



C. MARTY HAUG
MARTYHAUGLAW.COM

May 23, 2022

~~Adam B. Kilgore
General Counsel for the Mississippi Bar
P.O. Box 2168
Jackson, MS 39225-2168~~

COPY

RE: Docket Number: 21-326-5

Dear Mr. Kilgore:

I am writing to respond to the complaint filed by Charles Jordan on April 25, 2022 and mailed to me on May 3, 2022.

I will respond to his complaint in the same outline manner in which he stated his specific claims:

1. Hon. Haug has continued to disregard responding to my letters sent.

I represented Mr. Jordan in his criminal case through trial and a subsequent plea, which completed my representation of Mr. Jordan. Following the entry of his plea, Mr. Jordan proceeded to contact the Court, Assistant District Attorney and myself to try to find blame for his conviction in anyone other than himself. He has written me letters which were rambling and basically requesting that I help him to attempt to defraud the Court on his behalf. Obviously, I will not be involved in deceiving a Court. Since I received his letters, I have been considering how to respond to them in a way that would not result in my being a witness against Mr. Jordan should the Court take offense to the actions Mr. Jordan is attempting. That, combined with the rambling nature of his letters, has made responding difficult due to the time involved. Nonetheless, I was in the process of replying to his last letter when I received this complaint, so I am responding to it instead.

2. He has still failed to contact the Attorney General office concerning the State's witnesses perjury.

During Mr. Jordan's trial, a witness for the State clearly committed perjury. Witnesses doing so are offensive and, I believe, should be held accountable for doing so. Mr. Jordan and I did discuss the possibility of referring the witness to the Attorney General's



pg. 20

office for prosecution. In the end, I decided not to make that referral. I am under no obligation to Mr. Jordan to refer any case to the Attorney General's office. Mr. Jordan is free to do so, should he decide.

3. Even after Mr. Waddle requested he answer my questions he hasn't done so.

As I stated above, Mr. Jordan's letters would take time to compose responses to and since I am not going to assist him in his fraud, I have not responded to them as quickly as I would have, had there been something meaningful to respond to. Nevertheless, Mr. Waddle forwarded Mr. Jordan's letter to me requesting I respond to Mr. Jordan. Mr. Jordan's letter has been on my desk while I have been considering how to respond to it, and now I will:

Paragraph 1: Mr. Jordan's letter is alleging that I did not provide him a sworn statement verifying his false claims that he wished to present to a Court. I will not provide false testimony or statement to a Court.

Paragraph 2 through 5: Mr. Jordan complains about me somehow depriving him of due process rights and talks about plea negotiations. My only response to that is that I did engage in plea negotiations on his behalf, they did not work out, so we had a jury trial; Mr. Jordan was found guilty; Judge Kitchens allowed us to enter a post-trial negotiated guilty plea, which Mr. Jordan and I discussed and resulted in entering a guilty plea to a negotiated term of years instead of the Judge sentencing him following the Jury's Guilty Verdict. Mr. Jordan also is stating that the Assistant District Attorney, Trina Davidson-Brooks, violated his rights regarding plea offers and charging documents. Ms. Davidson-Brooks properly prosecuted Mr. Jordan and did not act in bad faith, and did not harass Mr. Jordan.

Paragraph 6 through end of letter: Mr. Jordan seems to be complaining about plea negotiations happening; about having a jury trial, about not having a jury trial, and about entering a plea. We attempted to negotiate a plea agreement; negotiations were unsuccessful so Mr. Jordan declined to enter a guilty plea and we had a jury trial. Mr. Jordan was found guilty at trial, and Judge Kitchens allowed us to negotiate a post-trial plea deal, which we did. I advised Mr. Jordan of his rights and defended his rights at every stage and he understood his options and made his own decisions. Mr. Jordan is accusing myself and Judge Kitchens, and Ms. Davidson-Brooks of violating his constitutional rights in a vague and rambling way. Mr. Jordan's rights were protected and neither myself, the Judge, nor the Assistant District Attorney violated his rights.

4. Hon. Haug did not mail documents requested.

Mr. Jordan has a complete copy of all the discovery materials from his case. The only other documents that I am aware of that he has requested was transcripts from the trial and his plea hearing. Since he has taken no appeal of his case, the transcripts were never ordered and I do not have a copy of the transcripts so I have nothing to send him. Mr. Jordan is welcome to contact the Court Reporter and order transcripts, if that is his wish.

5. Inadequate consultation.

Mr. Jordan and I spent a great deal of time discussing his case, negotiating, and trying it, then negotiating it again and entering a plea. I answered every question he had and he was informed about each stage of his proceedings. Under oath, Mr. Jordan told the Judge that he was satisfied with my counsel.

