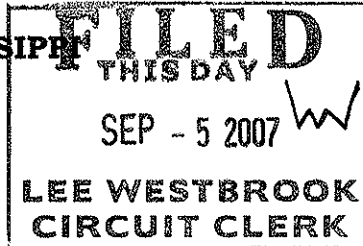


IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

PLAINTIFF

VS.



CAUSE NO. 2007-0116

CARLA HUGHES

DEFENDANT

**MOTION TO PRODUCE THE NAMES OF PERSONS WHO PARTICIPATED
IN THE ANALYSIS OF CELLULAR PHONE AND/OR TELEPHONE RECORDS**

COMES NOW the defendant by his Attorney, **Johnnie E. Walls, Jr.**, pursuant to Rule 4.06 of the Uniform Criminal Rules of Circuit and County Court Practice and moves for the production of the following:

1.

The name, address, telephone number and agency by whom employed of each person who participated in the analysis of any and all cellular phone and telephone records obtained during the investigation of this case and the development of any opinion, theory, and conclusion as to the location of the user of the cellular phones when used which are the subject of the investigation of the case herein and state whether any such person will be called as an expert witness to testify on behalf of the State of Mississippi in this case;

2.

A copy of any and all written reports prepared by such person(s) or a summary of any oral report made by such person(s) and give the factual basis for any conclusion, theory or opinion formed by any such person; and

3.

A summary of the education, training, qualifications, and experience of any person given in response to paragraph No. 1.

The items requested are needed to prepare a defense herein.

Respectfully submitted, this the 28th day of August, 2007.

CARLA HUGHES

BY: 

JOHNNIE E. WALLS, JR.
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BAR NO. 6919

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(601) 957-0500 Facsimile
BAR NO. 100291

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I, Johnnie E. Walls, Jr., one of the attorneys for defendant in the above-styled and referenced cause, do hereby certify that I have this day hand delivered a true and correct copy of the foregoing **Motion To Produce The Names Of Persons Who Participated In The Analysis Of Cellular Phone And/Or Telephone Records** to Honorable David Clark, District Attorney, and Honorable Scott Rogillio, Assistant District Attorney, via hand delivery, and/or at P.O. Box 121, Canton, Mississippi 39046 - 0121.

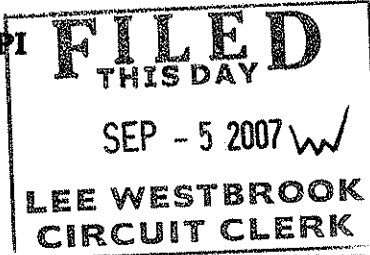
THIS the _____ day of August, 2007.



JOHNNIE E. WALLS, JR.

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI



PLAINTIFF

VS.

CAUSE NO. 2007-0116

CARLA HUGHES

DEFENDANT

**MOTION TO SUPPRESS EVIDENCE ILLEGALLY SEIZED
FROM THE APARTMENT OF DEFENDANT CARLA HUGHES**

COMES NOW, the defendant, **CARLA HUGHES**, by and through her attorney, Johnnie E. Walls , Jr., and moves this Honorable Court, pursuant to the 6th Amendment of the United States Constitution, and Article 3, Section 23 of the Mississippi Constitution, to conduct the necessary hearing and enter the necessary order (s) to suppress any and all items of evidence seized from the Apartment of Defendant Carla Hughes located at 1701 Jamestown Way, Jackson, Hinds County, Mississippi, and in support thereof would state as follows, to- wit:

1.

On or about the 7th day of December, 2006 , officers of The Ridgeland, Mississippi Police Department along with the officers of the Jackson, Mississippi Police Department entered and conducted a search of defendant's apartment , as aforescribed, and seized certain items which defendant believes the State of Mississippi intends to use as evidence at the trial of the defendant in an effort to show that defendant killed and murdered Avis Banks and her unborn child.

