

IN THE CHANCERY COURT OF LEFLORE COUNTY, MISSISSIPPI

**LEFLORE COUNTY BOARD
OF SUPERVISORS**

PETITIONER

VS.

CAUSE NO.: 23-CV-90

**MARCUS BANKS, IN HIS CAPACITY
AS COMMISSIONER OF GREENWOOD
LEFLORE HOSPITAL BOARD OF
COMMISSIONERS AND CITY OF
GREENWOOD**

RESPONDENTS

ORDER ON CONTINUANCE

On this date the Court learned Respondents filed on December 15, 2023, Respondents' Motion for Continuance and the Court having considered the Motion doth find as follows:

1. Respondents filed this Motion on December 15, 2023 and failed to notify the Court of its filing and failed to seek whether or not a hearing was necessary on the Motion.
2. The Motion seeks to continue the hearing on the Petitioner's Emergency Petition for Temporary Injunction which is scheduled for 1:30p.m. on Wednesday, December 20, 2023.
3. Also, the Court learned on this date by receipt and review of Respondents' Memorandum of Law in Opposition to Petitioner's request for Temporary Injunction, that Respondents filed on December 15, 2023, their Motion for Recusal.

4. Respondents cited four (4) reasons in their Motion for Continuance and the Court finds that the cited reasons of discovery, the expected filing of a counter-claim and the unavailability of counsel due to mediation are not well-taken. Respondents failed to provide any date, time, and place or documentation of any mediation and whether or not their counsel is the only one involved in mediation or whether or not another attorney of Phelps Dunbar LLP could attend either the mediation or this hearing in his place. The Court is general familiar with the size and number of attorneys with Phelps Dunbar LLP.
5. The Court, in view of the claim of “emergency”, will not delay or grant a continuance of this matter.
6. As to the Motion for Recusal, the Court will entertain and/or decide this Motion on December 20, 2023 or soon thereafter.

For the reasons stated herein above, the Motion for Continuance is not well-taken and shall be denied.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that

Respondents’ Motion for Continuance is not well-taken and shall be denied.

SO ORDERED, ADJUDGED, AND DECREED this 18th day of December 2023.


CHANCELLOR

RECEIVED

DEC 18 2023

JOHNNY L. GARY, JR., CHANCERY CLERK

BY  C.C.