

STATE OF MISSISSIPPI  
ABSTRACT OF COURT RECORD  
SOUTHAVEN MUNICIPAL COURT  
8889 NORTHWEST DRIVE  
SOUTHAVEN, MISSISSIPPI 38671

COUNTY OF DESOTO

AGENCY CODE 1703

DOCKET #: 0400360066

CASE #: 000012997

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DEFENDANT INFORMATION

NAME: HERBERT DAKOTA SMITH  
DRIVER'S LICENSE: 802843548 STATE: MS  
SOCIAL SECURITY NO: ██████████  
DOB: April 21, 2000  
RACE: WHITE SEX: MALE  
ADDRESS: 1908 SOUTHAVEN CIRCLE, SOUTHAVEN, MS 38671

CHARGED WITH: DUI OTHER SUBSTANCE

BAC: OTHER SUBSTANCE

DATE OF VIOLATION: October 2, 2019

LOCATION OF VIOLATION: US HIGHWAY 51 AT ITS INTERSECTION WITH CLEARVIEW ROAD

CHARGES WERE FILED BY: WILLIAM BOLIEK AGENCY: SOUTHAVEN POLICE DEPARTMENT

DEFENDANT ENTERED A PLEA OF: GUILTY

**DISPOSITION: DISMISSED PURSUANT TO ORDER OF NON-ADJUDICATION DATED 7/1/20. ALL TERMS AND CONDITIONS OF ORDER HAVE BEEN COMPLETED.**

DEFENDANT WAS FINED: \$750.00 PLUS ASSESSMENTS OF: \$621.00

STATUS: SHOW CAUSE HEARING February 3, 2021

JUDGMENT OF THE COURT:

THE DEFENDANT RETAINED COUNSEL AND WAS REPRESENTED BY THE HONORABLE JOHN WATSON. THE DEFENDANT ENTERED A PLEA OF GUILTY PURSUANT TO AN ORDER OF NON-ADJUDICATION. THE COURT WITHHOLDS ACCEPTANCE OF THE DEFENDANT'S GUILTY PLEA FOR A PERIOD OF 6 MONTHS. AFTER THIS TIME AND PENDING SUCCESSFUL COMPLETION OF THE FOLLOWING TERMS AND CONDITIONS, THE CHARGE WILL BE DISMISSED UPON THE MOTION OF THE DEFENSE. THE DEFENDANT IS SENTENCED TO 2 DAYS IN JAIL WITH 1 DAY SUSPENDED AND GIVEN CREDIT FOR 1 DAY TIME SERVED. THE DEFENDANT IS PLACED ON 6 MONTHS SUPERVISED PROBATION THROUGH JUSTICE NETWORK. THE DEFENDANT SHALL ATTEND VICTIM'S IMPACT PANEL AND SUCCESSFULLY COMPLETE MASEP. THE DEFENDANT IS ORDERED TO SUBMIT TO A 120 DAY PERIOD OF NON-ADJUDICATION WITH RANDOM DRUG TESTING NOT LESS OFTEN THAN ONCE EVERY 30 DAYS, THE FAILURE TO COMPLY AND/OR PASS A DRUG TEST SHALL RESULT IN THE SUSPENSION OF THE DEFENDANT'S DRIVER'S LICENSE FOR A PERIOD OF 120 DAYS.

PROSECUTING ATTORNEY: DEBBIE BRANAN

JUDGE: JOSEPH NEYMAN

I, certify this to be a true and correct copy of my court record as recorded in:  
Docket 0400360066 Citation number 000012997

This the 3rd day of February, 2021



Thomas Mastin

Municipal Court Clerk  
City of Southaven, Mississippi

*[Handwritten signature]*



**IN THE MUNICIPAL COURT FOR THE CITY OF SOUTHAVEN, MISSISSIPPI**

**CITY OF SOUTHAVEN, MISSISSIPPI**

**VS.**

**CAUSE #000012997**

**HERBERT DAKOTA SMITH**  
**DEFENDANT**

**FINAL ORDER OF NON-ADJUDICATION AND ORDER OF DISMISSAL**

**THIS DAY** this cause came on to be heard upon the *motion ore tenus* of the City of Southaven, Mississippi, to ***dismiss with prejudice*** the following charge(s), to-wit:

**DUI OTHER SUBSTANCE**

And the Court, after being fully advised in the premises, finds that the City's *motion ore tenus* is well founded and should be sustained.

