

1 IN THE CIRCUIT COURT OF HARRISON COUNTY, MISSISSIPPI
2 FIRST JUDICIAL DISTRICT

3
4 STATE OF MISSISSIPPI

5 VERSUS

6 CAUSE NOS. 99-00014 & 99-00018

7 JASON RICHARD WOODCOCK

8 DEFENDANT

9 -----
10 TRANSCRIPT OF THE PROCEEDINGS HAD AND DONE IN THE PLEA
11 HEARING OF THE ABOVE STYLED AND NUMBERED CAUSE, BEFORE
12 THE HONORABLE JERRY O. TERRY, CIRCUIT COURT JUDGE OF
13 THE SECOND CIRCUIT COURT DISTRICT OF THE STATE OF
14 MISSISSIPPI, ON FEBRUARY 21, 2000.
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17 APPEARANCES:

18 Present and Representing the State of Mississippi:

19 HONORABLE ANNETTE FORSTER
20 Office of the District Attorney
21 Post Office Box 1180
22 Gulfport, Mississippi 39110-9038

23 Present and Representing the Defendant:

24 HONORABLE THOMAS L. MUSSELMAN
25 Wilkinson, Williams, Kinard
 734 Delmas Avenue
 Pascagoula, Mississippi 39567

1 JASON WOODCOCK,
2 was thereupon called, and, having been duly sworn,
3 testified as follows:

4 THE COURT: All right. Listen
5 carefully. Is your true and correct name
6 Jason Richard Woodcock?

7 DEFENDANT WOODCOCK: Yes, Your Honor.

8 THE COURT: Mr. Woodcock, what is your
9 date of birth?

10 DEFENDANT WOODCOCK: [REDACTED], sir.

11 THE COURT: '80?

12 DEFENDANT WOODCOCK: '80, yes, sir.

13 THE COURT: Social Security number?

14 DEFENDANT WOODCOCK: [REDACTED].

15 THE COURT: All right, sir. You're here
16 today with your attorney, Mr. Tom Musselman.
17 Are you satisfied with this lawyer?

18 DEFENDANT WOODCOCK: Yes, sir.

19 THE COURT: Satisfied he's taken enough
20 time to acquaint himself with the facts of
21 your case?

22 DEFENDANT WOODCOCK: Yes, Your Honor.

23 THE COURT: You've just been seated here
24 while I was taking another plea. You heard
25 me say that you're not required to follow

1 this lawyer's advice. All he can do is
2 advise you. He cannot require that you do
3 anything in relationship to a plea; do you
4 understand that?

5 DEFENDANT WOODCOCK: Yes, Your Honor.

6 THE COURT: Has anyone threatened you in
7 any way to cause you to enter a plea of
8 guilty?

9 DEFENDANT WOODCOCK: No, Your Honor.

10 THE COURT: Promised you a reward in
11 return for pleading guilty?

12 DEFENDANT WOODCOCK: No, sir.

13 THE COURT: Well, why are you pleading
14 guilty?

15 DEFENDANT WOODCOCK: Because I am
16 guilty, sir.

17 THE COURT: How far did you go in
18 school?

19 DEFENDANT WOODCOCK: I've had a year and
20 a half of college, sir.

21 THE COURT: Where did you go to college?

22 DEFENDANT WOODCOCK: J.D., sir.

23 THE COURT: Then you can read and write?

24 DEFENDANT WOODCOCK: Yes, sir.

25 THE COURT: Did you read this document

1 before you signed it?

2 DEFENDANT WOODCOCK: Yes, sir.

3 THE COURT: You understand it?

4 DEFENDANT WOODCOCK: Yes, sir.

5 THE COURT: Now, even though you tell me
6 that you are, in fact, guilty, you still have
7 a right to sit back, sit set over at that
8 table; wait for the State to prove your
9 guilt, and to prove it beyond a reasonable
10 doubt. They must satisfy 12 jurors of your
11 guilt beyond a reasonable doubt.

