

IN THE DISTRICT COURT OF THE TWENTY-THIRD JUDICIAL DISTRICT
SITTING WITHIN AND FOR LINCOLN COUNTY
STATE OF OKLAHOMA

The State of Oklahoma,)
)
 Plaintiff,)
 vs.)
 Joshua D. Stump,)
)
 Defendant.)

CF-95-104

FILED

FEB 22 1996

3:01 P.M.
Linda Siler, Dist. Clerk, Lincoln Co. Okla.
By Deputy

APPLICATION FOR HEARING
ON MATERIAL WITNESS WARRANT

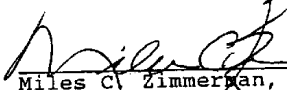
COMES now Miles C. Zimmerman, he being the duly elected, qualified and acting District Attorney within the Twenty-Third Judicial District in and for Lincoln County, State of Oklahoma, and herewith makes application to this Honorable Court pursuant to 22 O.S. § 722 for an order setting for hearing the certification by the Circuit Court of Columbia County, Arkansas of Joshua Stump as a material witness in cause number CR95-32 entitled State of Arkansas vs. William Stump now pending before said Circuit Court. In support thereof, your applicant has attached true and correct copies of the proceedings seeking the return of said Joshua Stump to Columbia County, Arkansas by the Circuit Court thereof.

WHEREFORE, premises considered, your movant prays that this matter be set for hearing and that upon a hearing thereof, this Court enter its order directing the return of the said Joshua Stump to Columbia County, Arkansas for purposes of testifying and further directing the return of the said Joshua Stump to Lincoln County,

MICROFILM ROLL #

443 PAGES 105?

Oklahoma at the conclusion of his testimony and for all other and further relief which may be proper in the premises.


Miles C. Zimmerman, OBA #10004
District Attorney
Lincoln County Courthouse
Chandler, Oklahoma 74834
(405) 258-1674

CERTIFICATE OF FACSIMILE TRANSMISSION

This is to certify that on this 22nd day of February, 1996, a true and correct copy of the above and foregoing was transmitted via facsimile to: Office of the Prosecuting Attorney, Columbia County, Arkansas, at (501) 234-4181, and to Mr. James Rouss, Atty for Jack Stimp, at (405) 447-2293.



FILED FOR RECORD

This ^{16th} Feb 1996
at 2:40 p.m.

IN THE CIRCUIT COURT OF COLUMBIA COUNTY, ARKANSAS
STATE OF ARKANSAS
JANICE LINDOUS
CIRCUIT CLERK

NO. CR-95-32 By *Janice Lindous*

VS.
WILLIAM STUMP
PLAINTIFF

APPLICATION FOR ARREST OF PRISONER IN CRIMINAL PROCEEDINGS

RE: JOSH STUMP
WHITE MALE
D.O.B.: 1/29/78

Comes now, the State of Arkansas by and through its Deputy Prosecuting Attorney, David F. Butler, for Columbia County, Arkansas, pursuant to Arkansas A.C.A. 16-41-301 et. seq., and for its request that the Court issue an Order authorizing the Columbia County Sheriff's Department to take Josh Stump into custody as a material witness in the above-styled case, states as follows:

- 1) Josh Stump is a material witness for the State in the above captioned cause State of Arkansas vs. William Stump, Columbia County Circuit No. CR-95-32.
- 2) Josh Stump was present the day William Stump allegedly killed Brandon Stump, the brother of Josh Stump and the son of William Stump.
- 3) Josh Stump gave a statement to law enforcement officers on the day of the shooting, and he is the State's chief witness in the trial which is set for March 7 and 8, 1996.
- 4) Josh Stump is presently incarcerated as a prisoner in Lincoln County, Oklahoma, of which Chandler, Oklahoma is the county seat. The State has been unable to gain the attendance of Josh Stump due to his incarceration in Lincoln County, Oklahoma.

MICROFILM ROLL # 713 PAGES 100

5) The State of Arkansas is prepared to pay any fees and expenses to the witness as required and to safeguard him until the day of trial. The State of Arkansas will return Josh Stump to Chandler, Oklahoma as soon as William Stump's trial is concluded.

To the best of the knowledge of the Prosecuting Attorney's Office, the attendance of Josh Stump is not adverse to this state, or to the health or legal rights of Josh Stump.

6) The Applicant believes the testimony of Josh Stump is critical to the prosecution of this case based upon the his statements on the date William Stump allegedly shot and killed Brandon Stump.

(7) To the best of the knowledge of the State of Arkansas, Josh Stump is not subject to pending civil litigation, nor does he have an outstanding arrest warrant for acts committed prior to his arrival in the State of Arkansas under this order; and

That as a practical matter the possibility is negligible that the witness may be subject to arrest or to the service of civil or criminal process in any state through which he will be required to pass.

(8) The State of Arkansas shall pay any fees and expenses as required to safeguard his custody for the day of trial.

(9) The State of Arkansas prays for an order that requires the witness to be produced on March 5, 1996, and to be returned to Oklahoma on March 9, 1996, or as soon as the trial styled State of Arkansas vs. William Stump, Columbia County Circuit No. CR-95-32 is concluded.

