in finding that NewSouth violated HIPAA by charging \$210.65 for 233 pages of medical records and the execution of a medical records affidavit.

### **HOLDING**

Because NewSouth could not produce evidence that the fees it charged Hamilton were reasonable and cost-based, the amount charged exceeded what was allowed by HIPAA, but because HIPAA does not apply to the execution of a medical records affidavit, NewSouth was entitled to charge \$25 for its execution. Therefore, the Supreme Court affirmed in part, reversed in part and remanded the judgment of the Jasper County Circuit Court.

### **CONCURRENCE IN PART & DISSENT IN PART**

Justice Griffis argued that the amount in controversy was \$134, not \$210.65, because that was the actual amount Hamilton paid for her medical records. He argued that NewSouth followed Miss. Code Ann. § 11-1-52(1) and charged an appropriate and reasonable amount. Further, he argued that the majority improperly relied only on the argument of Hamilton’s attorneys. Finally, Justice Griffis found it unnecessary for NewSouth to submit an affidavit or a calculation of its costs in order to charge \$134, and he would reverse and render the circuit judge’s order compelling NewSouth to reimburse Hamilton \$159.

**Affirmed in Part, Reversed in Part, and Remanded - 2018-IA-00490-SCT (consolidated with 2018-CA-00629-SCT) (Nov. 21, 2019)**

Opinion by Presiding Justice Kitchens - Concurrence in Part & Dissent in Part by Justice Griffis  
Hon. Stanley Alex Sorey (Jasper County Circuit Court, First Judicial District)  
Matthew D. Sitton & Thomas L. Kirkland Jr. for Appellant - Thomas L. Tullos for Appellee  
Briefed by [Allison Middleton](#)

[Click here to view the full opinion](#)

## **MISSISSIPPI COURT OF APPEALS DECISIONS – NOVEMBER 19, 2019**

### **COURT OF APPEALS - CIVIL CASES**

#### **CARPENTER V. CONWAY**

#### **CIVIL - REAL PROPERTY**

**CIVIL PROCEDURE - JUDICIAL ESTOPPEL - ELEMENTS** - A party will be judicially estopped from taking a subsequent position if (1) the position is inconsistent with one previously taken during litigation; (2) a court accepted the previous position; and (3) the party did not inadvertently take the inconsistent positions

**CIVIL PROCEDURE - JUDICIAL ESTOPPEL - ADVERSE PARTY REQUIREMENT** - The adverse party requirement has been eliminated in the State of Mississippi because the purpose of judicial estoppel is served regardless of whether the inconsistent positions were taken in opposition to the same party

**ESTATES - PROBATE - ADMINISTRATOR'S DUTIES** - An administrator of an estate has a duty to take all proper steps to acquire possession of any part of the estate that may be withheld from him; to ascertain whether the decedent was the sole owner, joint owner, or tenant in common of the real estate; and to discover and inventory all assets before seeking or agreeing to the estate's closing

## **FACTS**

Terry Ruth Conway was conveyed three parcels of land before she married Guy Carpenter in November 2002. Terry's parents conveyed a 56.6-acre parcel to Terry in 2001 with a life estate reserved for the parents. Three days later, Terry's brother, Kenneth Conway, deeded her another 40-acre parcel with a life estate reserved for Kenneth and Terry's parents. Lastly, shortly before Terry's marriage, her parents conveyed to her in fee simple a 7.1-acre parcel that adjoined the other two properties. Neither Terry nor Carpenter ever used the first two parcels conveyed to Terry throughout their marriage. Prior to her death on April 22, 2011, and after seeking an attorney's advice on filing for divorce, Terry decided to convey the first two parcels of land back to her parents. Her parents recorded the deeds on May 9, 2011. Carpenter was appointed administrator of Terry's estate in November 2011, and he never identified the first two parcels of land as part of the real property that Terry owned at her death. Carpenter also never sought a cause of action on her estate's behalf in relation to the two parcels. In June 2016, four years after the chancellor entered the final order to close Terry's estate, Carpenter filed a complaint individually and on behalf of his minor son against Kenneth Conway and sought to have Terry's conveyances of the first two parcels void. The chancellor ordered that Carpenter's claims were barred by both judicial and collateral estoppel and dismissed his complaint under Miss. R. Civ. P. 12(b)(6). Carpenter appealed.

