

IN THE CIRCUIT COURT OF HINDS COUNTY, MISSISSIPPI
FIRST JUDICIAL DISTRICT

STATE OF MISSISSIPPI

VS.

CAUSE NO. 20-0-083

GARRY OWEN LANGSTON

DEFENDANT

MOTION TO REMAND TO THE FILE

COMES NOW, the State of Mississippi and moves this Honorable Court to Remand the above captioned case, and in support thereof would assert the following reasons, to-wit:

1. The Defendant, Garry Owen Langston, was indicted by a Hinds County Grand Jury February 7, 2020 on the charge of First Degree Murder.

2. The allegation contained in the indictment is that Garry Owen Langston shot and killed Charles David Ponthieux while committing the felony of aggravated assault by shooting at several black males, whose identity is unknown to the grand jury, standing near a four wheeler that had just been involved in a vehicular accident with the automobile that had been operated by Charles David Ponthieux, but missing such males and shooting Charles David Ponthieux in the back while Charles David Ponthieux was on the phone with a 911 operator reporting the accident.

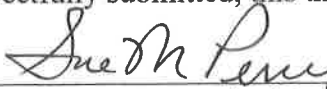
3. Contained in discovery is surveillance recovered from a business in the area that captures the accident and the subsequent shooting of Charles David Ponthieux. The surveillance, however, is at a distance with poor lighting of the area which makes it impossible to tell whose shots are responsible for the death of Charles David Ponthieux, as shots are fired by the black males involved in the accident, as well as by the Defendant, Garry Owen Langston.

4. The surveillance was sent for possible enhancement to United States Forensics, by defense counsel, John Colette. The enhanced surveillance was recently provided to the State. Review

of said enhanced surveillance clearly shows that the fatal shots were fired by the unknown males who had been involved in the vehicular accident with Charles David Ponthieux. The shots fired by Garry Owen Langston were fired after Charles David Ponthieux falls to the ground as the result of being struck by gunfire from the unknown males.

WHEREFORE, the State requests this Court to enter an order Remanding the within Cause for the reasons stated herein above and in the interest of justice.

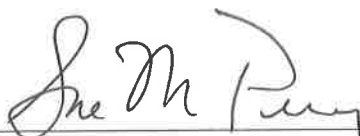
Respectfully submitted, this the 7th day of July, 2021.

BY: 
Sue M. Perry, Assistant District Attorney

CERTIFICATE OF SERVICE

I, Sue M. Perry, do hereby certify that I have this day electronically filed and e-mailed a true and correct copy of the above and foregoing State's Motion to Remand to counsel of record, Honorable John Colette.

So certified this the 7th day of July, 2021


Sue M. Perry, Assistant District Attorney