

FILED
MADISON COUNTY

AUG 10 2017

ANITA WRAY, CIRCUIT CLERK

BY AP D.C.

INDICTMENT

STATE OF MISSISSIPPI

VS.

CAUSE NO. 2017-0368-C

LINDA BRUNE

DEFENDANT

Indictment for the Offense of:

UTTERING FORGERY

(5 Counts)

Miss. Code Ann. §97-21-59

STATE OF MISSISSIPPI
COUNTY OF MADISON

IN THE CIRCUIT COURT OF MADISON COUNTY, JUNE TERM 2017

RECALLED July 19, 2017

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

COUNT I

LINDA BRUNE, on or about the 13th day of September, 2010, in the county aforesaid and within the jurisdiction of this Court, did unlawfully, wilfully, feloniously, fraudulently, falsely and intentionally then and there utter and publish as true to an agent of State Bank and Trust, located in the City of Ridgeland, Madison County, Mississippi, certain forged and/or counterfeit instrument in writing, purporting to be a State Bank and Trust check, number 11035, valued at One Thousand Dollars (\$1,000.00) but less than Five Thousand Dollars (\$5,000.00), specifically in the amount of \$1,250.00, payable to LINDA BRUNE drawn on Trustmark National Bank account number 1001659473 in the name of Downtown Jackson Partners, when she, the said **LINDA BRUNE**, then and there well knew the same to be false, forged and counterfeit, with the wilful and felonious intent, then and there, to feloniously, wilfully, unlawfully and fraudulently injure and defraud the said State Bank and Trust, Trustmark National Bank, Downtown Jackson Partners, and other person or

persons to the Grand Jurors unknown, in violation of Miss. Code Ann. §97-21-59 (1972, as amended);

COUNT II

And, based upon a series of acts connected together and constituting parts of a common scheme and plan, **LINDA BRUNE**, on or about the 1st day of October, 2010, in the county aforesaid and within the jurisdiction of this Court, did unlawfully, wilfully, feloniously, fraudulently, falsely and intentionally then and there utter and publish as true to an agent of State Bank and Trust, located in the City of Ridgeland, Madison County, Mississippi, certain forged and/or counterfeit instrument in writing, purporting to be a State Bank and Trust check, number 11021, valued at One Thousand Dollars (\$1,000.00) but less than Five Thousand Dollars (\$5,000.00), specifically in the amount of \$1,000.00, payable to **LINDA BRUNE** drawn on Trustmark National Bank account number 1001659473 in the name of Downtown Jackson Partners, when she, the said **LINDA BRUNE**, then and there well knew the same to be false, forged and counterfeit, with the wilful and felonious intent, then and there, to feloniously, wilfully, unlawfully and fraudulently injure and defraud the said State Bank and Trust, Trustmark National Bank, Downtown Jackson Partners, and other person or persons to the Grand Jurors unknown, in violation of Miss. Code Ann. §97-21-59 (1972, as amended);

COUNT III

And, based upon a series of acts connected together and constituting parts of a common scheme and plan, **LINDA BRUNE**, on or about the 18th day of October, 2010, in the county aforesaid and within the jurisdiction of this Court, did unlawfully, wilfully, feloniously, fraudulently, falsely and intentionally then and there utter and publish as true to an agent of State Bank and Trust, located in the City of Ridgeland, Madison County, Mississippi, certain forged and/or counterfeit instrument in writing, purporting to be a State Bank and Trust check, number 11025, valued at One Thousand Dollars (\$1,000.00) but less than Five Thousand Dollars (\$5,000.00), specifically in the amount of \$1,700.00, payable to **LINDA BRUNE** drawn on Trustmark National Bank account number 1001659473 in the name of Downtown Jackson Partners, when she, the said **LINDA BRUNE**, then and there well knew the same to be false, forged and counterfeit, with the wilful and felonious intent, then and there, to feloniously, wilfully, unlawfully and fraudulently injure and defraud the said State Bank and Trust, Trustmark National Bank, Downtown Jackson Partners, and other person or persons to the Grand Jurors unknown, in violation of Miss. Code Ann. §97-21-59 (1972, as amended);