The defendant asserts affirmatively that the search and seizure of certain items from defendant's apartment were illegal and based upon a search warrant which was issued without the necessary probable cause or legal basis in violation of the Mississippi Constitution and the United States Constitution. Defendant asserts that said search warrant was not predicated upon any credible factual basis which establishes probable cause of her guilt or legal justification for the issuance of a search warrant. She asserts further unto the Court that the said warrant was based solely upon speculation, conjecture and supposition rather than facts.

WHEREFORE defendant herein by and through her undersigned attorney of record moves this Honorable Court to conduct the necessary proceedings and enter the necessary order(s) to suppress as evidence any and all items seized from the apartment of defendant located at 1701 Jamestown Way, Jackson, Hinds County, Mississippi.

Respectfully submitted, this the 28th day of August, 2007.

BY: 

JOHNNIE E. WALLS, JR.

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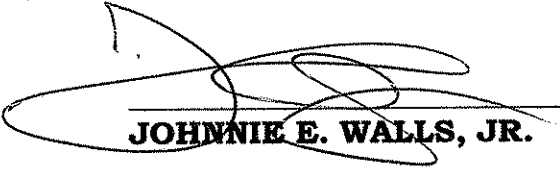
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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I, Johnnie E. Walls, Jr., do hereby certify that I have this day mailed, postage prepaid, a true and correct copy of the foregoing **Motion to Suppress Evidence Illegally Seized From The Apartment of Defendant Carla Hughes** to the **Honorable David Clark**, District Attorney, and Honorable Scott Rogillio, Assistant District Attorney, by hand delivery and/or at P.O. Box 121, Canton, Mississippi 39046 - 0121.

This the 24th day of August, 2007.


JOHNNIE E. WALLS, JR.

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

FILED
THIS DAY

PLAINTIFF

VS.

SEP - 5 2007

CAUSE NO. 2007-0116

CARLA HUGHES

LEE WESTBROOK
CIRCUIT CLERK

DEFENDANT

**MOTION TO SUPPRESS ILLEGALLY SEIZED CELLULAR PHONE
AND/OR TELEPHONE RECORDS OF THE DEFENDANT**

COMES NOW, the defendant, **CARLA HUGHES**, herein by and through her undersigned counsel of record and moves this Honorable court to conduct the necessary hearing and thereafter enter the necessary order(s) to suppress any and all cellular phone and telephone records of the defendant and any and all expert opinions, conclusions and testimony emanating from said seizure by law enforcement officers pursuant to ***court orders*** and/or ***subpoena duces tecum*** on the basis that the seizure of said items was predicated upon court(a) order and a subpoena duces tecum which were issued without sufficient factual basis, probable cause, and legal justification in violation of the rights of the defendant pursuant to and guaranteed by Article 3, Section 23 of the Mississippi Constitution and the 6th Amendment to the United States Constitution. Defendant asserts that the said court order(s) to obtain the said items from the defendant was/were procured without sufficient probable cause and that any evidence emanating from the said seizure including any and all expert analysis and/or opinions and testimony are inadmissible.

WHEREFORE defendant by and through his undersigned counsel respectfully moves this Honorable Court to enter an order suppressing all items

of evidence seized from the cellular phone and/or telephone records of the defendant by the Ridgeland Police Department via assistance from employees of the cellular phone and telephone carriers of defendant, and other items of evidence, if any, seized from the cellular phone and telephone records of the defendant.

Respectively submitted, this the 28th day of August, 2007.

CARLA HUGHES

BY: 

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ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I, Johnnie E. Walls, Jr., one of the attorneys for defendant in the above-styled and referenced cause, do hereby certify that I have this day hand delivered a true and correct copy of the foregoing **Motion To Suppress Illegally Seized Cellular Phone And/Or Telephone Records Of The**

Defendant to Honorable David Clark, District Attorney, and Honorable Scott Rogillio, Assistant District Attorney, via hand delivery, and/or at P.O. Box 121, Canton, Mississippi 39046 - 0121.

THIS the 28 day of August, 2007.


JOHNNIE E. WALLS, JR.