## **ISSUES**

Whether the chancellor (1) abused her discretion by finding that judicial estoppel barred Carpenter's claims and (2) properly dismissed Carpenter's complaint under Miss. R. Civ. P. 12(b)(6).

## **HOLDING**

(1) Because the record clearly reflects that Carpenter took a position in the current litigation contrary to the one he took in the prior probate proceedings, the first prong of judicial estoppel was met; and because, by entering the order to close Terry's estate, the chancellor accepted Carpenter's representation that Terry owned only Parcel 3 when she died, the second prong of judicial estoppel was met; and because the chancellor relied on Carpenter's representation that Parcel 3 was the only real property Terry owned at the time of her death, and Carpenter benefitted when the estate was closed by receiving ownership of the parcel, there was no merit to Carpenter's claim that his inconsistent positions were immaterial. (2) Because the chancellor did not abuse her discretion in determining that all three requirements for judicial estoppel were met, the chancellor did not err in dismissing Carpenter's complaint under Miss. R. Civ. P. 12(b)(6). Therefore, the Court of Appeals affirmed the judgment of the Perry County Chancery Court.

## **DISSENT**

Chief Judge Barnes argued that any representations Carpenter made as administrator of the estate are not binding on his and Terry's minor son. Second, she argued that because the real property at issue descended to Terry's heirs by operation of law, Guy did not benefit from his prior position in the probate proceedings. Therefore, she would have remanded the case for further proceedings.

### **Affirmed - 2018-CA-01280-COA (Nov. 19, 2019)**

En Banc Opinion by Judge Tindell - Dissent by Chief Judge Barnes  
Hon. Susan Rhea Sheldon (Perry County Chancery Court)  
Daniel Myers Waide for Appellant - Anthony Sakalarios for Appellee  
Briefed by [Jack Byrd](#)

[Click here to view the full opinion](#)

## THOMPSON V. PUB. EMPs.' RET. SYS. OF MISS.

### CIVIL - STATE BOARDS & AGENCIES

**ADMINISTRATIVE LAW - APPEALS - STATE BOARD & AGENCY CONCLUSIONS** - An agency's conclusions must remain undisturbed unless the agency's order (1) is not supported by substantial evidence; (2) is arbitrary or capricious; (3) is beyond the scope or power granted to the agency; or (4) violates any constitutional right

**ADMINISTRATIVE LAW - STATE BOARDS & AGENCIES - DUE PROCESS** - The Mississippi Supreme Court has held that a State Board's rules must afford minimum procedural due process, which entails (1) notice, and (2) an opportunity to be heard

**ADMINISTRATIVE LAW - STATE BOARDS & AGENCIES - EVIDENCE OF DISABILITY** - The Mississippi Supreme Court has held that medical diagnoses provided by a claimant's licensed physicians are objective, not subjective, evidence of disability

### FACTS

Thompson worked as a court reporter from 2002 to 2014. She was terminated due to the inability to perform her job's necessary duties. Thompson had an extensive history of hand-related issues. She was diagnosed and underwent surgery to relieve problems from carpal tunnel syndrome in the 1990s. However, she continued to suffer from the pain and discomfort of recurrent carpal tunnel and was treated several times for hand and wrist problems over the years. In 2014, she was treated for carpal tunnel with an injection and was instructed not use her hands pending an electromyogram ("EMG") study. At the request of the Public Employees' Retirement System of Mississippi ("PERS"), Thompson underwent an independent medical evaluation, during which another doctor found that Thompson would be able to return to her previous job and that she did not meet the criteria for a duty-related disability. The Medical Board denied her application, finding that Thompson failed to provide sufficient evidence that she was disabled. Thompson appealed the Medical Board's decision to the PERS Disability Appeals Committee ("the Committee"). The Committee recommended the denial of both duty-related and non-duty-related disability benefits, and the PERS Board of Trustees ("the Board") adopted the Committee's recommendation. Thompson appealed the Board's decision to the Circuit Court of Hinds County, and the circuit court affirmed the Board's decision. Thompson appealed.