IT IS, THEREFORE, ORDERED that the aforementioned charge(s) is hereby ***dismissed with prejudice*** as the defendant has completed all terms and conditions of the order of non-adjudication entered on July 1, 2020.

ORDERED on this, the 3 day of Febr, 2021.

*[Handwritten signature]*  
**MUNICIPAL COURT JUDGE**

*[Handwritten signature]*  
**PROSECUTING ATTORNEY**

*[Handwritten signature]*  
**DEFENDANT**

**AFFIANT**

**ATTORNEY FOR DEFENDANT**

ARR;9138448653;SMITH,HERBERT;20000421;L

MCHS

Wed 10/2/2019 11:11 PM

To: Desoto Co. So. Livescan <MS0170000@dps.ms.gov>

Mississippi Criminal History System  
COURT Disposition Form

Arrest Tracking Number: 9138448653  
Name: SMITH, HERBERT, DAKOTA,  
Date of Birth (yyyymmdd): 20000421 Sex: Male Race: White

Arrest Agency: MS0170100 - SOUTHAVEN PD  
Arrest Date (yyyymmdd): 20191002 Arrest Case Number: N/A  
Arrest Charges:

Statute	Description	Counts	Severity	Date
63-11-30(1)(a)	Operation of motor veh while under influence of intoxicating liquor	001	Misdemeanor	20191002
97-15-31	Littering Highways,Streets, Sidewalks, etc with Tacks,Glass or Other Damaging Objects	001	Misdemeanor	20191002
41-29-139(d)(1)	Controlled Substance: Possession of Paraphernalia	001	Misdemeanor	20191002
<del>WRONG STATUTE</del> <del>21-13-1</del> 21-13-19	General Ordinances; penalties	001	Misdemeanor	20191002

COURT DISPOSITION - ATN 9138448653; SMITH, HERBERT

Court ORI: MS017031J Court Name: SOUTHAVEN MUNICIPAL COURT  
Case Number: 000012997 Disposition Date: 2-3-21  
Statute: 63-11-30(1)(a) Counts: 1 Severity: MISO  
Description: DUI  
Verdict: DISMISSED  
Incarceration: N/A  
Supervision: N/A  
Money: N/A

COURT DISPOSITION - ATN 9138448653; SMITH, HERBERT

Court ORI: MS017031J Court Name: SOUTHAVEN MUNICIPAL COURT  
Case Number: 000343552 Disposition Date: 7-1-20  
Statute: 97-15-31 Counts: 1 Severity: MISO

Description: LITTERING - FIRE OBJECTS

Verdict: GUILTY

Incarceration: NIA

Supervision: NIA

Money: \$ 49.75 FINE \$174.25 ASSESSMENTS

COURT DISPOSITION - ATN 9138448653; SMITH, HERBERT

Court ORI: MS017031J Court Name: SOUTHAVEN MUNICIPAL COURT

Case Number: 75458 Disposition Date: 7-1-20

Statute: 41-29-139(b)(1) Counts: 1 Severity: MISO

Description: POSSESSION OF PARAPHERNALIA

Verdict: DISMISSED

Incarceration: NIA

Supervision: NIA

Money: NIA

COURT DISPOSITION - ATN 9138448653; SMITH, HERBERT

Court ORI: MS017031J Court Name: SOUTHAVEN MUNICIPAL COURT

Case Number: C564788 Disposition Date: 7-1-20

Statute: 21-13-19 Counts: 1 Severity: MISO

Description: VIOLATION OF MUNICIPAL CRIMINAL ORDINANCE

Verdict: REMANDED

Incarceration: NIA

Supervision: NIA

Money: NIA

End of Prosecutor and Court Disposition Forms