

IN THE CIRCUIT COURT OF TATE COUNTY, MISSISSIPPI

SOWETO RONNELL LOVE

PETITIONER

VS.

Cause No. CV2021-0055-GCT

STATE OF MISSISSIPPI

RESPONDANT

ORDER

This cause is before this Court on Love's Motion for Post-Conviction Collateral Relief, sworn to under oath and submitted to the Clerk pro se. Therein, Love seeks relief pursuant to Miss. Code Ann. § 99-39-1 et seq. Upon review of the record herein and of the criminal record in CR2018-0020GCT, the Court finds:

1. A Tate County grand jury returned a six-count indictment against Love on January 24, 2018, for the following offenses: one count of conspiracy in violation of Miss. Code Section 97-1-1(a), one count of attempting to obtain a controlled substance with a forged prescription and two counts of obtaining a controlled substance with a forged prescription in violation of Section 41-29-144(1), and two counts of possession of a forged prescription in violation of Section 41-29-144(2). On September 4, 2018, the State successfully moved to amend Love's indictment to charge him as a habitual offender under Section 99-19-81 and as a recidivist under Section 41-29-147.
2. On September 16, 2019, Love submitted to this Court his petition to enter a plea of guilty to Count Two (2) and Count Three (3) of his indictment as a Section 99-19-81 habitual offender. That same day, this Court accepted Love's guilty plea after finding, *inter alia*, that his plea had been "freely and voluntarily given." At Love's request, this Court continued sentencing until October 22, 2019. Again, at Love's request, this Court continued sentencing from October 22, 2019 until January 9, 2020. Love failed to appear for his sentencing on January 9, 2020 and this Court entered a bench

FILED

AUG 27 2021

Edward L. (Eddie) Hudskey - Tate Co. Circuit Clerk

By

*[Signature]*  
127-137 to 145

warrant for his arrest. That bench warrant was executed upon Love on February 23, 2020. On April 21, 2020, Love's sentencing was continued until September 1, 2020 due to Covid-19. Love again failed to appear for his sentencing on September 1, 2020 and this Court entered another bench warrant for his arrest. That bench warrant was executed upon Love on September 22, 2020. Finally, on October 26, 2020, this Court sentenced Love to five (5) years' incarceration in the Mississippi Department of Corrections in Court Two (2) as a Section 99-19-81 habitual offender and five (5) years' incarceration in the Mississippi Department of Corrections in Court Three (3) as a Section 99-19-81 habitual offender. The sentence in Court Three (3) was ordered to run consecutive to Court Two (2). Love was given credit for the time that he had served in custody while awaiting final disposition of his case.

3. On March 11, 2021, Love filed his *Motion for Post-Conviction Collateral Relief*. In his motion, Love argues only that his plea of guilty was involuntary given.

**A. Whether Love's Guilty Plea was Voluntarily, Intelligently, and Knowingly Given?**

1. "A guilty plea is valid as long as it is entered voluntarily, knowingly, and intelligently, with sufficient awareness of the relevant circumstances and likely consequences." *Haney v. State*, 281 So. 3d 84, 89 (Miss. Ct. App. 2019) (internal quotation marks omitted) (quoting *Worth v. State*, 223 So.3d 844, 850 (Miss. Ct. App. 2017)). "For a plea to be voluntary, knowing, and intelligent, the judge must advise the defendant of his rights, the nature of the charge against him, and the consequences of his plea, including applicable minimum and maximum sentences." *Id.* (internal quotation marks omitted) (quoting *Worth*, 223 So. 3d at 850).
2. Love asserts that his guilty plea was involuntary because this Court allegedly accepted Love's plea and found that it had been voluntarily entered all while Love was using the restroom. Because Love was allegedly in the restroom, he asserts that he could not have sufficiently waived any of his fundamental rights, that he could not have been informed of the applicable minimum and

maximum sentences, and that he was not informed that this Court was not bound by any agreement that may have been negotiated between the State and the Defense. Love also argues that no factual basis could have been established to support the charges and his guilty plea.

3. Love's claims, however, stand in stark contrast to what is reflected in the transcript from Love's plea hearing. In fact, the transcript reflects that Love was present before this Court throughout his plea colloquy, that the State established a factual basis for the charges against Love, that this Court ascertained that Love understood the charges against him, what the consequences of his guilty plea were, including the constitutional rights that Love would be waiving by entering his plea, the minimum and maximum sentence that Love could receive for each charge that he was pleading guilty to, and that Love was informed that this Court would not be bound by any agreement that had been reached between the State and the Defense:

By the Court: The Court would call Cause Number 2018-20, State verses Soweto Ronnell Love.

By the Court: Are you Soweto Ronnell Love?

By Defendant Love: Yes, sir.

...

By the Court: My first question to you is, as you stand here today, are you under the influence of drugs or alcohol or are you taking any medication that might affect your ability to understand the nature of these proceedings or do you have a history of mental illness or emotional problems?

By Defendant Love: No, sir, I do not.

...

By the Court: Will the State please give me a factual basis for the charges against Mr. Love.

By the Prosecutor: Yes, sir. Your Honor, in CR2018-20GCT, in Count Two, if this matter were to go to trial, the State would be prepared to prove beyond a reasonable doubt and with credible and admissible evidence that between the 26<sup>th</sup> and the 27<sup>th</sup> day of October in the year 2017 Soweto Ronnell Love, along with his codefendant Porcha Latoya Knox, did willfully, unlawfully, feloniously,

knowing, and intentionally attempt to acquire, obtain possession of a controlled substance, that substance being approximately 150 dosage units of Oxycodone, 30 milligrams, by misrepresentation, fraud, forgery, deception, or subterfuge by presenting to Lori Chandler, a registered pharmacist at Fred's Pharmacy in Senatobia, Mississippi, a forged prescription.

In Count Three, the State would further be prepared to prove that on or about the 23<sup>rd</sup> day of September in the year 2017 Soweto Ronnell Love and Porcha Latoya Knox did again willfully, unlawfully, feloniously, knowing, and intentionally acquire or obtain possession of a controlled substance, that substance being approximately 150 dosage units of Oxycodone, 30 milligrams, by misrepresentation, fraud, forgery, deception, or subterfuge by presenting to Lori Chandler, a registered pharmacist at Fred's Pharmacy in Senatobia, Mississippi, a forged prescription.

The facts would show specifically, Your Honor, that the pharmacist at Fred's Pharmacy in Senatobia, Mississippi, Ms. Lori Chandler, contacted Senatobia Police Department to let them know that she had been tendered what she believed to be a forged or fraudulent prescription for four Oxycodone. Prior to calling the police department she had already contacted the medical personnel to determine whether or not it had, in fact, been a legitimate prescription written that had been turned over to her for filling. She gave law enforcement officers information that it was, in fact, determined that it was not a legitimate prescription and that the individual who had called it in was coming back in to pick it up. On the date that Soweto Ronnell Love and Porcha Latoya Knox returned to Fred's Pharmacy in Senatobia, Mississippi, to pick up the prescription that had been left there to be filled they were, in fact, taken into custody by Senatobia Police Department narcotics officers. During the course of the investigation they found flash drives that contained other means of printing out forged prescriptions. They found prescription pad papers. They found other prescriptions with medical information for – to be presented for other fraudulent prescriptions to be filled. During the course of their investigation they were also able to interview Mr. Soweto Ronnell Love and he gave a full and voluntary statement regarding what he knew as to the presentation of these bogus prescriptions and the substance that was going to be collected based on those prescriptions.

These events all occurred in Senatobia, Mississippi, which is in Tate County and therefore within the jurisdiction of this court.

By the Court: Thank you.

...

By the Court: Mr. Love, do you understand and recall these events that have brought you here today?

By Defendant Love: Yes, sir.

By the Court: Do you have any disagreements with the factual basis as set out by the prosecutor?

By Defendant Love: No, sir.

By the Court: Before going further there are certain rights that you have that are guaranteed by the constitution. I'm going to go over those rights with you in just a moment so that you'll know exactly what you're giving up and you'll understand that.

First and foremost among those rights is your right to a trial by jury. You have the unfettered right to have a jury decide the ultimate issue in your case; that is, are you guilty of these charges or are you innocent.

...