### ISSUES

Whether (1) the Board's decision to deny Thompson both duty-related and non-duty-related disability benefits was supported by substantial evidence; (2) the Board's decision denied Thompson her due process rights; and (3) it was Thompson's responsibility to submit all of her pertinent medical information prior to the hearing.

### HOLDING

(1) Because courts are obligated to give substantial deference to an administrative agency when reviewing its decision, because Thompson did not provide any evidence from physicians that she was permanently disabled, and because her treating physician said she was likely to recover, the Board's decision to deny Thompson both duty-related and non-duty-related disability benefits was supported by substantial evidence. (2) Because Thompson was informed of her right to be represented by counsel, and because she was aware of that right prior to the hearing, the Board's decision did not violate her due process rights. (3) Because Thompson did not base her disability argument on the medical records that were not submitted to the Committee, the question of responsibility to submit documents is moot. Therefore, the Court of Appeals affirmed the judgment of the Hinds County Circuit Court.

### Affirmed - 2018-SA-00975-COA (Nov. 19, 2019)

Opinion by Judge Westbrook

Hon. Joseph Anthony Sclafani (Hinds County Circuit Court, First Judicial Dist.)

George S. Luter for Appellant - Samuel Martin Millette III & Jane L. Mapp (Att'y Gen. Office) for Appellee

Briefed by [David Boydston](#)

[Click here to view the full opinion](#)

---

## COURT OF APPEALS - CRIMINAL CASES

### JENKINS V. STATE

#### CRIMINAL - FELONY

**CRIMINAL PROCEDURE - SPEEDY TRIAL - MISS. CODE ANN. § 99-17-1** - Unless good cause be shown, and a continuance duly granted by the court, all offenses for which indictments are presented to the court shall be tried no later than two hundred seventy (270) days after the accused has been arraigned

**MIRANDA RIGHTS - RIGHT TO REMAIN SILENT - USE AT TRIAL** - Post-*Miranda* silence cannot be used to suggest guilt during trial

**TRIAL - JURY - INSTRUCTIONS** - Jury instructions given must be read as a whole to determine if they fairly announce the law of the case and do not create injustice

**EVIDENCE - WITNESSES - IMPEACHMENT** - Any party, including the party that called the witness, may attack the witness's credibility; however, if denial of opportunity to impeach did not contribute to the verdict obtained, then it will constitute harmless error

**TRIAL - TESTIMONY - DEFENDANT'S RIGHT** - Defendant has a right to testify at trial, but trial judge is not required to inform him of this right and defendant's silence can constitute waiver

#### FACTS

In October 2014, police responded to a shooting and found the body of Moyanna Johnson on the floor of Bobby Jenkins's apartment. The resulting investigation pointed to Jenkins. Jenkins turned himself in the next day but chose not to give a statement. Two eyewitnesses gave statements implicating him and identified him in photo lineups. The following January, Jenkins was indicted and charged with first degree murder. His trial began in July 2017 after eight continuances, six of which were the result of his attorney's motions. The two eyewitnesses testified that Jenkins was with two other men. Both said he grabbed a gun from the man to his left and fired several times into the apartment. Testimony from law-enforcement officers and experts indicated that it was likely only one gun was involved and the only person to use it was Jenkins. Defense counsel moved for directed verdict, which was denied. Defense counsel rested without presenting any evidence. The jury found Jenkins guilty of second-degree murder. The circuit court sentenced him to forty years in custody with ten years suspended and thirty to serve, followed by five years supervised probation. Jenkins appealed following an unsuccessful post-trial motion.