COUNT IV

And, based upon a series of acts connected together and constituting parts of a common scheme and plan, **LINDA BRUNE**, on or about the 4th day of October,

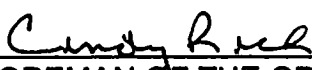
2013, in the county aforesaid and within the jurisdiction of this Court, did unlawfully, wilfully, feloniously, fraudulently, falsely and intentionally then and there utter and publish as true to an agent of State Bank and Trust, located in the City of Ridgeland, Madison County, Mississippi, certain forged and/or counterfeit instrument in writing, purporting to be a State Bank and Trust check, number 12229, valued at One Thousand Dollars (\$1,000.00) but less than Five Thousand Dollars (\$5,000.00), specifically in the amount of \$1,050.00, payable to LINDA BRUNE drawn on Trustmark National Bank account number 1001659473 in the name of Downtown Jackson Partners, when she, the said **LINDA BRUNE**, then and there well knew the same to be false, forged and counterfeit, with the wilful and felonious intent, then and there, to feloniously, wilfully, unlawfully and fraudulently injure and defraud the said State Bank and Trust, Trustmark National Bank, Downtown Jackson Partners, and other person or persons to the Grand Jurors unknown, in violation of Miss. Code Ann. §97-21-59 (1972, as amended);

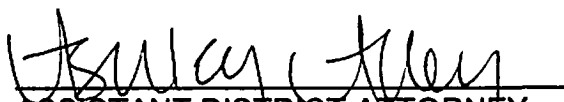
COUNT V

And, based upon a series of acts connected together and constituting parts of a common scheme and plan, **LINDA BRUNE**, on or about the 3rd day of March, 2014, in the county aforesaid and within the jurisdiction of this Court, did unlawfully, wilfully, feloniously, fraudulently, falsely and intentionally then and there utter and publish as true to an agent of State Bank and Trust, located in the City of Ridgeland, Madison County, Mississippi, certain forged and/or counterfeit instrument in writing, purporting to be a State Bank and Trust check, number 12402, valued at One Thousand Dollars (\$1,000.00) but less than Five Thousand Dollars (\$5,000.00), specifically in the amount of \$1,206.00, payable to LINDA BRUNE drawn on Trustmark National Bank account number 1001659473 in the name of Downtown Jackson Partners, when she, the said **LINDA BRUNE**, then and there well knew the same to be false, forged and counterfeit, with the wilful and felonious intent, then and there, to feloniously, wilfully, unlawfully and fraudulently injure and defraud the said State Bank and Trust, Trustmark National Bank, Downtown Jackson Partners, and other person or persons to the Grand Jurors unknown, in violation of Miss. Code Ann. §97-21-59 (1972, as amended);

And all of the above (Counts I through V) being against the peace and dignity of the State of Mississippi.

Endorsed: A True Bill


FOREMAN OF THE GRAND JURY


ASSISTANT DISTRICT ATTORNEY

AFFIDAVIT

COMES NOW Cindy Rich, Foreman of the July 19, 2017, Madison County Grand Jury, and makes oath that this Indictment presented to this Court was concurred by twelve (12) or more members of the Grand Jury, and that at least fifteen (15) members thereof were present during all deliberations.

Cindy Rich
FOREMAN OF THE GRAND JURY

SWORN TO AND SUBSCRIBED before me on this, the 10th
day of August, 2017.

ANITA WRAY, CIRCUIT CLERK
OF MADISON COUNTY, MISSISSIPPI

BY:

[Signature] D.C.



CAPIAS INSTANTER

FILED
MADISON COUNTY

THE STATE OF MISSISSIPPI

AUG 23 2017

To the Sheriff of Madison County - Greetings:

ANITA WRAY, CIRCUIT CLERK

BY mw D.C.