You're entitled to the services of an attorney at every stage of that trial. If you cannot afford one, one will be appointed to represent you free of charge. You're presumed innocent. The burden of proof is always on the State to prove you guilty beyond a reasonable doubt and you have the presumption of innocence that abides with you throughout that trial. Not only do I tell the jury that several times preliminarily in a trial, I also give it to them in the form of a jury instruction in writing that they can take back to the jury room so they will understand the burden of proof that is required in a criminal case.

You have the right to confront each and every witness that appears against you. Mr. Spriggs is a seasoned attorney. He understands how to do that. Further, he understands how to use the subpoena powers of this court to require or command the attendance of witnesses that might help you in your case, and he understands how to use the rules of court to your advantage if need be.

You have the right to remain silent. No one can make you take the witness stand in your own defense. If you wish to give up that right and testify, you're going to have to convince me first that you're doing so freely and voluntarily. Once that's done, then you would be permitted to testify. But no one can make you testify if you don't want to testify.

At the conclusion of the State's case your lawyer would move the Court for a directed verdict; that is, your lawyer would challenge the legal sufficiency of the evidence offered against you. If I agreed with your lawyer, I would sustain the motion and throw the case out of court and set you free. If I disagreed with your lawyer, I would overrule the motion and the case would then proceed on to conclusion.

You're entitled to a unanimous verdict. In other words, all 12 jurors would have to agree that you're guilty before they could return a legal guilty verdict, the first thing I would ask them, "Was it unanimous? Did all 12 agree?" The second thing I would want to know, I would look at the verdict to be certain it was in the proper form. Those questions being answered in the affirmative, it would then become my duty to sentence you in accordance with the applicable law.

Do you understand these rights that I've just gone over with you and that you're giving those rights up by pleading guilty here today?

By Defendant Love: Yes, sir.

By the Court: Further, by pleading guilty you're giving up your right to appeal anything that I may do here today. And if you were tried by a jury and convicted by a jury you'd have the right to appeal through the appellate court system of this State. The proper appeals court would review your case. You're entitled to the services of an attorney on that appeal. If you cannot afford one, one would be appointed to represent you free of charge. The proper appeals court would have a copy of your transcript that was made of your trial by a court reporter. They would have a copy of the briefs that were submitted on your behalf and on behalf of the State, and they may even require the attorneys to come down and argue the case in front of them. Any rate, the proper appeals court would render a decision. They would either affirm or uphold what we do here or they may reverse it. They could set you free. They may send it back to us for a new trial with instructions. Any number of options they have. The primary emphasis here is that you understand you're giving up or waiving those appeal rights by pleading guilty here today.

Do you understand that?

By Defendant Love: Yes, sir.

By the Court: It looks like the maximum penalty that you could suffer for the charges that you're pleading to of forged prescription in Counts Two and Three is five years on each count and \$1,000 on each count. The minimum punishment is one year on each count and zero fine on each count.

Is that what you and Mr. Spriggs have talked about?

By Defendant Love: Yes, sir.

By the Court: All right. . . . You need to understand that if you are sentenced to the Mississippi Department of Corrections for any term of years or days or months, whenever, you have no assurances of parole or early release. In other words, you may have to serve every day of whatever sentence I impose on you.

Now, my question to you is, Did anyone promise you that if you'd come up here today and plead guilty that you'd be able to go down there to the penitentiary and you'd get out early or you'd make parole, and you have relied on that in entering your plea here today?

By Defendant Love: No, sir.

...

By the Court: Okay. All right. Further, sentencing is my sole prerogative. . . . And if you and your lawyer work out an agreement with the State as to what your sentence ought to be - - in other words, that's called plea bargaining and I understand that. What I want you to understand though is you and your lawyer work out something with the State I want you to understand I do not have to accept that. I can completely reject that and sentence you to the maximum as provided by law.

So now my question to you is, Did anyone promise you that if you-all reached an agreement that **would automatically follow that agreement and you have relied on that in entering your guilty plea here today?**

By Defendant Love: No, sir.

...

By the Court: Do you admit to me then that you are guilty of the charges as charged in the complaint in Counts Two and Three of the indictment?

By Defendant Love: Yes, sir.

...

By the Court: All right. Is it your decision to enter a plea of guilty here or Mr. Spriggs' decision?

By Defendant Love: Mine.

...

By the Court: All right. Thank you. And you want me to accept your guilty plea?

By Defendant Love: Yes, sir.

By the Court: All right.

Very well. The Court finds that a factual basis exists for the charges against Mr. Love. I find his plea is freely and voluntarily given. He's alert. He's responsive. He's appropriately dressed and appropriately groomed here today in front of me. I do not detect any mental or emotional illness that would prevent him from entering a free and voluntary plea. He's well advised of his rights. He understands the consequences of offering a guilty plea in this Court. Plus, he has petitioned the court under oath to accept his guilty plea. And therefore the Court will now continue Mr. Love's sentencing until the 22nd day of October 2019 at 9:00 a.m. in Hernando.

*Plea hearing transcript*, pp. 2-13. Because the record and Love's prior sworn testimony clearly reflect that Love was present throughout his plea colloquy and that Love entered his plea **"voluntarily, knowingly, and intelligently, with sufficient awareness of the relevant circumstances and likely consequences,"** *Haney*, 281 So. 3d at 89, this Court finds that Love's only argument in support of his *Motion for Post-Conviction Collateral Relief* is without merit.

In this case, because “it plainly appears from the face of the motion[s], any annexed exhibits [or the lack thereof] and the prior proceedings in the case that the movant is not entitled to any relief,” the Court finds that the petition should be dismissed. Miss. Code § 99-39-11. In reaching this decision, the Court has reviewed and specifically relied upon the entirety of the record herein, in addition to the following documents from the original criminal action – CR2018-0020GCT:

- i. Indictment;
- ii. Motion to Amend Indictment (filed 8/29/2018);
- iii. Order Granting Motion to Amend Indictment (filed 9/5/2018);
- iv. Petition to Enter Plea of Guilty (filed 9/17/2019);
- v. Transcript of Plea Hearing (filed 10/2/2019);
- vi. Continuance Order (filed 10/30/2019);
- vii. Affidavit of Non Appearance (filed 1/15/2020);
- viii. Bench Warrant, as Executed (filed 2/24/2020);
- ix. Continuance Order (filed 4/30/2020)
- x. Bench Warrant, as Executed (filed 9/23/2020); and
- xi. Sentence of the Court (filed 11/17/2020).


**IT IS ORDERED** that the *Motion for Post-Conviction Collateral Relief* filed herein be and the same is, hereby, **DISMISSED**.

**IT IS FURTHER ORDERED** that in accordance with Mississippi Rule of Appellate Procedure 6(a)(2), the Petitioner is entitled to proceed on appeal from this order, if any shall be taken, *in forma pauperis*, without prepayment of fees and costs associated therewith. However, any record on appeal shall include only the documents specifically listed hereinabove as being relied upon by this Court.



**IT IS FURTHER ORDERED** that the Clerk mail a true copy of this *Order* to the Petitioner at his last known address and to the Office of the District Attorney for the Seventeenth Circuit Court District.

**SO ORDERED** this the 26<sup>th</sup> day of August, 2021.

  
HONORABLE GERALD W. CHATHAM, SR.  
CIRCUIT COURT JUDGE

**STATE OF MISSISSIPPI  
SEVENTEENTH CIRCUIT COURT DISTRICT**

**TATE COUNTY**

**JANUARY 2018 GRAND JURY SESSION**

**CR 2018 - 20 - GCT**

THE GRAND JURORS of the State of Mississippi, taken from the body of the good and lawful citizens of Tate County thereof, duly elected, empaneled, sworn and charged to inquire in and for the County and State aforesaid, at the Grand Jury Session aforesaid, in the name and by the authority of the State of Mississippi, upon their oaths present:

**COUNT 1**

That **SOWETO RONNELL LOVE and PORCHA LATOYA KNOX**, Late of the County and State aforesaid, between the **24th** day of **AUGUST** and the **27<sup>th</sup>** day of **OCTOBER** in the year of our Lord **2017**, in the County and State aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously, corruptly agree, conspire and confederate, each with the other and with divers others to the Grand Jury unknown, to commit a crime, to-wit: Obtaining a Controlled Substance by Fraud, in direct violation of Section 97-1-1(a), Mississippi Code 1972 Annotated, as amended, contrary to the form of the statute in such cases provided, and against the peace and dignity of the State of Mississippi.

