

Serial: 193531

IN THE SUPREME COURT OF MISSISSIPPI

No. 2013-DR-01995-SCT

**FILED**

SEP 03 2014

OFFICE OF THE CLERK  
SUPREME COURT  
COURT OF APPEALS

***JEFFREY KEITH HAVARD***

***Petitioner***

v.

***STATE OF MISSISSIPPI***

***Respondent***

**ORDER**

Now before the undersigned Justice comes the Petitioner's Motion to Amend and Motion for Evidentiary Hearing filed by counsel for Jeffrey Keith Havard. The State has filed its response, and Havard has subsequently filed a rebuttal. Having duly considered these filings, the undersigned Justice finds that Havard's motion to amend should be granted insofar as his proposed Amended Motion for Relief from Judgment or for Leave to File Successive Petition for Post-Conviction Relief shall be accepted for filing. Havard's alternative request for remand to the trial court for an evidentiary hearing on the issue to be amended is denied. The undersigned Justice further finds that the State of Mississippi should be granted fourteen (14) days from the entry of this order within which to file an amended response to Havard's Amended Motion for Relief from Judgment or for Leave to File Successive Petition for Post-Conviction Relief, and Havard shall have seven (7) days within which to file his rebuttal.

IT IS THEREFORE ORDERED that Havard's motion to amend should be granted insofar as his proposed Amended Motion for Relief from Judgment or for Leave to File

Successive Petition for Post-Conviction Relief shall be accepted for filing. Havard's alternative request for remand to the trial court for an evidentiary hearing on the issue to be amended is denied.

IT IS FURTHER ORDERED that the State of Mississippi shall have fourteen (14) days from the entry of this order within which to file an amended response to address the issue raised in Havard's Amended Motion for Relief from Judgment or for Leave to File Successive Petition for Post-Conviction Relief.

IT IS FURTHER ORDERED that Havard shall have seven (7) days from the date on which the State files its aforementioned amended response within which to file his rebuttal.

SO ORDERED, this the 2 day of September, 2014.

  
\_\_\_\_\_  
JOSIAH DENNIS COLEMAN, JUSTICE