

IN THE CIRCUIT COURT OF SALINE COUNTY, MISSOURI

IN RE: ASSESSMENT OF JURY EXPENSES FOR CASE NUMBER 19SA-CR00152-01
FOR LATE DISMISSAL BY TIMOTHY D. THOMPSON

ORDER

WHEREAS, 15th Judicial Circuit Local Court Rule 36.9 which reads as follows:

36.9 DISMISSAL

In the event a case is dismissed or nolle prosequed, other than with prejudice, after a jury has been summoned, the party or attorney dismissing or nolle prosequing the case, may at the discretion of the court, be assessed a fee of \$50.00 to be paid to the county to cover the expense of calling and cancelling the jury.

was enacted to deter attorneys from costing the counties of this circuit money because they wait to dismiss cases until after the time and expense of calling a jury have been incurred; and

WHEREAS, the court is aware that during his first nineteen months in office, Saline County Prosecuting Attorney, Timothy D. Thompson, has dismissed more cases (three) after a jury has been called than jury trials (one) that he has tried; and

WHEREAS, after his last late dismissal, on July 17, 2020 the Court issued an Administrative Order requiring Timothy D. Thompson to pay the sum of fifty dollars (\$50.00) pursuant to 15th Judicial Circuit Local Court Rule 36.9, to be paid to the County of Saline and delivered to the office of the Saline County Circuit Clerk by August 17, 2020 to cover the expense of calling and cancelling the jury incurred because of his late dismissal of case number 19SA-CR00152-01; and

WHEREAS, Timothy D. Thompson failed to reimburse the County of Saline by August 17, 2020 as ordered by the Court; and

WHEREAS, on the 18th day of August 2020, a hearing was held to give Timothy D. Thompson an opportunity to show cause why he should not be held in contempt of Court for

failure to pay the fifty dollars (\$50.00) to the County of Saline, through the Saline County Circuit Clerk, by August 17, 2020 as ordered by the Court by Administrative Order dated July 17, 2020; and

WHEREAS, at the August 18, 2020 hearing, Mr. Thompson failed to show that his failure to pay the amount he owed by August 17, 2020 was not attributable to an intentional refusal to obey or not attributable to a failure on his part to make a good faith effort to pay said amount by August 17, 2020 and he was found in contempt of court for failure to abide by the Court's Administrative Order dated July 17, 2020; and

WHEREAS, as a result of being held in contempt, Timothy D. Thompson was assessed a fine of fifty dollars (\$50.00) and was remanded to the custody of the Saline County Sheriff until he purged himself of contempt of court by payment of the fifty dollars (\$50.00) to the County of Saline, through the Saline County Circuit Clerk, as ordered by Administrative Order dated July 17, 2020 and the fifty dollar (\$50.00) fine for contempt; and

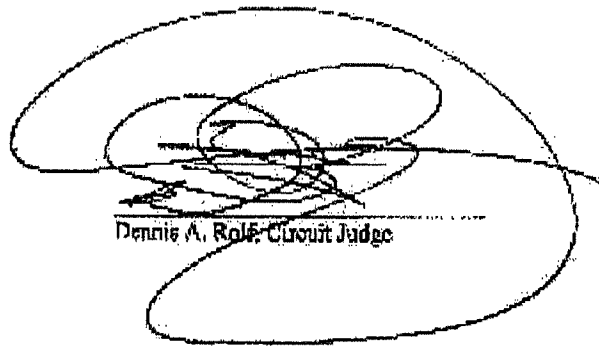
WHEREAS, as of this date Timothy D. Thompson has failed to reimburse the County of Saline for the expense of calling and cancelling the jury incurred because of his late dismissal of case number 19SA-CR00152-01 and pay the fine ordered on August 18, 2020; and

WHEREAS, the Court has weighed the benefit to the County of Saline of Timothy D. Thompson reimbursing it for the expense of calling and cancelling the jury incurred because of his late dismissal against the needs of the county for its elected prosecutor to be able to appear at upcoming dockets and a jury trial scheduled to begin August 27, 2020; and

WHEREAS, the Court on its own motion, after taking into consideration the cost versus benefit to the County of Saline, has determined that Timothy D. Thomson should receive a credit towards his money obligation for the time incarcerated as a result of his contempt.

IT IS THEREFORE ORDERED that should Timothy D. Thompson not purge himself of contempt of court by payment to the County of Saline, through the Saline County Circuit Clerk, of the fifty dollars (\$50.00) as ordered by Administrative Order dated July 17, 2020 and the fifty dollar (\$50.00) fine for contempt, that his money obligations be deemed satisfied by his period of incarceration and that he be released from the Saline County Jail on August 19, 2020 at 1:30 p.m.

Dated: 8/19/20



Dennis A. Role, Circuit Judge