**COUNT 2**

That **SOWETO RONNELL LOVE and PORCHA LATOYA KNOX**, Late of the County and State aforesaid, between the **26th** and **27th** day of **OCTOBER**, in the year of our Lord **2017**, in the County and State aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously, knowingly and intentionally attempt to acquire or obtain possession of a controlled substance, to-wit: approximately 150 dosage units of Oxycodone 30Mg, by misrepresentation, fraud, forgery, deception or subterfuge, by presenting to Lori Chandler, a Registered Pharmacist at Fred's Pharmacy in Senatobia, Mississippi, a forged prescription, in direct violation of Section 41-29-144, Mississippi Code 1972 Annotated, as amended, contrary to the form of the statute in such cases provided and against the peace and dignity of the State of Mississippi.

**COUNT 3**

That **SOWETO RONNELL LOVE and PORCHA LATOYA KNOX**, Late of the County and State aforesaid, on or about the **23rd** day of **SEPTEMBER**, in the year of our Lord **2017**, in the County and State aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously, knowingly and intentionally acquire or obtain possession of a controlled substance, to-wit: approximately 150 dosage units of Oxycodone 30Mg, by misrepresentation, fraud, forgery, deception or subterfuge, by presenting to Lori Chandler, a Registered Pharmacist at Fred's Pharmacy in Senatobia, Mississippi, a forged prescription, in direct violation of Section 41-29-144, Mississippi Code 1972 Annotated, as amended, contrary to the form of the statute in such cases provided and against the peace and dignity of the State of Mississippi.

**COUNT 4**

That **SOWETO RONNELL LOVE and PORCHA LATOYA KNOX**, Late of the County and State aforesaid, on or about the **24th** day of **AUGUST**, in the year of our Lord **2017**, in the County and State aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously, knowingly and intentionally acquire or obtain possession of a controlled substance, to-wit: approximately 120 dosage units of Oxycodone 30Mg, by misrepresentation, fraud, forgery, deception or subterfuge, by presenting to Lori Chandler, a Registered Pharmacist at Fred's Pharmacy in Senatobia, Mississippi, a forged prescription, in direct violation of Section 41-29-144, Mississippi Code 1972 Annotated, as amended, contrary to the form of the statute in such cases provided and against the peace and dignity of the State of Mississippi.

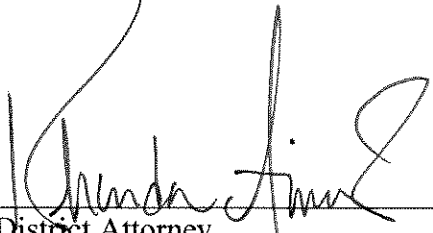
**COUNT 5**

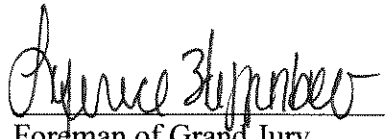
That **SOWETO RONNELL LOVE and PORCHA LATOYA KNOX**, Late of the County and State aforesaid, on or about the **27th** day of **OCTOBER**, in the year of our Lord **2017**, in the County and State aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously, knowingly and intentionally possess a false, fraudulent or forged prescription of a practitioner, who is Valerie Kershaw-Berry, FNP, Delta Medical Services Pain Management, in direct violation of Section 41-29-144(2), Mississippi Code 1972 Annotated, as amended, contrary to the form of the statute in such cases provided and against the peace and dignity of the State of Mississippi.

**COUNT 6**

That **SOWETO RONNELL LOVE and PORCHA LATOYA KNOX**, Late of the County and State aforesaid, on or about the **27th** day of **OCTOBER**, in the year of our Lord **2017**, in the County and State aforesaid, and within the jurisdiction of this Court, did wilfully, unlawfully and feloniously, knowingly and intentionally possess a false, fraudulent or forged prescription of a practitioner, who is Johnathan Ellichman, MD, UMC Medical Care/Methodist LeBonheur, in direct violation of Section 41-29-144(2), Mississippi Code 1972 Annotated, as amended, contrary to the form of the statute in such cases provided and against the peace and dignity of the State of Mississippi.

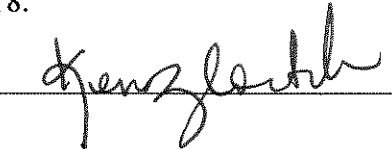
**A TRUE BILL**

  
\_\_\_\_\_  
District Attorney

  
\_\_\_\_\_  
Foreman of Grand Jury

Filed 24 day of January 2018; Eddie Haskins Clerk

Recorded 24 day of January, 2018.

Eddie Haskins Clerk, BY:  D.C.

**SOWETO RONNELL LOVE**  
Race/Gender: Black/Male  
DOB: 10/20/1987  
SSN: 408-57-0587

**PORCHA LATOYA KNOX**  
Black/Female  
8/6/1990  
411-69-7596

**IN THE CIRCUIT COURT OF TATE COUNTY, MISSISSIPPI**

**STATE OF MISSISSIPPI**

**VS.**

**CAUSE NO. CR2018-20-GC(T)**

**SOWETO LOVE**

**MOTION TO AMEND INDICTMENT**

Pursuant to Rule 7.09 the State moves the Court for leave to amend the Indictment to charge the Defendant, **SOWETO LOVE** as an **HABITUAL OFFENDER** and as a **RECIDIVIST** within the meaning of Section 99-19-81 and Section 41-29-147 of the Code.

In support thereof, the State would show as follows:

1.) On or about January 24, 2018, the Grand Jury charged **SOWETO LOVE** with Conspiracy in Count 1, §97-1-1, Attempted to Obtain a Controlled Substance by Forged Prescription in Count 2, §41-29-144, Obtain a Controlled Substance by Forged Prescription in Counts 3 and 4, §41-29-144, Possession of a Forged Prescription in Counts 5 and 6, §41-29-144(2). At this time the State believed the Defendant had a criminal history due to information received on NCIC print out. The office of the District Attorney contacted Clerks of Court to determine if, in fact, the Defendant had prior felony convictions.

2.) The State has learned that the Defendant has prior felony convictions in the following:

A.) In the Criminal Court of Shelby County, Tennessee, case number 06-05715 for Theft of Property in Count 2 over \$10,000.00 and sentenced to three (3) years on September 27, 2006;

8/29/18  
FILED IN MEC  
BY ATTORNEY

B.) The Criminal Court of Shelby County, Tennessee, case number W06-00458 for possession with intent to sell cocaine and sentenced to three (3) years on November 7, 2006;

C.) The Criminal Court of Shelby County, Tennessee, cause number 13-00427 for Obtaining a Controlled Substance by Fraud in Count 1 and sentenced to two (2) years on November 18, 2013;

D.) The Criminal Court of Shelby County, Tennessee, cause number 13-00427 for Identity Theft in Count 2 and sentenced to two (2) years on November 18, 2013;

E.) The Criminal Court of Shelby County, Tennessee, cause number 16-01996 for Criminal Attempt-UPCS-Sell Oxycodone and sentenced to two (2) years on January 10, 2017;

F.) The Criminal Court of Shelby County, Tennessee, cause number 16-01996 for Criminal Attempt-UPCS-Sell Alprazolam and sentenced to two (2) years on January 10, 2017; and,

G.) The Criminal Court of Shelby County, Tennessee, cause number 17-00669/ 17-00884 for Possession of Marihuana with Inent and sentenced to thirty (30) days on February 28, 2017.

3.) These prior convictions satisfy the requirements of Section 99-19-81 and Section 41-29-147 of the Code. Rule 7.09 allows the Indictment to be amended to charge Defendant as an **HABITUAL OFFENDER** and as a **RECIDIVIST**.

Wherefore, premises considered, the State moves this Court for leave to charge **SOWETO LOVE** as a §99-19-81 and §41-29-147offender.

Respectfully submitted this the 29<sup>th</sup> day of August, 2018.