We command you to take the body of **LINDA BRUNE**
if to be found in your County, and safely keep, so that you have said body
before the Honorable, the Circuit Court of Madison County, in said State,
to be holden at the Courthouse thereof, in the City of Canton, instanter,
then and there to answer unto the State of Mississippi on a charge of
UTTERING FORGERY


(97-21-59) by indictment of said Court at the August term,
A. D., 2017, thereof, herein fail not, and have then this writ, with the
manner you have executed the same.

Given under my hand and seal, and issued the 10th day of August
A. D., 2017.

Anita Wray

By:

[Signature] DC



STATE OF MISSISSIPPI
COUNTY OF MADISON

I have this day executed the within writ
personally by delivering a true copy of
this Capias and a true copy of the
indictment to:

LINDA BRUNE
and placing same in the Madison County
jail.

This the 23 day of August 2017
Randall Tucker

By: [Signature] DS

(CIRCUIT CLERK)

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

FILED
MADISON COUNTY

VS

AUG 23 2017

CAUSE NO. 2017-0368-C

LINDA BRUNE

ANITA WRAY, CIRCUIT CLERK

BY  D.C.

AFFIDAVIT OF INDIGENCY

STATE OF MISSISSIPPI

COUNTY OF MADISON

I, LINDA BRUNE, being first duly sworn, deposes and says:

I am a defendant in the above styled and named cause. If I am now or hereafter released from custody upon the posting of any bond I do hereby assign to Madison County, Mississippi, all my right or title to any bond moneys so posted to the extent necessary to reimburse said county for all court costs, court appointed attorney's fees or other funds expended for my defense. I neither own nor have any rights to any assets, funds, cash, money, bank accounts, stocks, bonds, jewelry, televisions, automobile, land, houses, "heir property or other real or personal property of any kind or character, other than the following: None

In my present financial condition, above described, I am unable to obtain and pay counsel to defend me or pay any incidental expenses which may be incurred in the conduct of my defense. If I have listed assets above which could be sold or disposed of and any of the proceeds applied to reimburse the county for the costs of my court appointed counsel I agree to do so. I understand any false statement on this affidavit or any failure to cooperate with the county in disposing of my listed assets to reimburse the county for the costs of my court appointed attorney

as appropriate will constitute a fraud upon this court and a violation in the terms of any suspended sentence I may receive in this cause, allowing me to be resentenced or any suspended sentence revoked.

AUTOMOBILE:

Make _____ Model - N/A Tag No. _____ Financed by _____

How long have you lived in Madison County? _____

How have you been employed recently? And do you anticipate returning to work or changing jobs in the near future? _____

What family do you have in Madison County? How long have they lived here? _____

Have you ever been treated for a mental or nervous disorder? _____

List here your prior criminal record(s) _____

Have you ever been released on a Recognizance Bond? _____

When? _____ Where? _____

Are there people or other ties to the community which might help the Judge in setting your bond or guarantee your appearance in court if you are released on a non-monetary bail? _____

Who might sign or put up property as a surety on that bond? _____

If you are a first offender and wish to post a 12% bond in cash, you may be eligible to do so. You should discuss this with your attorney.

I am desirous of having this court appointed counsel to defend me on the charge of for which I am charged.

I, therefore, respectfully ask this court to appoint able and conscientious counsel to represent and defend me herein.

I have made no previous application for this relief.

I UNDERSTAND THAT IT IS MY RESPONSIBILITY TO MAINTAIN CONTACT AND COMMUNICATIONS WITH THE ATTORNEY APPOINTED TO REPRESENT ME. I FURTHER UNDERSTAND THAT IT IS MY RESPONSIBILITY TO IMMEDIATELY NOTIFY MY COURT APPOINTED ATTORNEY OF ANY CHANGE IN ADDRESS OR TELEPHONE NUMBER.

Linda Brune

DEFENDANT

SWORN AND SUBSCRIBED TO BEFORE ME, this the 23 day of

Aug, 2017.



My Commission Expires:

01-06-20

This information is being given solely for the purpose of determining your eligibility for appointed counsel and for the setting of bail. It is not to be used to determine your guilt or innocence.

