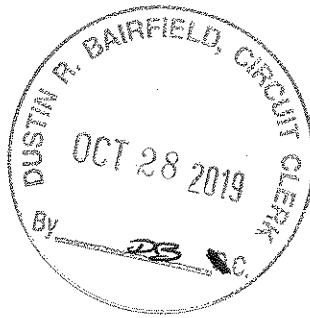


STATE OF MISSISSIPPI

VERSUS

MARQUIS A. FLOWERS



CAUSE NUMBER: 2019-129-

**INDICTMENT FOR THE OFFENSES OF
CAPITAL MURDER (TWO COUNTS) and
POSSESSION OF A FIREARM BY A CONVICTED FELON**
(All counts enhanced as 99-19-81 habitual)

THE STATE OF MISSISSIPPI, FOURTEENTH JUDICIAL DISTRICT
COUNTY OF LINCOLN

IN THE CIRCUIT COURT OF SAID COUNTY, AUGUST TERM, 2019

The Grand Jurors of the State of Mississippi, taken from the body of good and lawful citizens of said county, elected, summoned, empaneled, sworn and charged to inquire in and for the body of the county aforesaid, at the term aforesaid, of the court aforesaid, in the name and by the authority of the State of Mississippi, upon their oaths present that:

COUNT ONE

on or about the 29th day of September, 2018, in Lincoln County, Mississippi and within the jurisdiction of this court, Marquis A. Flowers did wilfully, unlawfully, feloniously and without the authority of law, kill and murder a peace officer, one James Kevin White, a human being, at a time when James Kevin White was acting in his official capacity as a Police Officer for the Brookhaven Police Department, and at a time when Marquis A. Flowers knew that James Kevin White was a peace officer, by shooting the said James Kevin White with a firearm, contrary to and in violation of Section 97-3-19(2)(a) of the Mississippi Code of 1972, as amended, this being count one of the indictment;

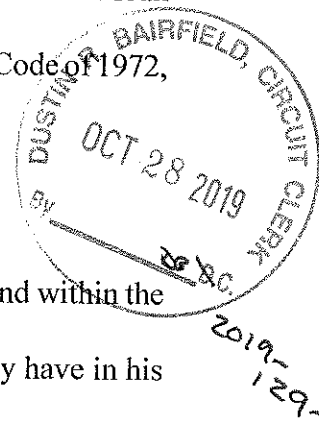
COUNT TWO

and that on or about the 29th day of September, 2018, in Lincoln County, Mississippi and within the jurisdiction of this court, Marquis A. Flowers did wilfully, unlawfully, feloniously and without the

authority of law, kill and murder a peace officer, one Walter Zachery Marshall Moak, a human being, at a time when Walter Zachery Marshall Moak was acting in his official capacity as a Police Officer for the Brookhaven Police Department, and at a time when Marquis A. Flowers knew that Walter Zachery Marshall Moak was a peace officer, by shooting the said Walter Zachery Marshall Moak with a firearm, contrary to and in violation of Section 97-3-19(2)(a) of the Mississippi Code of 1972, as amended, this being count two of the indictment;

COUNT THREE

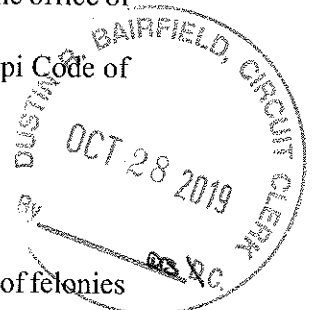
and that on or about the 29th day of September, 2018, in Lincoln County, Mississippi and within the jurisdiction of this court, Marquis A. Flowers did wilfully, unlawfully and feloniously have in his possession a firearm, to-wit: a Diamondback Model DB9 9mm, semi automatic pistol, bearing the Serial Number YF9240, at a time when the said Marquis A. Flowers had previously been convicted of a felony under the laws of the State of Mississippi, to-wit: on January 10, 2012, the said Marquis A. Flowers pled guilty to the felony crimes of Burglary of an Automobile (8 Counts), in the Circuit Court of Pike County, Mississippi in Cause Number 10-278-PKS, and was sentenced by the court to a term of seven (7) years on each count in the custody of the Mississippi Department of Corrections, said sentence being of record in the office of the Clerk of said Court; and, that on January 27, 2012, the said Marquis A. Flowers pled guilty to the felony crimes of Conspiracy and Burglary of an Automobile (2 counts), in the Circuit Court of Lincoln County, Mississippi, in Cause Number 11-218-LS, and was sentenced by the Court to serve terms of five (5) years on count one and seven (7) years each on counts two and three, respectively, in the custody of the Mississippi Department of Corrections, said sentence being of record in the office of the clerk of said Court; and, that on May 6, 2013, the said Marquis A. Flowers pled guilty to the felony crime of Possession of a Cell Phone in a Correctional Facility, in the Circuit Court of Leake County, Mississippi, in Cause