#### ISSUES

Whether (1) the circuit court erred when it gave an incomplete instruction on accomplice liability; (2) the court erred when it did not allow defense counsel to impeach a witness with a picture; (3) the court erred when it allowed a law-enforcement officer to testify that Jenkins did not give a statement; (4) Jenkins was deprived of his statutory right to a speedy trial; and (5) Jenkins was deprived of his right to testify.

#### HOLDING

(1) Because the instructions when read as a whole did not allow the jury to find Jenkins guilty without finding that all the elements of the offense were committed, Instruction S-7 was intended to give the jury the option of first degree murder under the theory that the man with gun and Jenkins premeditated to kill Johnson, and because the jury was instructed not to consider second degree murder unless it found him not-guilty of first degree murder, the court did not err when it gave an incomplete instruction on accomplice liability. (2) Because there was overwhelming and undisputed testimony and physical evidence in the case, the circuit court's ruling was, at most, harmless error that did not contribute to the verdict obtained. (3) Because defense counsel asked a detective why she had not investigated other suspects and she explained that she was unable to without information Jenkins declined to provide, the comments were considered an answer to the question and did not suggest that Jenkins was guilty because he declined to give a statement especially in light of his overwhelming guilt. (4) Because Jenkins was not jailed for the majority of the pretrial period, the record did not contain any indication that Jenkins was dissatisfied with any of the continuances granted at his counsel's request, and because none of the delays were attributed to the prosecution, Jenkins was not deprived of his right to a speedy



trial. (5) Because defense counsel rested without calling Jenkins to testify, Jenkins did not complain that he wanted to testify, and because the circuit judge was not required to engage in a colloquy with Jenkins about his right to testify, Jenkins silence was proof that he had waived his right to testify and his only route now would be post-conviction proceedings for ineffective counsel. Therefore, the Court of Appeals affirmed the judgment of the Hinds County Circuit Court.

**Affirmed - 2018-KA-00560-COA (Nov. 19, 2019)**

Opinion by Judge Westbrook

Hon. William A. Gowan Jr. (Hinds County Circuit Court, First Judicial Dist.)

Hunter Nolan Aikens (Pub. Def. Office) for Appellant - Alicia Marie Ainsworth (Att'y Gen. Office) for Appellee

Briefed by [Kaitlin Bethay](#)

[Click here to view the full opinion](#)

## MASTERS V. STATE

### CRIMINAL - FELONY

**MISSISSIPPI RULES OF EVIDENCE - RULE 404(B) - OTHER BAD ACTS** - Rule 404(b) prohibits the use of prior-bad acts evidence to prove a person's character; however Rule 404(b) permits such evidence when it is necessary to tell a complete story and when the prejudice suffered is outweighed by the evidence's probative value

**APPELLATE REVIEW - SENTENCING - EX POST FACTO LAWS** - Both federal and state constitutions protect persons from sentencing under ex post facto laws, and the statute in effect at the time an offense is committed is the one that must control the prosecution of the offense

**APPELLATE REVIEW - INDICTMENT - CRIME CHARGED** - An indictment is fatally defective if it fails to allege the essential elements of the crime under the statute in effect at the time of the offense