NAME Linda Brune RESIDENCE [REDACTED]

MAILING ADDRESS SAME

TELEPHONE [REDACTED] DATE OF BIRTH [REDACTED] AGE 43

DRIVER LICENSE [REDACTED] SS# [REDACTED]

Person to contact if you are not at above address:

Name Charlotte K. Kelly Telephone [REDACTED]

Address [REDACTED] their employer A-1 PANEL CO - OWNER

Your place of employment RETIRED Telephone [REDACTED]

Employer's address N/A Your supervisor N/A

Length of your employment [REDACTED]

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI **FILED**
MADISON COUNTY

VS

AUG 23 2017

CAUSE NO. 2017-0368-C

LINDA BRUNE

ANITA WRAY, CIRCUIT CLERK

BY  D.C.

ORDER APPOINTING DEFENSE COUNSEL

THIS MATTER was heard on the application of the defendant for the appointment of defense counsel, and the court finds that the defendant is indigent and that the application should be granted.

IT IS THEREFORE ORDERED AND ADJUDGED that:

1. This case is assigned to the Public Defender team to provide the defendant with legal representation.
2. The chief counsel is authorized to designate a member of the team to serve as defense counsel.
3. The designated member shall enter an appearance in this case as attorney of record.

SO ORDERED AND ADJUDGED this the 23 day of August,

2017.


CIRCUIT JUDGE

281/240

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

VS

LINDA BRUNE

FILED
MADISON COUNTY

CAUSE NO. 2017-0368-C

AUG 23 2017

ANITA WRAY, CIRCUIT CLERK

BY [Signature] D.C.

WAIVER OF ARRAIGNMENT AND ENTRY OF PLEA

Prior to arraignment, Defendant through his counsel reserves the right to object to any defect in the indictment and reserves the right to file pleadings required to be filed prior to arraignment, within 10 days from the date hereof.

Comes now the Defendant, LINDA BRUNE, with counsel and acknowledges service of an indictment on a charge of **UTTERING FORGERY 5 COUNTS**. I understand the nature of the charge against me, and I hereby waive formal reading of the indictment to me in open Court. I hereby enter a plea of Not Guilty to the charge set out in the indictment.

WITNESS MY SIGNATURE this the 23 day of Aug, 2017.

[Signature]
DEFENDANT

[Signature]
Attorney for Defendant

SWORN TO AND SUBSCRIBED before me, this the 23 day of Aug, 2017.

[Signature]
NOTARY PUBLIC

My Commission Expires:
01-06-20



IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI **FILED**
MADISON COUNTY

VS

AUG 23 2017

CAUSE NO.2017-0368-C

LINDA BRUNE

ANITA WRAY, CIRCUIT CLERK

BY  DC

**ORDER SETTING TRIAL, PRE-TRIAL CONFERENCE,
GUILTY PLEA DATE AND SETTLEMENT CONFERENCE**

IT APPEARING defendant has been duly arraigned and entered a plea of not guilty to the indictment, bail is set at \$ 10,000⁰⁰ and returnable to each date set by the Court.

IT IS ORDERED AND ADJUDGED that the defendant appear at the Madison County Courthouse on the following dates and times:

1. **SETTLEMENT CONFERENCE** set for 9:00 a.m. on the 2 day of Jan, 2018, however, defendant's appearance at the **SETTLEMENT CONFERENCE** is excused if one of the items set forth in paragraph A., B. Or C. Below is completed before the **SETTLEMENT CONFERENCE**. The Court will take a guilty plea or enter the Pre-Trial Conference Checklist for a defendant who wishes the Court to do either at the **SETTLEMENT CONFERENCE**.

Defendant must complete one of the below actions before 5:00 p.m. on the 5 day of Jan, 2018.

A. File a guilty plea petition with the Circuit Clerk in order to take advantage of the State's recommendation as to sentence (See MRCrP 15.4 (b)), and attached a copy of the recommendation letter thereto; or

B. Provide a pre-trial diversion program application to the State and pay any fees associated therewith; or

C. Provide the Court Administrator a Pre-Trial Conference Checklist fully completed by the parties.

2. **GUILTY PLEA DATE** set for 9:00 a.m. on the 8 day of

281/241

Jan, 2018, however, defendant's appearance at the **GUILTY PLEA DATE** is excused if a pre-trial diversion program application has been provided to the State, along with any fees associates therewith, or if defendant appeared at the **SETTLEMENT CONFERENCE** and was questioned by the Court in relation to the entry of a Pre-Trial Conference Checklist.