Number 13-CR-030-LE-G, and was sentenced by the Court to serve a term of five (5) years in the custody of the Mississippi Department of Corrections, said sentence being of record in the office of the clerk of said Court; contrary to and in violation of Section 97-37-5 of the Mississippi Code of 1972, this being Count Three of the indictment;

ENHANCEMENT AS TO ALL COUNTS

AND ALSO, the said Marquis A. Flowers having heretofore been convicted at least twice of felonies upon charges separately brought and arising out of separate incidents at different times and for which felonies he was sentenced to separate terms of one year or more in a penal institution of the State of Mississippi, to-wit: on January 10, 2012, the said Marquis A. Flowers pled guilty in the Circuit Court of Pike County, Mississippi, to the crimes of Burglary of an Automobile (8 counts), felonies under the laws of the State of Mississippi, in Cause Number 10-278-PKS, and was sentenced by the Court to serve terms of seven (7) years on each count in the custody of the Mississippi Department of Corrections, said sentence being of record in the office of the clerk of said Court; and, that on January 27, 2012, the said Marquis A. Flowers pled guilty in the Circuit Court of Lincoln County, Mississippi, to the crimes of Conspiracy and Burglary of an Automobile (2 counts), felonies under the laws of the State of Mississippi, in Cause Number 11-218-LS, and was sentenced by the Court to serve terms of five (5) years on count one and seven (7) years each on counts two and three, respectively, in the custody of the Mississippi Department of Corrections, said sentence being of record in the office of the clerk of said Court; and, that on May 6, 2013, the said Marquis A. Flowers pled guilty in the Circuit Court of Leake County, Mississippi, to the crime of Possession of a Cell Phone in a correctional facility, a felony under the laws of the State of Mississippi, in Cause Number 13-CR-030-LE-G, and was sentenced by the Court to serve a term of five (5) years in the custody of the Mississippi Department of Corrections, said sentence being of record in the office of the clerk



2019-129-1

of said Court; and because of said prior felony convictions, the said Marquis A. Flowers is an habitual criminal within the meaning of Section 99-19-81 of the Mississippi Code of 1972; all of said conduct alleged and set forth in counts one through three of this indictment having then and there been based on two or more acts or transactions connected together or constituting parts of a common scheme or plan, and being against the peace and dignity of the State of Mississippi.

Endorsed: A True Bill.

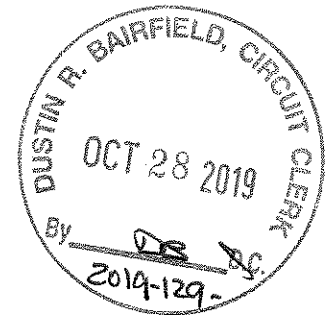
FOREPERSON OF THE GRAND JURY

DEE BATES, DISTRICT ATTORNEY
BY:



AFFIDAVIT

STATE OF MISSISSIPPI,
COUNTY OF LINCOLN



COMES NOW DONALD CASE, Foreman of the Grand Jury of Lincoln County, Mississippi, and makes oath that this indictment presented to this Court was concurred in by twelve (12) or more members of the Grand Jury and at least fifteen (15) members thereof, including Donald Case, were present during all deliberations.


Foreman of the Grand Jury

SUBSCRIBED and SWORN TO before me on this, the 28th day of October, 2019.