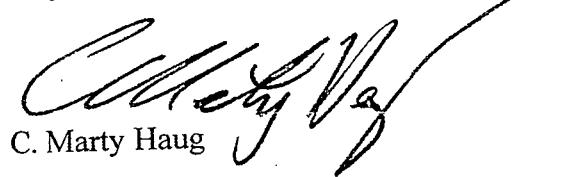
6. Miscellaneous parts from the body of Mr. Jordan's complaint that he did not address in the specific claims portion:

Mr. Jordan never told me that he was not pleased with my representation. I do not recall Mr. Jordan asking if he could hire a different attorney. However, had he made that request as we were starting the trial, it would be unlikely the Judge would have delayed the trial. But I do not believe he requested a new attorney as he indicated to me throughout the trial that he was satisfied with my representation. We were both disappointed that a witness lied under oath, and disagreed with some of the Judge's trial rulings, and were disappointed that the Jury found him guilty.

In every step of my involvement in this matter, I acted ethically and zealously represented Mr. Jordan's interest. I kept him fully informed about every stage of the proceedings. Throughout my representation, I have acted ethically and at no time have I conducted myself in any way that would constitute misconduct.

I hope this adequately explains this situation. Should you have any other questions, or if you would like me to provide anything else in this cause, please feel free to contact me.

Very Truly Yours,



C. Marty Haug

Cc: Charles Jordan, Complainant

I, Allishia Jordan, of legal age and currently residing in Oktibbeha County, being duly sworn,
deposes the following:

- I. I was present during the trial of Charles Jordan on July 30-31, 2020. During that trial, I heard testimonies of different witnesses. One being Detective Watson who testified that while questioning Ms. Spencer about her facebook page, that he does not recall that she did not deny that facebook page was hers. I also heard the prosecutor's closing argument in which she continually referred to Mr. Jordan as a "wolf" in which the "clothing has been removed" in reference to him being a wolf in sheep's clothing. She also referenced pictures shown during the trial constantly using the description "little penis" in reference to Mr. Jordan. She continued by calling the defendant a liar saying that he tried to find something on facebook to makeup about Ms. Spencer's age after he heard all of the testimonies. The prosecutor referred to songs that were sent to Ms. Spencer stating the nature of the songs were saying in other words- the young 16 year old boys don't know what to do with it and can't do it like him. She stated that "nothing that the defendant says can be trusted" and that the defendant preyed on the victim because she was a runaway.
- II. Also during the testimony of Mr. Jordan, he was not allowed to use any of his evidence that was previously motioned during the pre-trial hearing that he can use. Additionally, he was only allowed to state that he found out about the victim's age from a family member but was not allowed to go into any detail regarding the nature of finding out which was important information in the case. He was not allowed to expound on many of the details of his defense without being interrupted. After the victim testified about the facebook page not being hers, the judge ruled that any evidence that was previously gathered regarding the facebook page was inadmissible unless the defendant's legal counsel had a representative from facebook to authenticate the victim's page in which there was no extra time given to get any authentication. However, during the pre-trial hearing, it was said that certain information can be used from that very facebook page. Shortly after the pre-trial hearing, the page was deactivated. However, it was ordered that the victim will have to reactivate this same page in order for information to be retrieved and used for trial. After that hearing, the same page that the victim testified under oath was not hers. was reactivated and previous evidence that was gathered from the page was now deleted. No evidence gathered from this page was allowed to be used during the trial or shown to the jurors because the victim testified that the facebook page was not hers. Most of Mr. Jordan's evidence to assist with his defense was retrieved from that page that is indeed hers; however, it was no longer allowed to be used mid-trial during his testimony; nor was he given any additional time to gather any other evidence or authentication after that ruling. Ironically, the same page is still being used today with

posts of Ms. Spencer's mother and children, including the current child who she was pregnant with at the time of trial. It's also ironic that the date of birth in question at the trial has since changed on this same facebook page from July 14, 1997 to now July 14, 2000; something only the victim would change being that it was a major issue with the case.

III. I met with Marty Haug on Monday, August 3, 2020 at approximately 3:00 p.m. regarding further discussion after the conclusion and guilty verdict for the trial of Charles Jordan. We discussed Mr. Jordan's concerns regarding authenticating the victim, Julisa Spencer's, facebook page which during the trial while under oath, the victim verbally expressed that the page in question was not her page per Mr. Jordan. He wanted to know if the hearing can be retrieved regarding Ms. Spencer deactivating 'said' facebook page after it was decided during a hearing that some facebook posts can be used from her page during the trial. After the hearing, the page was reactivated. Because of this the evidence that was gathered for Mr. Jordan's defense during his testimony was concluded inadmissible and could not be used as evidence for the jury to use during deliberation. During the meeting that day, I expressed to Mr. Haug Mr. Jordan's concerns as well as the information I discovered from Ms. Spencer's page which links it to indeed being her page. Mr. Haug expressed that he planned to pursue charges against the victim or refer to the Attorney General for perjury since she knowingly lied under oath about the facebook page being hers. He also expressed that the evidence of the facebook posts should have been entered and allowed during the trial regardless of the victim's testimony because it is what Mr. Jordan perceived and relied on, which had nothing to do with the Michael D. Jackson v State of Mississippi case.

IV. Mr. Jordan also wanted to know his chances of winning an appeal. Mr. Haug expressed that he was confident that he could win an appeal due to mistakes made during the trial; however, he did not desire to be the lawyer appealing. On approximately August 14, I called to make a payment to Mr. Haug on Mr Jordan's behalf. I spoke with Mr. Haug's assistant, Nathan, who accepted the payment and expressed that the balance remaining will have to be paid in full before an appeal will be considered.