If a guilty plea petition or pre-trial diversion program application has not been filed as set forth in paragraph A., or B. above, or if the Court has not questioned defendant and entered a Pre-Trial Conference Checklist, the Court will do so on the **GUILTY PLEA DATE**.

The parties must file all pre-trial motions with the Circuit Clerk and, either personally or electronically, serve counsel opposite, before 5:00 p.m. on the 12 day of Jan, 2018, or will be deemed abandoned for that reason. See MRCrP 16.1 (a) and 34.2.

3. **PRE-TRIAL CONFERENCE** is set for 9:00 a.m. on the 22 day of Jan, 2018, however, the parties appearance at the **PRE-TRIAL CONFERENCE** is excused if a pre-trial motion has not been filed by either party.

All pre-trial motions will be heard on or before this date, or will be deemed abandoned for that reason. See MRCrP 34.2URCCC 2.04.

4. **TRIAL** set for 9:00 a.m. on the 29 day of Jan, 2018, or commenced on any day thereafter that week or on any day of the following week.

SO ORDERED AND ADJUDGED this the 23 day of August, 2017.

W. E. [Signature]
CIRCUIT JUDGE

[Signature]
DEFENDANT
Defendant's Address and Telephone Number:

[Signature]
ATTORNEY FOR DEFENDANT

Linda Brune
PRINT NAME

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

FILED
MADISON COUNTY

STATE OF MISSISSIPPI

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VS

CAUSE NO. 2017-0368-C

LINDA BRUNE

ANITA WHAY, CIRCUIT CLERK

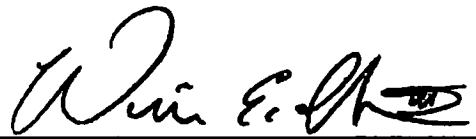
BY  D.C.

ORDER TO RELEASE DEFENDANT ON BOND

THIS MATTER having come on before the Court to allow the Defendant to be released on bond. The Defendant is presently in the custody of the Madison County Sheriff.

IT IS THEREFORE ORDERED that the Defendant, having posted the proper bond in the amount of \$10,000.00, from AMERICAN NATIONAL BAIL BONDING COMPANY, should be released on said bond and that the Sheriff of Madison County, Mississippi is hereby authorized, empowered and directed to release the Defendant on said bond for the charges of UTTERING FORGERY, 5 COUNTS.

SO ORDERED AND ADJUDGED this August 23, 2017



CIRCUIT JUDGE

281/243

IN THE CIRCUIT COURT OF MADISON COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

VS.

FILED
MADISON COUNTY CAUSE NO. 2017-0368-C

LINDA BRUNE

AUG 23 2017
ANITA WRAY CIRCUIT CLERK
BY [Signature] D.C.

DEFENDANT

ORDER REGARDING RECOMMENDATION LETTER

THIS CAUSE is before the Court *sua sponte* regarding attachment of the State's recommendation letter to the guilty plea petition. Because the Court has experienced many instances in the guilty plea process where the State's recommendation as to sentence announced in open court did not match the recommendation written in a defendant's guilty plea petition, the Court finds that, in order to enter a plea of guilty with a recommendation from the State as to sentence, a copy of the State's recommendation letter should be attached to the guilty plea petition.

IT IS, THEREFORE, ORDERED that, in order to enter a plea of guilty with the State making a recommendation as to sentence, the defendant shall be and hereby is required to attach a copy of the State's recommendation letter to the guilty plea petition at the time the petition is filed with the Circuit Clerk, prior to the guilty plea deadline as set forth in the order setting the case for trial.

SO ORDERED AND ADJUDGED this 23 day of August, 2017

[Signature]
CIRCUIT JUDGE

281/244