



CHRISTIAN COUNTY PROSECUTING ATTORNEY'S OFFICE

AMY J. FITE, PROSECUTING ATTORNEY
Phone: (417) 581-7915 | Fax: (417) 581-7918
www.christiancountyprosecutor.net

FOR IMMEDIATE RELEASE

CONTACT: AMY J. FITE
PROSECUTING ATTORNEY
(417) 581-7915

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RE: DONOVAN DOBBS ARGUES BEFORE THE MISSOURI SUPREME COURT

Ozark, MO – Christian County Prosecuting Attorney, Amy J. Fite announced today that 1st Assistant Prosecuting Attorney, Donovan Dobbs argued before the Missouri Supreme Court today in Jefferson City, Missouri. The case of State ex rel. Missouri Public Defender Commission, Cathy R. Kelly and Rod Hackathorn v. The Honorable John S. Waters and the Honorable Mark Orr centered around the indigent defendant Jared Blackshear and his constitutionally mandated right to an attorney. Mr. Blackshear could not afford an attorney and had made application to the Missouri Public Defender. Christian County Associate Circuit Judge John Waters appointed the public defender to represent Mr. Blackshear over the objection and refusal of the public defender. Mr. Dobbs argued to the Supreme Court today that Judge Waters was mandated by Missouri Supreme Court rule to appoint counsel to Jared Blackshear and that he took the only course of action available to him when he appointed the Missouri Public Defender. Under Missouri law, the Missouri Public Defender is required to represent indigent defendants who cannot afford to employ their own attorneys. When the Missouri Public Defender refused to follow their statutory mandate and represent Mr. Blackshear on his burglary and stealing charges, Judge Waters appointed them anyways. At issue is whether the Missouri Public Defender has the right to refuse their statutory mandated role and refuse to represent indigent defendants that cannot afford to hire counsel.

When the Supreme Court handed down the writ of temporary prohibition that lead to argument today, Jared Blackshear was preparing to enter a plea on the pending charges, the defendant remained in the Christian County jail for months until Christian County Prosecuting Attorney Amy Fite took office in January and proceeded to petition the Missouri Supreme Court to allow 38th Circuit Judge Mark Orr the authority to accept the defendant's plea.

Mr. Blackshear is currently serving a five (5) year sentence on the original charges that prompted the public defender to request it's writ. For more information about the case and to hear the oral arguments please visit the Missouri Supreme Court Website at:
<http://www.courts.mo.gov/SUP/index.nsf/fe8feff4659e0b7b8625699f0079eddf/54281b8baa6276fb8625792f00758376?OpenDocument>