STATE OF MISSISSIPPI  
OFFICE OF THE DISTRICT ATTORNEY  
SEVENTEENTH CIRCUIT COURT  
DISTRICT  
101 EUREKA STREET  
BATESVILLE, MISSISSIPPI 38606  
(662) 563-6636

BY: Rhonda M. Amis  
RHONDA M. AMIS  
ASSISTANT DISTRICT ATTORNEY  
MSB NO. 100127

**CERTIFICATE OF SERVICE**

I, Rhonda M. Amis, hereby certify that I have this day mailed, U.S. postage prepaid, a true and correct copy of the above and foregoing Motion to Amend Indictment to Suzanne Lowrie, Court Administrator, Post Office Box 527, Hernando, Mississippi 38632 and to Stacy Sprigg, Attorney for Defendant, 107 Stateline Road, Ste. 3, Southaven, Mississippi 38671.

This the 29<sup>th</sup> day of August, 2018.

Rhonda M. Amis  
Certifying Attorney



**IN THE CIRCUIT COURT OF TATE COUNTY, MISSISSIPPI**

**STATE OF MISSISSIPPI**

**VS.**

**CAUSE NO. CR2018-20-GC(T)**

**SOWETO LOVE**

**ORDER**

The State has filed a Motion to Amend Indictment pursuant to Rule 7.09 of the Uniform Circuit Rules. The State wishes to charge **SOWETO LOVE** as an **HABITUAL OFFENDER** and a **RECIDIVIST** within the meaning of § 99-19-81 and § 41-29-147 of the Code. The Court finds this Motion well taken and should be sustained.

It is **ORDERED** that **SOWETO LOVE** be and hereby is charged as an **HABITUAL OFFENDER** and as a **RECIDIVIST** according to Section 99-19-81 and Section 41-29-147 of the Code, wherein the State alleges the prior convictions to be:

A.) In the Criminal Court of Shelby County, Tennessee, case number 06-05715 for Theft of Property in Count 2 over \$10,000.00 and sentenced to three (3) years on September 27, 2006;

B.) The Criminal Court of Shelby County, Tennessee, case number W06-00458 for possession with intent to sell cocaine and sentenced to three (3) years on November 7, 2006;

C.) The Criminal Court of Shelby County, Tennessee, case number 13-00427 for Obtaining a Controlled Substance by Fraud in Count 1 and sentenced to two (2) years on November 18, 2013;

**FILED**

**SEP 05 2018**

Edward I. (Edgie) Hadskey - Tate Co. Circuit Clerk  
By Ka de

D.) The Criminal Court of Shelby County, Tennessee, cause number 13-00427 for Identity Theft in Count 2 and sentenced to two (2) years on November 18, 2013;


E.) The Criminal Court of Shelby County, Tennessee, cause number 16-01996 for Criminal Attempt-UPCS-Sell Oxycodone and sentenced to two (2) years on January 10, 2017;

F.) The Criminal Court of Shelby County, Tennessee, cause number 16-01996 for Criminal Attempt-UPCS-Sell Alprazolam and sentenced to two (2) years on January 10, 2017; and,

G.) The Criminal Court of Shelby County, Tennessee, cause number 17-00669/ 17-00884 for Possession of Marihuana with Inent and sentenced to thirty (30) days on February 28, 2017.

**SO ORDERED** this the 4<sup>th</sup> day of September, 2018.

  
CIRCUIT COURT JUDGE

  
RHONDA M. AMIS  
ASSISTANT DISTRICT ATTORNEY  
MSB. NO. 100127

IN THE CIRCUIT COURT OF TATE COUNTY, MISSISSIPPI  
FOR THE 17th JUDICIAL DISTRICT

STATE OF MISSISSIPPI

vs.

CAUSE NUMBER CR 2018-206CT  
COUNT(S) 2, 3

SOWETO LOVE

**PETITION TO ENTER PLEA OF GUILTY**

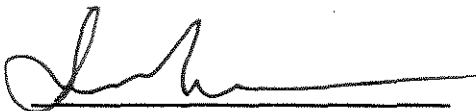
The defendant herein, being duly sworn, states in Open Court under oath that:

1. My full true name is Soweto Rennell Love. My age is 31 years and I completed 12 years in school and 0 years in college. I (can) (cannot) read and write. I am mentally competent to make this petition. I understand should the plea of guilty herein tendered not be accepted and a trial follow that admissions made herein or during any hearing on this petition would not be admissible against me at trial.

2. I am represented by Stacey Spriggs, an attorney who has been (court appointed) (retained) by me.

3. I plead guilty to the charge(s) of Forged Prescription - 2 counts in violation of Miss. Code Ann. § 41-29-144, as set forth in count 2, 3 of the indictment in this cause number.

4. I have told my lawyer all of the facts and circumstances known to me about the charge(s) asserted in the indictment. I believe that my lawyer is fully informed on all such matters. My lawyer has advised me of the nature of the charge(s) and the possible defenses that I may have to the charge(s).



FILED

SEP 17 2019

Edward L. (Eddie) Hadskey - Tate Co. Circuit Clerk  
By ELH

5. I understand that I may plead "not guilty" and may persist in that plea and that (a) the Constitution guarantees me the right to a speedy and public trial by jury, (b) the right to see, hear and cross examine all witnesses called to testify, (c) the right to use the power and processes of the Court to compel the production of evidence including the attendance of any witnesses in my favor, (d) the right to have the presence and assistance of a lawyer at all stages of the trial and any appeal, (e) the right to testify in my own defense, (f) the right to a jury verdict of all twelve jurors before I could be found guilty, (g) I understand that if I plea not guilty and demand a jury trial I would be by law presumed innocent of the charge(s) at the outset of a jury trial and that presumption would remain with me until removed by competent and credible evidence, and am proven guilty beyond a reasonable doubt and to the satisfaction of twelve jurors.

6. I do not have to testify against myself and I have the right against self incrimination and the right to remain silent at all times; that if I should be convicted after a jury trial, I would have an absolute right to appeal to the Mississippi Supreme Court with assistance of counsel, and at no cost to me should I be determined to be financially unable to pay for same. I understand that by pleading guilty I am admitting that I did commit the crime charged in the indictment and that I am waiving all the rights set forth in this paragraph and in paragraph number five (5) of this Petition.

7. At this time I am not under the influence of drugs or alcohol nor suffering from any mental disease or emotional problem.

8. I declare that no officer or agent of any branch of government nor any other person has made me any promises or inducements of any kind to me or within my knowledge to anyone else that I will receive a lighter sentence, probation, early release or any other form of leniency if I plead "guilty." I have not been beaten, threatened, mentally or physically forced, intimidated or coerced in

  
\_\_\_\_\_

any manner to plead guilty to the crime charged against me. I offer my plea of "guilty" freely and voluntarily and of my own accord and with full understanding of all matters set forth in the indictment herein and in this Petition, and this plea is with the advice and consent of my lawyer.

9. My lawyer has informed me as to the maximum and minimum punishment which the law provides for the offense charged in the indictment. The maximum punishment which the Court may impose for this crime that I am charged with is 5 <sup>each count</sup> years imprisonment and \$ 1,000.00 <sup>each count</sup> fine. The minimum punishment is 1 <sup>each count</sup> year imprisonment and/or \$ - 0 - <sup>each count</sup> fine. (If multi-count indictment, addendum may be attached specifying count number, charge with maximum and minimum punishment)

10.(a) No agreements have been reached with regard to a recommended sentence as a result of so-called "plea-bargaining." Neither my attorney nor any other person has represented to me that I will receive any particular sentence if I plead guilty. The final decision as to the sentence rests with the Court.

10.(b) As a result of plea bargaining, my attorney and I have reached an agreement with the District Attorney's Office concerning my offer to plead guilty to the charge(s) listed in paragraph three. It is my understanding that the District Attorney will recommend to the Court that I receive a sentence as follows or see attached plea agreement:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I understand that there are no side agreements or other promises. I understand that this agreement is not binding on the Court and that if my guilty plea is accepted by the Court, the Court may impose the same sentence as if I had pleaded "not guilty" and had been found guilty by a jury.



11. I do understand that no one can assure me of parole or early release. Certain crimes make a Defendant ineligible for parole. These include, but are not limited to, sex crimes, armed robbery and defendants who are sentenced as habitual offenders. I have discussed with my attorney whether the crime for which I am charged fits into that category. I understand that this process is governed by the Legislature and the Mississippi Department of Corrections and not by this Court.

12. I also understand that this Court has no control over the giving of earned time or good time. I understand that this process is governed by the Legislature and the Mississippi Department of Corrections and not by this Court.