DUSTIN R. BAIRFIELD, Clerk of the
Circuit of Lincoln County, Mississippi

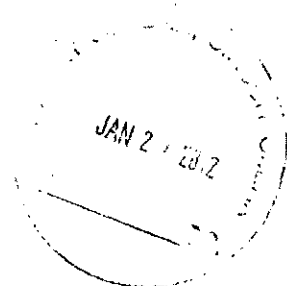
BK 141
Pg 380

IN THE CIRCUIT COURT OF LINCOLN COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

VS. # 11-218-1.S

MARQUIS A. FLOWERS



SENTENCING ORDER

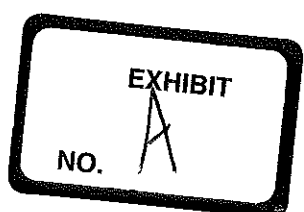
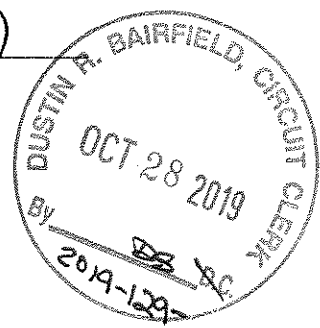
CAME THE DISTRICT ATTORNEY WHO PROSECUTES FOR THE STATE AND, THE DEFENDANT, IN HIS OWN AND PROPER PERSON AND REPRESENTED BY COUNSEL, WHO ENTERED A PLEA OF GUILTY TO CONSPIRACY AND BURGLARY OF AN AUTOMOBILE (TWO COUNTS), ON A FORMER DAY OF THIS REGULAR TERM, AND BEING PLACED BEFORE THE BAR OF THE COURT FOR SENTENCING.

IT IS, THEREFORE, CONSIDERED BY THE COURT AND SO ORDERED AND ADJUDGED THAT THE SAID DEFENDANT FOR SUCH HIS CRIME OF CONSPIRACY, COUNT ONE, 5 YEARS, 5 YEARS TO SERVE. BURGLARY OF AN AUTOMOBILE, COUNT TWO, 7 YEARS, 2 YEARS SUSPENDED, 5 YEARS TO SERVE, 2 YRS. PPOST RELEASE SUPERVISION. AND COUNT 3, 7 YEARS, 2 YRS SUSPENDED, 5 TO SERVE. AND 2 YEARS POST RELEASE SUPERVISION. COUNTS TO RUN CONCURRENT AND CONCURRENT WITH PIKE COUNTY CAUSE #2010-278-PKS. UPON RELEASE, MUST GO TO RESTITUTION CENTER, UNTIL ALL MONIES ARE PAID IN FULL TO LINCOLN COUNTY AND PIKE CAUSES.

IT IS FURTHER ORDERED THAT THE DEFENDANT PAY COURT COST, \$2500.00 FINE, \$500.00 TO CVCF.

ORDERED AND ADJUDGED, THIS THE 27th DAY OF Jan., 2012

[Handwritten Signature]
CIRCUIT JUDGE



IN THE CIRCUIT COURT OF PIKE COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

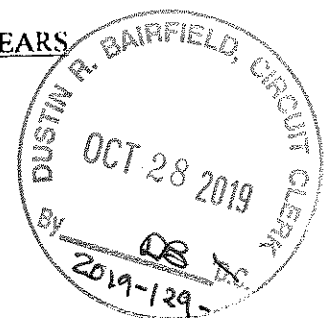
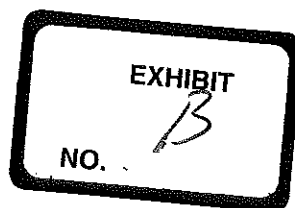
VS. 10-278-PKS

MARQUIS AARON FLOWERS

CHANGE OF PLEA AND SENTENCE

Came the District Attorney who prosecutes on behalf of the State and the defendant, Marquis Aaron Flowers, in his own proper person and represented by counsel who on a former day of a prior term of Circuit Court entered a plea of NOT GUILTY to a charge of Burglary of an Automobile (Eight Counts). The defendant now begs leave of the Court to withdraw said plea of NOT GUILTY and enter a plea of GUILTY to said charge. The Court conducted a hearing and found the plea of GUILTY to be voluntarily and intelligently made and accepted said plea of GUILTY.

