

CHOCTAW TRIBAL SUPREME COURT  
OF THE  
MISSISSIPPI BAND OF CHOCTAW INDIANS

FILED

JUN 20 2016

CHOCTAW SUPREME COURT  
BY: *[Signature]*  
COURT CLERK 4:22 pm

CASSIE COTTON

APPELLANT

vs.

SC 2016-05

MISSISSIPPI BAND OF CHOCTAW INDIANS

APPELLEE

On May 4, 2016, Defendant below, Cassie Cotton, through counsel, filed her Motion for Judgment Notwithstanding the Verdict; Alternatively, New Trial, following her April 7, 2016 jury conviction and April 25, 2016, sentencing on five (5) counts of having violated CTC Sec. 3-1-3 – Battery, as a class B offense. The defendant on May 31, 2016, filed her Notice of Appeal. The sentencing order of the lower court was entered on or about April 8, 2016, and defendant surrendered into custody on May 3, 2016.

**Order Granting Appeal**

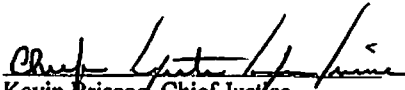
and

**Release on Bond**

Defendant below, Casey Cotton, was convicted on five counts of having violated CTC Sec. 3-1-3 – Battery, as a Class B offense, following her April 7, 2016 jury trial. On April 25, 2016, defendant was sentenced to 180 days in detention, 270 days suspended, 270 days reporting probation and a \$1,250.00 fine. The sentencing order of the lower court was entered on or about April 8, 2016, and defendant surrendered into custody on May 3, 2016. On May 4, 2016, Defendant below, Cassie Cotton, through counsel, filed her Motion for Judgment Notwithstanding the Verdict; Alternatively, New Trial. The lower court having failed to rule on said motion within 20 days after its filing is deemed to have been denied. They defendant below on May 31, 2016, filed her Notice of Appeal.

This Court finds Defendant's Notice of Appeal to have been timely filed, hereby assumes jurisdiction over all further proceedings pending the appeals outcome. Further, this Court hereby orders Pursuant to CTC Sec. 7-1-5 - Stay Pending Appeal: Bond – Defendant/Appellant be released on bond pending an appeal to the Supreme Court under the same terms and conditions as previously imposed by the lower court. Said release shall be *instante*.

*So ordered, this the 20<sup>th</sup> day of June, 2016.*

  
Kevin Briscoe, Chief Justice  
Choctaw Tribal Supreme Court


**CERTIFICATION OF SERVICE**

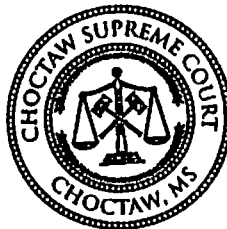
I do hereby certify that I have this, the 20th day of June, 2016 caused to be forwarded by the United States Mail and Hand Delivered, a true and correct copy of the above and foregoing document to the below listed counsel of record.

Ms. Cassie Cotton, Pro Se  
Choctaw Detention Center  
Choctaw, Mississippi 39350  
(Hand Delivery)

Hon. Peggy Gibson  
Choctaw Tribal Court  
Choctaw, Mississippi 39350  
(Hand Delivery)

Hon. Kevin Payne, Special Prosecutor  
Mississippi Band of Choctaw Indians  
Attorney General's Office  
Choctaw, Mississippi 39350  
(Hand Delivery)

  
Jane Charles, Clerk of Court  
Choctaw Tribal Supreme Court



MISSISSIPPI BAND OF CHOCTAW INDIANS  
~~CHOCTAW TRIBAL CRIMINAL COURT~~  
Tribal Supreme Court Clerk

MISSISSIPPI BAND OF CHOCTAW INDIANS

PLAINTIFF

VS.

CR \_\_\_\_\_

\_\_\_\_\_

DEFENDANT

MOTION FOR CONSIDERATION OF JUDGMENT AND SENTENCE

COMES NOW the Defendant and hereby requests the Court for a hearing to have the Court reconsider the Judgment and Sentence imposed by this Court. As grounds for this Motion Defendant states as follows:

Requesting for an Appeal. I feel like I was not being judge right. During my trial I did notice one of the juries was sleeping. I know it was a long trial. During the trial the Prosecutor Kevin Payne had asked the witness about another incident that was seen during the video if that teacher had been charged and the witness said "yes"

Respectfully submitted,

May 31 2016  
DATE

Cassie Cotton  
DEFENDANT/DEFENDANT'S ATTORNEY

①

MISSISSIPPI BAND OF CHOCTAW INDIANS  
~~CHOCTAW TRIBAL CRIMINAL COURT~~  
Tribal Supreme Court Clerk

MISSISSIPPI BAND OF CHOCTAW INDIANS

PLAINTIFF

VS.