13. I believe that my lawyer is competent and has done all that anyone could do to counsel and assist me, and I am fully satisfied with the advice and help he has given me.

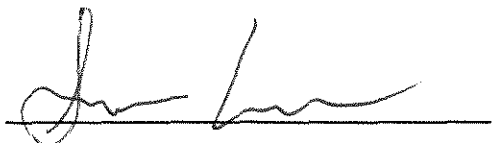
14. My lawyer has advised me of the elements of the charge to which I am pleading. I submit that all the elements are proven by the true facts. Therefore, I am guilty and ask the Court to accept my plea of guilty.

15. I understand that I am presenting this petition under oath and under penalty of perjury for any false statements contained herein. I have not been encouraged by any person to answer falsely any question in this petition in order to have this plea accepted.

16. I understand that my plea of guilty may be withdrawn at any time during a hearing on this petition prior to the acceptance of the plea by the Court.

17. I have not previously been convicted of any felony, except Possession with Intent Possession of Controlled Substance by Fraud.

18. I understand that if I have been convicted of a sex offense or attempted sex offense or if I have been twice adjudicated delinquent for a sex offense or attempted sex offense or if I have been acquitted by reason of insanity for a sex offense or an attempted sex offense under and pursuant to



Section 45-33-25 et seq. I am required to register as a sex offender with the responsible agency and with the MS Department of Public Safety Driver's License Station as required by law. I understand I am required to re-register by personally appearing at a Department of Public Safety Driver's License Station to re-register and verify my residence, employment, and status every ninety (90) days pursuant to MCA Section 45-33-31.

19. I understand that if have now been convicted of two (2) or more felonies upon charges separately brought and arising out of separate incidents at different times and have been sentenced to separate terms of one (1) year or more in any state and/or Federal prison institution, that if I am convicted of another felony, then I may be sentenced to the maximum term of imprisonment prescribed for such felony and such sentence shall not be reduced or suspended nor will I be eligible for parole or probation or other earned or good time.

20. I understand that if have now been convicted of two (2) or more felonies upon charges separately brought and arising out of separate incidents at different times and have been sentenced and served separate terms of one (1) year or more in any state and/or Federal prison institution and one of such felonies was a crime of violence, that if I am convicted of another felony, then I may be sentenced to life imprisonment and such sentence shall not be reduced or suspended nor will I be eligible for parole or probation or other earned or good time.

21. I understand that if the offense for which I have entered my plea of guilty is a violation of the Uniform Controlled Substance Law and that, if I am convicted of another offense involving a violation of the Uniform Controlled Substance Law, I will be subject to a sentence which may be double the sentence which applies to my violation.

A handwritten signature in black ink, appearing to be "J. L. ...", is written above a solid horizontal line.

22. I understand that this plea may have an adverse affect on my immigration status, which may include deportation, and have fully discussed this fact with my attorney and, if necessary, competent counsel who specializes in immigration law.

408-57-0587  
SOCIAL SECURITY NUMBER

10-20-87  
DATE OF BIRTH

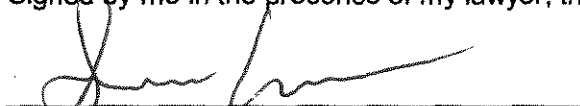
Memphis, TN  
PLACE OF BIRTH

Black  
RACE

Male  
SEX

DEFENDANT'S ADDRESS 206 Shadow Creek Drive  
Oxford, MS 38655

Signed by me in the presence of my lawyer, this the 29<sup>th</sup> day of August, 2019.

  
DEFENDANT

As attorney for this defendant, I certify that I have on the above date discussed all the contents of the foregoing petition with said defendant, and I am satisfied that the defendant fully understands same and that the defendant executes said petition knowingly and voluntarily.

  
ATTORNEY FOR THE DEFENDANT


9036  
STATE BAR NUMBER



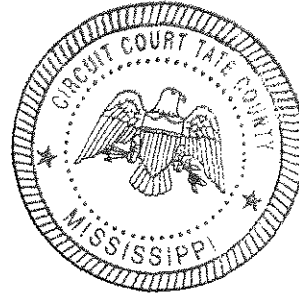
STATE OF MISSISSIPPI

COUNTY OF TATE

Sworn to and subscribed before me, this the 29<sup>th</sup> day of August, 2019.

  
NOTARY PUBLIC

My Commission Expires on: My Commission Expires January 6, 2020



1 IN THE CIRCUIT COURT OF TATE COUNTY, MISSISSIPPI  
2 SEVENTEENTH JUDICIAL DISTRICT

3 STATE OF MISSISSIPPI

4 VS.

CAUSE NO. CR2018-20GCT

5 SOWETO RONNELL LOVE

Defendant

6  
7 PLEA

8  
9  
10 PRESIDING: HONORABLE GERALD W. CHATHAM  
11 Circuit Court Judge  
12 Seventeenth Judicial District  
13 State of Mississippi

14 APPEARANCES:

15 FOR THE STATE OF MISSISSIPPI:

16 RHONDA MASON AMIS, ESQUIRE  
17 Assistant District Attorney  
18 365 Loshier Street, Suite 210  
19 Hernando, Mississippi 38632

20 FOR THE DEFENDANT:

21 STACEY A. SPRIGGS, ESQUIRE  
22 Attorney at Law  
23 165 W. South Street, Suite 208  
24 Hernando, Mississippi 38632-2266

25  
26 DATE: Monday, September 16, 2019

27 PLACE: Tate County Courthouse  
28 Senatobia, Mississippi

29 FILED

OCT 02 2019

Edward L. (Eddie) Hadskey - Tate Co. Circuit Clerk  
By: ka,dc

P R O C E E D I N G S

(THE FOLLOWING PROCEEDINGS TOOK PLACE IN OPEN COURT. THE DEFENDANT WAS PRESENT WITH HIS ATTORNEY.)

SOWETO RONNELL LOVE,  
after having been first duly sworn,  
testified as follows:

THE COURT: The Court would call Cause Number 2018-20, State versus Soweto Ronnell Love.

**BY THE COURT:**

Q. Are you Soweto Ronnell Love?

A. Yes, sir.

Q. Mr. Spriggs there is your lawyer?

A. Yes, sir.

Q. All right. I'm going to ask you a few questions here and I want you to answer them with a good loud "yes" or "no." Okay?

A. Yes, sir.

Q. My court reporter is going to take down everything that you say and that's -- of course, this is for your protection. We're making a record of this proceeding, and so answer a good loud "yes" or "no."

My first question to you is, As you stand here today, are you under the influence of drugs or alcohol or are you taking any medication that might affect your ability to understand the nature of these proceedings or do you have a history

1 of mental illness or emotional problems?

2 A. No, sir, I do not.

3 Q. All right. This petition tells me that  
4 you're 31 years old, that you've got 12 years in  
5 school, Mr. Spriggs is your lawyer, you can read and  
6 write, and you're offering to plead guilty to forged  
7 prescription, two counts, which is a felony; is that  
8 correct?

9 A. Yes, sir.

10 Q. All right.

11 THE COURT: Will the State please  
12 give me a factual basis for the charges  
13 against Mr. Love.

14 MS. AMIS: Yes, sir. Your Honor, in  
15 CR2018-20GCT, in Count Two, if this matter  
16 were to go to trial, the State would be  
17 prepared to prove beyond a reasonable doubt  
18 and with credible and admissible evidence  
19 that between the 26th and the 27th day of  
20 October in the year 2017 Soweto Ronnell Love,  
21 along with his codefendant Porcha Latoya  
22 Knox, did willfully, unlawfully, feloniously,  
23 knowingly, and intentionally attempt to  
24 acquire, obtain possession of a controlled  
25 substance, that substance being approximately  
26 150 dosage units of Oxycodone, 30 milligrams,  
27 by misrepresentation, fraud, forgery,  
28 deception, or subterfuge by presenting to  
29 Lori Chandler, a registered pharmacist at

1 Fred's Pharmacy in Senatobia, Mississippi, a  
2 forged prescription.

3 In Count Three, Your Honor, the  
4 State would further be prepared to prove that  
5 on or about the 23rd day of September in the  
6 year 2017 Soweto Ronnell Love and Porcha  
7 Latoya Knox did again willfully, unlawfully,  
8 feloniously, knowingly, and intentionally  
9 acquire or obtain possession of a controlled  
10 substance, that substance being approximately  
11 150 dosage units of Oxycodone, 30 milligrams,  
12 by misrepresentation, fraud, forgery,  
13 deception, or subterfuge by presenting to  
14 Lori Chandler, a registered pharmacist at  
15 Fred's Pharmacy in Senatobia, Mississippi, a  
16 forged prescription.

