

IN THE CIRCUIT COURT OF CRITTENDEN COUNTY, ARKANSAS  
CRIMINAL DIVISION

STATE OF ARKANSAS

PLAINTIFF

VS.

NO. CR-93-516, 517, 518

JESSIE LLOYD MISSKELLEY, JR.

DEFENDANT

MOTION FOR JUDGE TO REDUCE JURY CHARGE TO WRITING

Comes the defendant, by and through his court appointed attorneys, Stidham and Crow, and respectfully moves this Court that the instructions given by this Court to the jury should be in writing. The defendant further moves that any supplemental or explanatory instructions also be reduced to writing and delivered to the jury upon their retirement for deliberation.

BY: 

Stidham & Crow  
Attorneys for Defendant  
Bar No. 88051  
203 N. Second Street  
P.O. Box 856  
Paragould, AR 72451  
(501) 236-7600

CERTIFICATE OF SERVICE

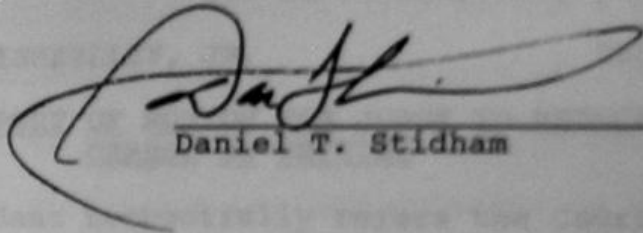
I, Daniel T. Stidham, Attorney for the Defendant herein, do hereby certify that I have served a copy of the foregoing pleading upon all attorneys of record

FILED  
at \_\_\_\_\_ o'clock \_\_\_\_\_ m

JUL 26 1993

LAVADA NORRIS, CLERK

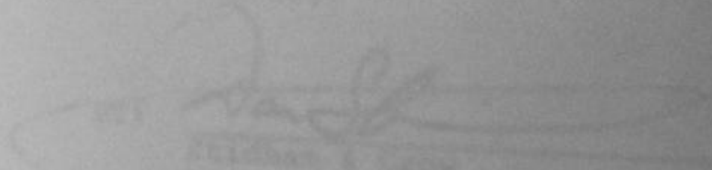
by placing same in the U.S. Mail this 22nd day of July, 1993 with sufficient postage attached to ensure delivery.

  
Daniel T. Stidham

The defendant respectfully refers the Court to Arkansas Constitution, Art. 3, § 23, which provides:

23. Charge to Juries. Judges shall not charge juries with regard to matters of fact, but shall declare the law, and in jury trials shall reduce their charge or instructions to writing on the request of either party.

The defendant further refers this Court to *Harris v. State*, 31 Ark. 117, 15 S.W. 217 (1895). The defendant states that the reduction of the charge to the jury upon request by this defendant makes mandatory and not discretionary the duty of this Honorable Court to reduce its charge to writing.

  
Stidham & Crow  
Attorneys for Defendant  
Box No. 20051  
103 N. Second Street  
F.O. Box 815  
Fayetteville, AR 72401  
(501) 779-1100

FILED  
at \_\_\_\_\_  
JUL 20 1993  
CLERK OF COURT