V. During the August 3rd meeting with Mr Haug, details on how pleas work were discussed. Mr. Haug expressed that he will meet with Charles and the District Attorney to come up with an agreement on a plea. When asked if Charles would have to serve the full sentence, he explained that non-violent sex crimes serve 50% of the sentence and sex crimes are not eligible for parole. On August 17, Mr. Haug called and told me about the agreement that was made to take the plea. On August 18, after the plea was made before the judge, Mr. Haug stated that he will send me the Mississippi Code that Mr. Jordan would need. On August 24, Mr. Haug emailed me the statute 97-3-2 Mississippi Code which he stated defined crimes of violence.

All statements mentioned above are what I recall to the best of my knowledge and memory.
Signed: Allishia Jordan

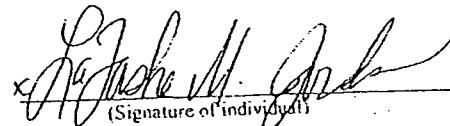


- 104 -

STATE OF MISSISSIPPI

COUNTY OF OKTIBBEHA

Personally appeared before me, the undersigned authority in and for said County and State, Latasha M. Jordan, who after being (Name of individual) duly sworn by me states on oath that the matters and facts set forth in the foregoing statement (Unfair trial- letter 2 pgs) is true and correct to (Place name or type of document here) the best of his/her knowledge.


(Signature of individual)

D. L.

(Type of ID presented)

Sworn to and subscribed before me, this 1st day of October, 2020.

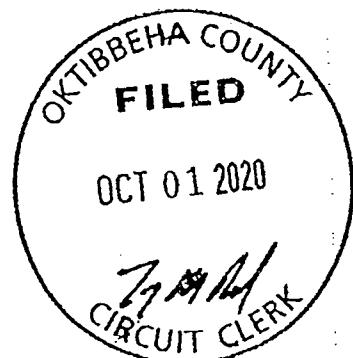
Zonyne Rock
Circuit Clerk

By: Melody Marks, Jr.
Deputy Clerk



MY COMMISSION EXPIRES:

MY COMMISSION EXPIRES JAN. 2024



p. 28

- 105 -

Date: September 29,2020

Topic: Charles Jordan vs The State of Mississippi Case

Facts: Unfair Trial

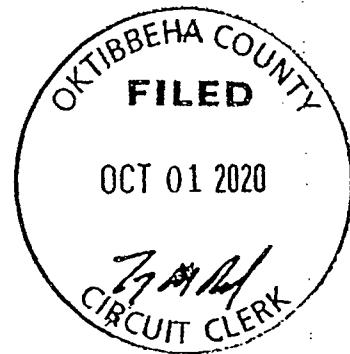
I, Latasha M. Jordan, being duly sworn, deposes the following:

On July 30, 2020 I sat in on Charles Jordan Jr. trial and during this trial I witnessed Detective Watson testify that he questioned Ms. Spencer about her age pertaining to her Facebook and she never denied that it wasn't her Facebook page. Also, on July 31, 2020 I witnessed the prosecutor vouch for the victim by saying things like she had no reason to lie on Charles and that after all this time she would have come and said she was young back then and to drop the charges. I also witnessed the prosecutor was very disrespectful by referring to Charles as a "wolf", when clearly, he is a human being just like the rest of us. The prosecutor was far from being a professional when it came to this case by calling Charles a liar, by saying he looked it up on Facebook to see how old Ms. Spencer was at the time. The Prosecutor referred to a song that was sent in one of the audios by Charles as saying that "these young boys didn't know what to do with it because he was simply trying to tell Ms. Spencer that the 16-year-old boys her age couldn't do it like him", she also proceeded to say "What adult woman would want to hear that? The Prosecutor made inappropriate gestures about the size of Charles's penis and he preyed on Ms. Spencer because she was a runaway. The prosecutor also stated to the jury that Charles could not be trusted. the judge allowed Charles to refer to as of finding out her age through a family member and on July 30, 2020, he declared the Facebook evidence admissible and did not allot Charles any time to authenticate it. On July 29, 2020, I witnessed both Ms. Armstead and Ms. Spencer testify that Charles showed up to their residence on June 11, 2017 on a made-up call to stalk Ms. Spencer. I witnessed Ms. Spencer say that when they brought up the situation about the Facebook page that it wasn't hers it was made up by her baby daddy ex or girlfriend. Ms. Spencer also testified that she never told Charles her age when they were conversing. I witnessed Hoffman say that he didn't recall Ms. Armstead giving any

information on her daughters as far as school ID's and telephone numbers. I also witnessed the officer state that he didn't know who arrived at the call first whether it was he as in Hoffman or Charles. I honestly don't think that this was a fair trial and it should have been investigated more than it really was.

Sincerely,

Latasha M. Jordan



pg. 20

- 107 -

**Additional material
from this filing is
available in the
Clerk's Office.**