17 The facts would show specifically,  
18 Your Honor, that the pharmacist at Fred's  
19 Pharmacy in Senatobia, Mississippi, Ms. Lori  
20 Chandler, contacted Senatobia Police  
21 Department to let them know that she had been  
22 tendered what she believed to be a forged or  
23 fraudulent prescription for four Oxycodone.  
24 Prior to calling the police department she  
25 had already contacted the medical personnel  
26 to determine whether or not it had, in fact,  
27 been a legitimate prescription written that  
28 had been turned over to her for filling. She  
29 gave law enforcement officers information

1 that it was, in fact, determined that it was  
2 not a legitimate prescription and that the  
3 individual who had called it in was coming  
4 back in to pick it up. On the date that  
5 Soweto Ronnell Love and Porcha Latoya Knox  
6 returned to Fred's Pharmacy in Senatobia,  
7 Mississippi, to pick up the prescription that  
8 had been left there to be filled they were,  
9 in fact, taken into custody by Senatobia  
10 Police Department narcotics officers. During  
11 the course of the investigation they found  
12 flash drives that contained other means of  
13 printing out forged prescriptions. They  
14 found prescription pad papers. They found  
15 other prescriptions with medical information  
16 for -- to be presented for other fraudulent  
17 prescriptions to be filled. During the  
18 course of their investigation they were also  
19 able to interview Mr. Soweto Ronnell Love and  
20 he gave a full and voluntary statement  
21 regarding what he knew as to the presentation  
22 of these bogus prescriptions and the  
23 substance that was going to be collected  
24 based on those prescriptions.

25 These events all occurred in  
26 Senatobia, Mississippi, which is in Tate  
27 County and therefore within the jurisdiction  
28 of this court.

29 THE COURT: Thank you.

1 MS. AMIS: Yes, sir.

2 THE COURT: Mr. Spriggs, are you  
3 satisfied the State could present admissible  
4 and credible evidence to meet their burden of  
5 proof and get this case to a jury?

6 MR. SPRIGGS: I am, Your Honor.

7 THE COURT: Are you satisfied venue  
8 and jurisdiction are proper?

9 MR. SPRIGGS: I am, Your Honor.

10 THE COURT: Have you had ample time  
11 to investigate, prepare, and discuss this  
12 case with your client as well as go over all  
13 possible defenses?

14 MR. SPRIGGS: I have, Your Honor.

15 **BY THE COURT:** (Continuing)

16 Q. Mr. Love, do you understand and recall  
17 these events that have brought you here today?

18 A. Yes, sir.

19 Q. Do you have any disagreements with the  
20 factual bases as set out by the prosecutor?

21 A. No, sir.

22 Q. Before going further there are certain  
23 rights that you have that are guaranteed by the  
24 constitution. I'm going to go over those rights  
25 with you in just a moment so that you'll know  
26 exactly what you're giving up and you'll understand  
27 that.

28 First and foremost among those rights is  
29 your right to a trial by jury. You have the

1 unfettered right to have a jury decide the ultimate  
2 issue in your case; that is, are you guilty of these  
3 charges or are you innocent.

4 The way a jury trial works is we take 12  
5 people and put them right over there in that jury  
6 box right over there. Twelve people that you help  
7 select. I don't select the jury. You and your  
8 lawyer and the prosecutors actually select the jury.  
9 The way a jury trial works is the State has to go  
10 first. They have the burden of proof. They put on  
11 their witnesses. Mr. Spriggs would be allowed to  
12 cross-examine each one of those witnesses  
13 thoroughly. After the State rests, then you'd be  
14 allowed to put on your witnesses. The State would  
15 be allowed to cross-examine your witnesses, and then  
16 I'll give the jury the law that they're to use in  
17 conducting -- during their deliberations. And then  
18 the lawyers will argue the case and then I'll send  
19 the jury back to the jury room to deliberate on your  
20 case. And most of the time after they deliberate  
21 awhile they're going to come back with a verdict of  
22 either guilty or not guilty. That's just the way a  
23 jury trial works.

24 You're entitled to the services of an  
25 attorney at ever stage of that trial. If you cannot  
26 afford one, one will be appointed to represent you  
27 free of charge. You're presumed innocent. The  
28 burden of proof is always on the State to prove you  
29 guilty beyond a reasonable doubt and you have the



1 presumption of innocence that abides with you  
2 throughout that trial. Not only do I tell the jury  
3 that several times preliminarily in a trial, I also  
4 give it to them in the form of a jury instruction in  
5 writing that they can take back to the jury room so  
6 they will understand the burden of proof that is  
7 required in a criminal case.

8 You have the right to confront each and  
9 every witness that appears against you. Mr. Spriggs  
10 is a seasoned attorney. He understands how to do  
11 that. Further, he understands how to use the  
12 subpoena powers of this court to require or command  
13 the attendance of witnesses that might help you in  
14 your case, and he understands how to use the rules  
15 of court to your advantage if need be.

16 You have the right to remain silent. No  
17 one can make you take the witness stand in your own  
18 defense. If you wish to give up that right and  
19 testify, you're going to have to convince me first  
20 that you're doing so freely and voluntarily. Once  
21 that's done, then you would be permitted to testify.  
22 But no one can make you testify if you don't want to  
23 testify.

24 At the conclusion of the State's case  
25 your lawyer would move the Court for a directed  
26 verdict; that is, your lawyer would challenge the  
27 legal sufficiency of the evidence offered against  
28 you. If I agreed with your lawyer, I would sustain  
29 the motion and throw the case out of court and set

1 you free. If I disagreed with your lawyer, I would  
2 overrule the motion and the case would then proceed  
3 on to conclusion.

4 You're entitled to a unanimous verdict.  
5 In other words, all 12 jurors would have to agree  
6 that you're guilty before they could return a legal  
7 guilty verdict in court. If the jury reported in a  
8 guilty verdict, the first thing I would ask them,  
9 "Was it unanimous? Did all 12 agree?" The second  
10 thing I would want to know, I would look at the  
11 verdict to be certain it was in the proper form.  
12 Those questions being answered in the affirmative,  
13 it would then become my duty to sentence you in  
14 accordance with the applicable law.

15 Do you understand these rights that I've  
16 just gone over with you and that you're giving those  
17 rights up by pleading guilty here today?

18 A. Yes, sir.

19 Q. Further, by pleading guilty you're  
20 giving up your right to appeal anything that I may  
21 do here today. And if you were tried by a jury and  
22 convicted by a jury you'd have the right to appeal  
23 through the appellate court system of this state.  
24 The proper appeals court would review your case.  
25 You're entitled to the services of an attorney on  
26 that appeal. If you cannot afford one, one would be  
27 appointed to represent you free of charge. The  
28 proper appeals court would have a copy of your  
29 transcript that was made of your trial by a court

1 reporter. They would have a copy of the briefs that  
2 were submitted on your behalf and on behalf of the  
3 State, and they may even require the attorneys to  
4 come down and argue the case in front of them. Any  
5 rate, the proper appeals court would render a  
6 decision. They would either affirm or uphold what  
7 we do here or they may reverse it. They could set  
8 you free. They may send it back to us for a new  
9 trial with instructions. Any number of options they  
10 have. The primary emphasis here is that you  
11 understand you're giving up or waiving those appeal  
12 rights by pleading guilty here today.

13 Do you understand that?

14 A. Yes, sir.

15 Q. It looks like the maximum penalty that  
16 you could suffer for the charges that you're  
17 pleading to of forged prescription in Counts Two and  
18 Three is five years on each count and \$1,000 on each  
19 count. The minimum punishment is one year on each  
20 count and zero fine on each count.

21 Is that what you and Mr. Spriggs have  
22 talked about?

23 A. Yes, sir.

24 Q. All right. And it looks like your case  
25 it looks like to me is going to be continued for  
26 sentencing until a later date. But let me tell you  
27 what I'm -- what you need to know. This may apply  
28 to you later on. You need to understand that if you  
29 are sentenced to the Mississippi Department of

1 Corrections for any term of years or days or months,  
2 whenever, you have no assurances of parole or early  
3 release. In other words, you may have to serve  
4 every day of whatever sentence I impose on you.