It is therefore considered by the Court and so Ordered and Adjudged that said defendant for such his crime of Burglary of an Automobile (Eight Counts) be sentenced into the custody of the Mississippi Department of Corrections for and during the space of SEVEN (7) YEARS ON EACH COUNT. It is further ordered that the defendant SERVE THE FIRST FIVE (5) YEARS ON COUNT ONE WITH THE REMAINING TWO (2) YEARS ON COUNT ONE AND THE SEVEN (7) YEARS ON COUNTS 2, 3, 4, 5, 6, 7, 8 SUSPENDED and the defendant placed on post release supervision for a period of TWO (2) YEARS

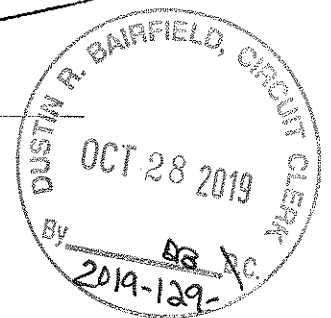


ON COUNT ONE AND FIVE (5) YEARS ON COUNTS 2,3,4,5,6,7,8 under the supervision of the Mississippi Department of Corrections. It is ordered that Counts 2,3,4,5,6,7,8 RUN CONCURRENTLY WITH EACH OTHER AND THAT COUNT ONE RUN CONSECUTIVE TO ALL OTHER COUNTS. It is ordered that this sentence RUN CONCURRENTLY with the sentence imposed this same defendant in Cause No. 11-218-LS in Lincoln County. Upon release from the Mississippi Department of Corrections and as an additional condition of his post release supervision, the defendant is ordered to complete a term in a restitution center and remain until all court ordered monies have been paid. The defendant is ordered to pay a fine in the amount of \$4,000.00, restitution in the amount of \$505.00 to April Whittington, \$800.00 to Celia Dean Harris, \$200.00 to Janet Dykes, \$873.89 to John Embry, \$400.00 to Gregg Stokes, \$110.00 to Andrea Lazarus, and \$420.00 to Justin Van, \$300.00 to the Crime Victims' Compensation Fund, and court costs

SO ORDERED AND ADJUDGED this the 10th day of January, 2012.

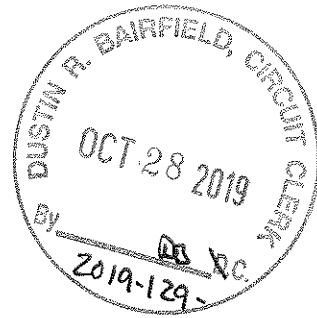
Filed the 10th day of January, 2012.
Roger A. Graves, Circuit Clerk

CIRCUIT JUDGE



IN THE CIRCUIT COURT OF LEAKE COUNTY, MISSISSIPPI

MAY, 2013, TERM



STATE OF MISSISSIPPI

VS.

NO. 13-CR-030-LE-G

MARQUIS AARON FLOWERS

DEFENDANT

CHARGE: POSSESSION OF CELL PHONE

IN CORRECTIONAL FACILITY

JUDGMENT ON GUILTY PLEA

FILED
MAY 07 2013
KATHY G. HENDERSON
CIRCUIT CLERK

MINER BK 077 PG 451 - 06/13/2013 07:34 AM
Kathy G. Henderson, Circuit Clerk, LEAKE CO County, MISSISSIPPI

This cause came on for hearing before the Court, and the District Attorney, representing the State, announced ready for trial, and came the Defendant, MARQUIS AARON FLOWERS, and his attorney of record, and announced to the Court that the Defendant desired to be rearraigned. Whereupon, the reading of the indictment to the Defendant in open Court was waived by the Defendant, through his attorney, and on rearraignment, the Defendant entered a plea of guilty to the charge of possession of a cell phone in a correctional facility.

Whereupon, the Court proceeded to impose sentence upon the Defendant, and on recommendation of the District Attorney, sentenced the Defendant as follows:

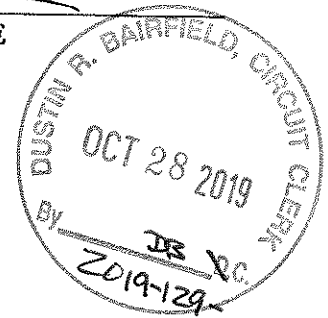
The Defendant, MARQUIS AARON FLOWERS, is sentenced to serve a




term of five (5) years in the custody of the Mississippi Department of Corrections, with this sentence to run consecutively to the sentence he is currently serving.

ORDERED AND ADJUDGED by the Circuit Court of Leake County, Mississippi, in regular and open session, this, the 6th day of May, 2013.


CIRCUIT JUDGE



MINER 077 452


MAY 07 2013
KATHY G. HENDERSON
CIRCUIT CLERK