CR \_\_\_\_\_

DEFENDANT

MOTION FOR CONSIDERATION OF JUDGMENT AND SENTENCE

COMES NOW the Defendant and hereby requests the Court for a hearing to have the Court reconsider the Judgment and Sentence imposed by this Court. As grounds for this Motion Defendant states as follows:

She has been charged with battery. I feel like that had confused the juries. The prosecutor had a professional witness on the stand which my attorney was not prepared for that witness. I had an incident back in 2012 the prosecutor and my attorney had talked about that incident, my attorney refused to use

Respectfully submitted,

May 31, 2016  
DATE

Carrie Cotton  
DEFENDANT/DEFENDANT'S ATTORNEY

6

MISSISSIPPI BAND OF CHOCTAW INDIANS  
~~CHOCTAW TRIBAL CRIMINAL COURT~~  
Tribal Supreme Court Clerk

MISSISSIPPI BAND OF CHOCTAW INDIANS

PLAINTIFF

VS.

CR. \_\_\_\_\_

DEFENDANT

MOTION FOR CONSIDERATION OF JUDGMENT AND SENTENCE

COMES NOW the Defendant and hereby requests the Court for a hearing to have the Court reconsider the Judgment and Sentence imposed by this Court. As grounds for this Motion Defendant states as follows:

that incident. My attorney had ask Judge Gibson about the incident in 2012 not to be mention during the trial. Judge Gibson did say "if defendant or her attorney opens that door then I will allow it but if not opened no can not use the incident". Instead Kevin Payne had questioned a witness about the incident back in 2012. I feel like

Respectfully submitted,

May 31 2016  
DATE

Cassie Cotton  
DEFENDANT/DEFENDANT'S ATTORNEY

ⓐ

MISSISSIPPI BAND OF CHOCTAW INDIANS  
~~CHOCTAW TRIBAL CRIMINAL COURT~~  
Tribal Supreme Court Clerk

MISSISSIPPI BAND OF CHOCTAW INDIANS

PLAINTIFF

VS.

CR. \_\_\_\_\_

DEFENDANT

MOTION FOR CONSIDERATION OF JUDGMENT AND SENTENCE

COMES NOW the Defendant and hereby requests the Court for a hearing to have the Court reconsider the Judgment and Sentence imposed by this Court. As grounds for this Motion Defendant states as follows:

that was poor judgement and unfair. My attorney did object but Judge overruled the objection and allowed the incident from 2012 to be discuss during the trial.

Respectfully submitted,

May 31 2016  
DATE

Cassie Cotton  
DEFENDANT/DEFENDANT'S ATTORNEY

①

**INMATE REQUEST FORM**

Date: May 31, 2016

Inmate's Name: Cassie Cotton

DOB: 12/4/1986

PLEASE DELIVER THE REQUEST TO THE FOLLOWING PERSON OR OFFICE	
DEPARTMENT / FACILITY	COMMUNITY
Director of Law Enforcement <input type="checkbox"/>	Legal Defense <input type="checkbox"/>
Adult Administrator <input type="checkbox"/>	Probation Officer <input type="checkbox"/>
Shift Supervisor / Lead Shift Supervisor <input type="checkbox"/>	Social Service <input type="checkbox"/>
Detention Officer <input type="checkbox"/>	Behavioral Health <input type="checkbox"/>
Program Coordinator <input type="checkbox"/>	Other <u>Judge Peggy Gibson</u> <input checked="" type="checkbox"/>
Food Services <input type="checkbox"/>	
Health Services <input type="checkbox"/>	
Other <input type="checkbox"/>	

PLEASE STATE YOUR REQUEST: (BE SPECIFIC) I would like to have a status hearing for an early release about my behavior. I have heard from other inmates about a status hearing.

Inmate's Signature: Cassie Cotton

Date: May 31, 2016

I, Mariah Hickman To Be Completed by Housing Officer  
received the request on this day of 5/31/16  
at CSUS. I disposed of the request on 5/31/16 in following  
manner:

- Answered the Request (See Below)
- Forwarded the request to the Lead Shift Supervisor

**To Be Completed by Lead Shift Supervisor**

I disposed of the request on \_\_\_\_\_ in following manner:

- Answered the Request (See Below) Date: \_\_\_\_\_
- Forwarded to \_\_\_\_\_ via  directly  mailbox  fax  mail

on this day of \_\_\_\_\_

Signature: \_\_\_\_\_