### FACTS

Troy Lee Masters was convicted and charged with sexual battery of his adopted daughter, who alleged that Masters had sexually abused her from age 13 to 37. At the pre-trial conference, the prosecution moved for the allowance of Rule 404(b) evidence in order to introduce other-bad-acts evidence of Masters sexually abusing his daughter after she reached adulthood. Masters never specifically objected to the testimony of other bad acts or requested such testimony be limited. The grand jury indicted Masters on three counts of sexual battery and one count of touching a child for lustful purposes. Under Count I, Masters was convicted of sexual battery of a child under 14 years of age and sentenced to 40 years, with 16 years suspended and 24 years to serve. However, at the time of the offense, the maximum sentence for sexual battery was 30 years under Miss. Code Ann. § 97-3-101. Under Count II, Masters was convicted of touching a child for lustful purposes and given a sentence of 15 years; however, at the time of his offense, the maximum sentence for fondling of a child was 10 years. Counts III and IV of the indictment alleged that on two separate occasions, between January 17, 1993 and January 17, 1994, Masters committed sexual battery of a child between 14 and 16 years of age. His daughter was 15 years old during the relevant timeframe. The indictment charged Masters pursuant to Miss. Code Ann. § 97-3-95(c), which provided for sexual battery for sexual penetration with a child under the age of 14 years, and, effective July 1993, the statute was amended to provide that a person is guilty of sexual battery of a child between the ages of 14 to 17 "if the person is in a position of trust or authority over the child." Masters was found guilty on all four counts and filed a motion for JNOV or alternatively a new trial, which the Union County Circuit Court denied. Masters appealed.

### ISSUES

Whether (1) the trial court erred in allowing other-bad-acts evidence of Masters's sexual activity with his daughter after she became an adult; (2) Masters's sentences for Counts I and II were illegal; and (3) Counts III and IV of the indictment were fatally defective.

### HOLDING

(1) Because Rule 404(b) allows the use of other-bad-acts evidence in order to tell a complete and coherent story of what happened, because whatever prejudice Masters suffered was outweighed by the evidence's probative value, and because Masters did not request limiting instructions during the pre-trial conference, the court did not err in admitting the other-bad-acts evidence. (2) Because Masters was sentenced under ex post facto laws and, as such, the sentences received in Counts I and II were beyond the maximum sentences allowed by statute at the time the offenses were committed, the sentences for Counts I and II were illegal. (3) Because the indictment failed to charge a crime cognizable under Mississippi law at the time of the offense and failed to allege the essential element that Masters was in a position of power or authority over his daughter, the indictment was fatally defective. Therefore, the Court of Appeals affirmed the judgment of the Union County Circuit Court on the convictions of Counts I and II, remanded for re-sentencing on Counts I and II under the applicable version of the statutes in effect at the time of the offenses, and reversed and rendered Counts III and IV.

**Affirmed in Part, Remanded in Part & Remanded for Re-Sentencing on Counts I & II; Reversed & Rendered on Counts III & IV - 2018-KA-01010-COA (Nov. 19, 2019)**

Opinion by Judge Westbrook

Hon. John Kelly Luther (Union County Circuit Court)

Hunter Nolan Aikens (Pub. Def. Office) for Appellant - Alicia Marie Ainsworth (Att'y Gen. Office) for Appellee

Briefed by [Melissa Fenwick](#)

[Click here to view the full opinion](#)

**MISSISSIPPI CASES EDITOR**  
**KATIE HUMPHRIES**

**ASSOCIATE CASES EDITORS**  
**JAMES ADAMOLI**  
**JON-PAUL BUSHNELL**  
**ZACHARY FLOWERS**  
**BAXTER GEDDIE**  
**BRANDON WILSON**

*Thank you for supporting the Mississippi Law Journal.*

Questions or comments: Katie Humphries, [newsletter@mississippilawjournal.org](mailto:newsletter@mississippilawjournal.org)

*All subscribers to BriefServ traditionally receive access to our website with archived case briefs since January 2007. Currently, our digital database is under construction. Requests for previous editions of the Newsletter can be made to Katie Humphries, [newsletter@mississippilawjournal.org](mailto:newsletter@mississippilawjournal.org). If you have questions about accessing or using the BriefServ website, please contact us at [support@mississippilawjournal.org](mailto:support@mississippilawjournal.org)*