

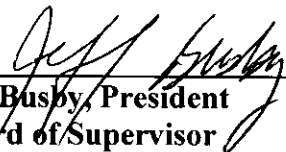
**ORDER: AUTHORIZE PAYMENT OF \$1,800.00 PER CONSTABLE,
 JODY MAYFIELD, JACK THEOBALD & GREG PETTIS
 FOR LOST COST, PER SECTION 25-7-27(f)**

Motion was made by Mike Roberts, duly seconded by Chad McLarty,
to authorize payment of \$1,800.00 per constable, Jody Mayfield, Jack Theobald, and
Greg Pettis for lost cost, per Section 25-7-27(f).

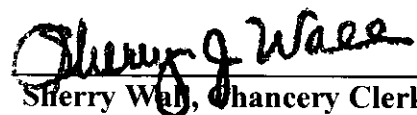
The vote on the motion was as follows:

Supervisor Kevin Frye, voted yes
Supervisor Jeff Busby, voted yes
Supervisor David Rikard, voted yes
Supervisor Chad McLarty, voted yes
Supervisor Mike Roberts, voted yes

After the vote, President Busby, declared the motion carried, this the
19th day of December, 2016



Jeff Busby, President
Board of Supervisor



Sherry Wall, Chancery Clerk

Memorandum

To: Lisa Carwyle, County Administrator

From: Shakethia Shaw

Date: 7/8/2016

Re: Lost Cost for Constables

I would like to request approval for the payment of \$1800.00 for lost cost to the following constables per Section 25-7-27(f):

Jody Mayfield

Jack Theobald

* Add Gregory Pettis

Miss. Code Ann. § 25-7-27

MISSISSIPPI CODE of 1972

*** Current through the 2016 Regular and 1st and 2nd Extraordinary Sessions of the Legislature ***

TITLE 25. PUBLIC OFFICERS AND EMPLOYEES; PUBLIC RECORDS
CHAPTER 7. FEES

Miss. Code Ann. § 25-7-27 (2016)

§ 25-7-27. Marshals and constables

(1) Marshals and constables shall charge the following fees:

(a) (i) A uniform total fee in all civil cases, whether contested or uncontested, which shall include all services in connection therewith, except as stated otherwise in this section, each.....\$ 35.00

(ii) A uniform total fee in all criminal cases, whether contested or uncontested, which shall include all services in connection therewith, except as stated otherwise in this section, each.....\$ 35.00

(iii) In all cases where there is more than one (1) defendant, for service on each additional defendant.....\$ 5.00

(iv) When a complaining party has provided erroneous information to the clerk of the court relating to the service of process on the defendant or defendants and process cannot be served after diligent search and inquiry, the uniform fee shall be assessed upon subsequent successful service and an additional fee shall be due in the following amount.....\$ 15.00

(v) When a complaining party has provided erroneous information to the clerk of the court relating to the service of process on the defendant or defendants and process cannot be served after diligent search and inquiry, and a defendant is served in a county other than the county in which a suit was filed, the constable in the county in which the suit was filed shall receive an additional fee, upon successful service of the defendant, in the following amount.....\$ 15.00

(b) After final judgment has been enrolled, further proceedings involving levy of execution on judgments, and attachment and garnishment proceedings shall be a new suit for which the marshal or constable shall be entitled to the following fee.....\$ 35.00

(c) For conveying a person charged with a crime to jail, mileage reimbursement in an amount not to exceed the rate established under Section 25-3-41(2).

To be paid out of the county treasury on the allowance of the board of supervisors, when the state fails in the prosecution, or the person is convicted but is not able to pay the costs.

(d) For other service, the same fees allowed sheriffs for similar services.

(e) For service as a bailiff in any court in a civil case, to be paid by the county on allowance of the court on issuance of a warrant therefor, an amount equal to the per diem compensation

provided under Section 25-3-69 for each day, or part thereof, for which he serves as bailiff when the court is in session.

(f) For serving all warrants and other process and attending all trials in state cases in which the state fails in the prosecution, to be paid out of the county treasury on the allowance of the board of supervisors without itemization, subject, however, to the condition that the marshal or constable must not have overcharged in the collection of fees for costs, contrary to the provisions of this section, annually.....\$ 1,800.00

(2) Marshals and constables shall be paid all uncollected fees levied under subsection (1) of this section in full from the first proceeds received by the court from the guilty party or from any other source of payment in connection with the case.

(3) In addition to the fees authorized to be paid to a constable under subsection (1) of this section, a constable may receive payments for collecting delinquent criminal fines in justice court pursuant to the provisions of Section 19-3-41(3).

HISTORY: SOURCES: Codes, 1880, § 452; 1892, § 2008; 1906, § 2184; Hemingway's 1917, § 1865; 1930, § 1793; 1942, § 3941; Laws, 1920, ch. 132; Laws, 1944, ch. 186; Laws, 1946, ch. 406; Laws, 1952, ch. 243; Laws, 1958, ch. 323; Laws, 1972, ch. 421, § 1; Laws, 1975, ch. 377; Laws, 1978, ch. 333, § 1, ch. 450, § 1; Laws, 1986, ch. 441, § 4; Laws, 1986, ch. 459, § 31; Laws, 1987, ch. 366, § 1; Laws, 1992, ch. 504, § 1; Laws, 1999, ch. 516, § 2; Laws, 2004, ch. 505, § 8; Laws, 2006, ch. 325, § 1; Laws, 2007, ch. 331, § 2, eff June 15, 2007 (the date the United States Attorney General interposed no objection under Section 5 of the Voting Rights Act of 1965, to the amendment of this section.)



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