5 Now, my question to you is, Did anyone  
6 promise you that if you'd come up here today and  
7 plead guilty that you'd be able to go down there to  
8 the penitentiary and you'd get out early or you'd  
9 make parole, and you have relied on that in entering  
10 your plea here today?

11 A. No, sir.

12 Q. I'm sorry?

13 A. No, sir.

14 Q. Okay. All right. Further, sentencing  
15 is my sole prerogative. In other words, it looks  
16 like on the 22nd day of October at nine o'clock I'm  
17 going to sentence you. And if you and your lawyer  
18 work out an agreement with the State as to what your  
19 sentence ought to be -- in other words, that's  
20 called plea bargaining and I understand that. What  
21 I want you to understand though is you and your  
22 lawyer work out something with the State I want you  
23 to understand I do not have to accept that. I can  
24 completely reject that and sentence you to the  
25 maximum as provided by law.

26 So now my question to you is, Did anyone  
27 promise you that if you-all reached an agreement  
28 that I would automatically follow that agreement and  
29 you have relied on that in entering your guilty plea

1 here today?

2 A. No, sir.

3 Q. All right. Are you satisfied with the  
4 services -- well, has anybody tried to threaten you  
5 or force you, intimidate you, or place you under  
6 duress or offer you anything of value for that  
7 matter to get you to plead guilty here today?

8 A. No, sir.

9 Q. All right. Has Mr. Spriggs been  
10 available to you at all reasonable times and places?

11 A. Yes, sir.

12 Q. Do you have any complaints against  
13 Mr. Spriggs or against this Court?

14 A. No, sir.

15 Q. Do you admit to me then that you are  
16 guilty of the charges as charged in the complaint in  
17 Counts Two and Three of the indictment?

18 A. Yes, sir.

19 Q. All right. And do you have any  
20 complaints against Mr. Spriggs or against this  
21 Court?

22 A. No, sir.

23 Q. Do you admit to me then that on the date  
24 that's charged in that indictment that you committed  
25 those crimes in Counts Two and Three?

26 A. (Nonverbal response.)

27 Q. All right. Is it your decision to enter  
28 a plea of guilty here or Mr. Spriggs' decision?

29 A. Mine.

1 Q. All right.

2 MR. SPRIGGS: You've got to speak  
3 up.

4 DEFENDANT LOVE: Okay.

5 A. Mine.

6 **BY THE COURT:** (Continuing)

7 Q. All right. Thank you. And you want me  
8 to accept your guilty plea?

9 A. Yes, sir.

10 Q. All right.

11 THE COURT: Very well. The Court  
12 finds that a factual basis exists for the  
13 charges against Mr. Love. I find his plea is  
14 freely and voluntarily given. He's alert.  
15 He's responsive. He's appropriately dressed  
16 and appropriately groomed here today in front  
17 of me. I do not detect any mental or  
18 emotional illness that would prevent him from  
19 entering a free and voluntary plea. He's  
20 well advised of his rights. He understands  
21 the consequences of offering a guilty plea in  
22 this court. Plus, he has petitioned the  
23 court under oath to accept his guilty plea.  
24 And therefore the Court will now continue  
25 Mr. Love's sentencing until the 22nd day of  
26 October 2019 at 9:00 a.m. in Hernando.

27 **BY THE COURT:** (Continuing)

28 Q. I see here that your bail bonding  
29 company, Alright Bail and Bonding Company, has given

1 a letter for us to show that he will remain on your  
2 bond until you're sentenced.

3 Do you understand that?

4 A. Yes, sir.

5 Q. Now, what I'm going to tell you now is,  
6 I'm not threatening you but I want you to understand  
7 what's going to happen if you don't show up on the  
8 22nd day of October. Now, we've already got a  
9 little problem with you before when you didn't show  
10 up. Now, I'm going to tell you if you don't show up  
11 on the 22nd day of October I will issue an immediate  
12 warrant for your arrest. And once you're  
13 apprehended, in jail you will sit until your case is  
14 finally disposed of. There won't be any more bail  
15 bonds.

16 Do you understand that?

17 A. Yes, sir.

18 Q. All right. So stay in touch with  
19 Mr. Spriggs. That's over a month from now until  
20 your sentencing. Sometimes those court dates  
21 change. We don't want you to miss your court date  
22 because it changed and you didn't know anything  
23 about it. So you stay in touch with him however  
24 often he tells you to.

25 Do you understand?

26 A. Yes, sir.

27 Q. All right.

28 THE COURT: Anything further from  
29 the State?

1 MS. AMIS: No, sir, Your Honor.

2 THE COURT: Mr. Spriggs?

3 MR. SPRIGGS: No, Your Honor.

4 THE COURT: All right.

5 **BY THE COURT:** (Continuing)

6 Q. Mr. Love, we'll see you on the 22nd.

7 A. (Pause.) Your Honor, I just want, you  
8 know, I accept full responsibility for this morning.  
9 I apologize to the Court for being, you know, late  
10 or whatnot and --

11 Q. All right. There will --

12 A. -- thank you for --

13 Q. -- be another time and place so you can  
14 tell me about all that, but I appreciate you saying  
15 that.

16 A. Okay. All right.

17 -----

18 COURT REPORTER'S CERTIFICATE


19 I, SHEILA D. MCKINNEY, Official Court Reporter  
20 for the Seventeenth Circuit Court District of the  
21 State of Mississippi, do hereby certify that the  
22 foregoing pages, and including this page, contain a  
23 true and correct transcript of the proceedings as  
24 taken by me at the time and place heretofore stated  
25 in the aforementioned matter, by machine shorthand  
26 with electronic verification, with the assistance of  
27 computer-aided transcription, to the best of my  
28 skill and ability.

29 I do further certify that my certificate



1 annexed hereto applies only to the original and  
2 certified transcript. The undersigned assumes no  
3 responsibility for the accuracy of any reproduced  
4 copies not made under my control or direction.

5 Witness my signature, on this the 30th day of  
6 September, 2019.

7  
8  #1773  
9 SHEILA D. MCKINNEY, BCR, CCR #1773  
Official Court Reporter

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29

IN THE CIRCUIT COURT OF Tate COUNTY MISSISSIPPI

FOR THE 17<sup>th</sup> JUDICIAL DISTRICT

STATE OF MISSISSIPPI

vs.

CAUSE NUMBER CR 2018-0206CT

Soweto Love

**ORDER TO CONTINUE SENTENCING HEARING**

The Defendant having previously appeared before this court and having entered a plea of guilty and requesting to differ sentencing, now requests additional time for the following reason(s): to permit both sides to prepare for sentencing, in light of conflicting court calendars

and the Court having considered same finds that additional time is warranted and shall be granted.

It is therefore ordered that this case is continued for sentencing until the 9<sup>th</sup> day of January, 2020 at 9:00 A.M. This hearing will be held in the County Courthouse in Sardis, MS. Failure to appear as ordered shall result in a bench warrant being issued and the forfeiture of any previously agreed upon recommendations.

Further, the Defendant shall meet the following conditions on or before the above date: \_\_\_\_\_

SO ORDERED this the 22<sup>nd</sup> day of October, 2019.

[Signature]  
CIRCUIT COURT JUDGE

[Signature]  
DEFENDANT

FILED  
OCT 30 2019

Edward L (Eddie) Hadskey - Tate Co. Circuit Clerk  
By [Signature]

[Signature]  
ATTORNEY FOR THE STATE

[Signature]  
DEFENSE ATTORNEY

MSRBH  
9036  
120-507

IN THE CIRCUIT COURT OF TATE COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

vs

CAUSE NO.: CR2018-20GCT

SOWETO LOVE

**AFFIDAVIT OF NON APPEARANCE**

I, Suzanne Lowrie, Circuit Court Administrator for Judge Gerald W. Chatham, Sr. of the 17<sup>th</sup> District Circuit Court, do hereby affirm that the above-named defendant was set to appear this day as noted in his/her court file, as well as below, and this defendant was called three times and was not present.

\_\_\_\_\_ Plea Date

\_\_\_\_\_ First Appearance Date

\_\_\_\_\_ Trial Date

X  Report Back Date (Review Payment, Rid Transport, etc...) 1-9-20 SENTENCING

*Suzanne Lowrie*  
Suzanne Lowrie

SWORN TO AND SUBSCRIBED before me this the 14<sup>th</sup> day of JANUARY, 2020.

*Dale K. Thompson*  
NOTARY PUBLIC

My Commission Expires

My commission expires January 2, 2024

By: *K. Ackerson, D.C.*



FILED

JAN 15 2020

Edward L. (Eddie) Hadskey - Tate Co. Circuit Clerk  
By: Ka, dc

IN THE CIRCUIT COURT OF TATE COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

VS.

CAUSE NUMBER: CR2018-20GCT

SOWETO LOVE

BENCH WARRANT

TO THE SHERIFF OF TATE COUNTY

GREETINGS:

YOU ARE COMMANDED TO take **SOWETO LOVE** and bring him/her before the Circuit Court Judge of said County to answer the charge of Contempt of Court, for failure to appear as directed contrary to the Statutes of the State, in such cases made and provided, and against the peace and dignity of the State of Mississippi, and have with you the original of this warrant your return thereon.

IT IS FURTHER ORDERED that this order shall serve as a HOLD ORDER/ACKNOWLEDGMENT should the above-named defendant be incarcerated in another jurisdiction than TATE County, Mississippi.

WITNESS, MY HAND this the 14<sup>TH</sup> day of JANUARY, 2020.



GERALD W. CHATHAM, SR.,  
CIRCUIT COURT JUDGE

B/M  
DOB: 10/20/87  
SSN: 408-57-0587



I, EDWARD L (EDDIE) HADSKY, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF THE ORIGINAL, THEREOF NOW IN MY OFFICE.  
Edward L. Hadskey  
CIRCUIT CLERK, TATE COUNTY, MISS.  
DATE: 1/15/2020

FILED

FEB 24 2020

Edward L (Eddie) Hadskey - Tate Co. Circuit Clerk  
By Kaide

STATE OF MISSISSIPPI  
COUNTY OF TATE

I have this day executed this warrant  
by arresting the within named

Samuel Love  
and now have him in custody.

This the 23 day of February 2020

BRAD LANCE, SHERIFF

By: Brad Lance D.S.

IN THE CIRCUIT COURT OF DeSoto COUNTY MISSISSIPPI  
FOR THE 17th JUDICIAL DISTRICT

STATE OF MISSISSIPPI

vs.

CAUSE NUMBER CR 2018-20 GCT

Soweto Love

ORDER TO CONTINUE SENTENCING HEARING

The Defendant having previously appeared before this court and having entered a plea of guilty and requesting to differ sentencing, now requests additional time for the following reason(s) : \_\_\_\_\_

Continued due to Covid-19 .

and the Court having considered same finds that additional time is warranted and shall be granted.

It is therefore ordered that this case is continued for sentencing until the 1st day of September, 2020 at 9:00 A.M. This hearing will be held in the County Courthouse in Senatobia, MS. Failure to appear as ordered shall result in a bench warrant being issued and the forfeiture of any previously agreed upon recommendations.

Further, the Defendant shall meet the following conditions on or before the above date: \_\_\_\_\_

SO ORDERED this the 21<sup>st</sup> day of April, 2020.

  
CIRCUIT COURT JUDGE

DEFENDANT

RA  
ATTORNEY FOR THE STATE

SS  
DEFENSE ATTORNEY

FILED

APR 30 2020

Edward L (Eddie) Hadskey - Tate Co. Circuit Clerk  
By Kade

122-202

IN THE CIRCUIT COURT OF TATE COUNTY, MISSISSIPPI  
17<sup>TH</sup> JUDICIAL DISTRICT

STATE OF MISSISSIPPI

VS.

CAUSE NUMBER: CR2018-20GCT

SOWETO LOVE

BENCH WARRANT

TO THE SHERIFF OF TATE COUNTY

GREETINGS:

YOU ARE COMMANDED TO take SOWETO LOVE and bring him/her before the Circuit Court Judge of said County to answer the charge of Contempt of Court, for failure to appear as directed contrary to the Statutes of the State, in such cases made and provided, and against the peace and dignity of the State of Mississippi, and have with you the original of this warrant your return thereon.

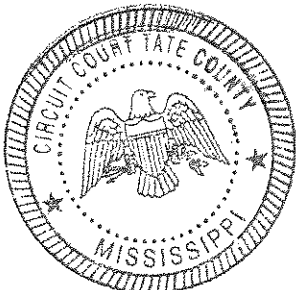
IT IS FURTHER ORDERED that this order shall serve as a HOLD ORDER/ ACKNOWLEDGMENT should the above-named defendant be incarcerated in another jurisdiction than TATE County, Mississippi.

WITNESS, MY HAND this the 1<sup>ST</sup> day of SEPTEMBER, 2020.



GERALD W. CHATHAM, SR.,  
CIRCUIT COURT JUDGE

B/M  
DOB: 10-20-87  
SSN: 408-57-0587



I, EDWARD L (EDDIE) HADSKY, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF THE ORIGINAL. THEREOF NOW IN MY OFFICE.  
Kadum, dc  
CIRCUIT CLERK, TATE COUNTY, MISS.  
DATE 9/21/2020

FILED  
SEP 23 2020

Edward L (Eddie) Hadskey • Tate Co. Circuit Clerk  
By \_\_\_\_\_

STATE OF MISSISSIPPI  
COUNTY OF TATE

I have this day executed the within writ  
personally by delivering the within writ  
named

SAWATO LOUIS  
a true copy of this writ.

this the 22 day of SEPT, 20  
BRAD LANCE, SHERIFF

By Victor Byrd

STAMP



**IN THE CIRCUIT COURT OF TATE COUNTY, MISSISSIPPI**

**STATE OF MISSISSIPPI**

**VS.**

**CAUSE NO. CR 2018-20GC(T)  
as a 99-19-81 Habitual**

**SOWETO RONNELL LOVE**

**SENTENCE OF THE COURT**

This day into open Court came the Assistant District Attorney, Rhonda M. Amis, who prosecutes for the State of Mississippi and came the Defendant, **SOWETO RONNELL LOVE**, in his own proper person and represented by counsel, Stacey Spriggs, said Defendant having previously pled guilty on September 16, 2019, to the following crimes: Count 2: Attempting to Obtain a Controlled Substance by Fraud (150 dosage units of Oxycodone), Count 3: Obtaining a Controlled Substance by Fraud (150 dosage units of Oxycodone), both as a 99-19-81 Habitual Offender as charged in the Indictment, with sentencing deferred to this date.

And the Court, after hearing all testimony offered by the Defendant and the State and argument of counsel, and being fully advised in the premises, does hereby pronounce sentence upon the Defendant, **SOWETO RONNELL LOVE**.

**IT IS HEREBY ORDERED** that in Count 2, **SOWETO RONNELL LOVE** be and is hereby sentenced to serve a term of **Five (5)** years in the Mississippi Department of Corrections as a 99-19-81 Habitual Offender.

**IT IS FURTHER ORDERED** that in Count 3, **SOWETO RONNELL LOVE** be and is hereby sentenced to serve a term of **Five (5)** years in the Mississippi Department of Corrections as a 99-19-81 Habitual Offender consecutive to Count 2.

**FILED**

**NOV 17 2020**

Edward L. (Eddie) Hadskey - Tate Co. Circuit Clerk  
By                     *KA, dc*                    

124-20-21

**AND FURTHER**, in each Count, the Defendant shall pay a \$1,000.00 fine, \$200.00 to the District Attorney's Office, \$100.00 to the Mississippi Crime Victims Compensation Fund and all costs of Court. These fines and assessments shall be paid at a rate of \$100 a month beginning 60 days from the Defendant's date of release.

The Defendant is hereby remanded to the custody of the Sheriff of Tate County, Mississippi, to await transportation to the Mississippi Department of Corrections.

Defendant is hereby given credit for time served while awaiting trial as required by law.

**SO ORDERED** this the 26<sup>th</sup> day of October, 2020, and signed *nunc pro tunc*, this the 13<sup>th</sup> day of NOVEMBER, 2020.

  
**GERALD CHATHAM**  
**CIRCUIT COURT JUDGE**