12 You have multiple charges against you.
13 You would be entitled to be tried on each one
14 of these cases separately. Not the two
15 burglary charges; that could be tried at one
16 time, both of them occurring on the same
17 date.

18 But you're entitled to have your lawyer
19 with you. You're entitled to the subpoena
20 process of the Court to subpoena witnesses to
21 appear in your behalf.

22 You have the right of appeal in the
23 event the jury finds you guilty. If you
24 plead guilty, you have no right of appeal.
25 If you plead guilty to more than one of these

1 charges, then you can be charged in the
2 future as being a habitual felon. That is
3 day-for-day service. Do you understand that,
4 sir?

5 DEFENDANT WOODCOCK: Yes, Your Honor.

6 THE COURT: Since at least one of these
7 is a violent crime, then that would be life
8 without parole.

9 All right. Are you going on all three
10 of these cases?

11 MS. FORSTER: Your Honor, it's my
12 understanding that he's going to be pleading
13 to Count II in Cause Number 99-18, being
14 statutory rape; and I left it up to him as to
15 which count in the 99-14, the three burglary
16 counts. He's going to plead to one count.

17 THE COURT: Oh, it's three counts in
18 that. I didn't see the third one.

19 MS. FORSTER: And I will be passing to
20 the file Cause Number 99-5 and the counts to
21 which he is not pleading in the other case
22 upon successful completion of the plea.

23 THE COURT: The uttering forgery will be
24 passed to the files then.

25 MS. FORSTER: That's correct, Your

1 Honor.

2 THE COURT: Which count is he pleading
3 on the burglary?

4 MR. MUSSELMAN: Judge, we hadn't really
5 discussed which count.

6 THE COURT: Well, it looks like all of
7 them were automobiles, so it really doesn't
8 matter, I don't guess.

9 MS. FORSTER: No, sir.

10 THE COURT: Count I?

11 MR. MUSSELMAN: That would be fine, Your
12 Honor.

13 THE COURT: All right. Mr. Woodcock,
14 the charges in 99-18 is a charge of statutory
15 rape. It's alleged that you, here in the
16 First Judicial District of Harrison County,
17 Mississippi, on or about July 1997 through
18 August of 1997, did feloniously and
19 unlawfully have sexual intercourse with a
20 child by the name of, I'll call her D.T. for
21 short, a child under the age of 16 years and
22 24 months -- I'm sorry -- 24 months younger
23 than you, two years younger than yourself.

24 Do you understand that if this was a
25 consensual relationship, that consent does

1 not mean a thing when a child is that age?
2 Do you understand that?

3 DEFENDANT WOODCOCK: I do now, sir.

4 THE COURT: Was that the situation with
5 you?

6 DEFENDANT WOODCOCK: Yes, sir.

7 THE COURT: How long did this
8 relationship go on?

9 DEFENDANT WOODCOCK: Five months, sir.

10 THE COURT: Were you aware that this
11 girl was less than 16 years of age?

12 DEFENDANT WOODCOCK: Not at first, sir,
13 but I found out.

14 THE COURT: This girl was not a
15 relation -- relative of yours, was she?

16 DEFENDANT WOODCOCK: No, sir.

17 THE COURT: A neighbor?

18 DEFENDANT WOODCOCK: Yes, sir.

19 THE COURT: Was there actually acts of
20 sexual intercourse between the two of you?

21 DEFENDANT WOODCOCK: Yes, sir.

22 THE COURT: And where did they occur?

23 DEFENDANT WOODCOCK: At my house, sir.

24 THE COURT: Where would that be?

25 DEFENDANT WOODCOCK: It was at an

1 apartment I was living at on Park Road, sir.

2 THE COURT: Where?

3 DEFENDANT WOODCOCK: Park Road in Long
4 Beach.

5 THE COURT: I see. Were you living
6 there alone?

7 DEFENDANT WOODCOCK: No, sir; I was
8 living with some friends of mine.

9 THE COURT: Okay. All right. 99-14
10 charges that you, along with Justin Hamrick
11 and Calvin Joseph Woolard, on or about March
12 the 27th, 1998, did willfully, unlawfully,
13 feloniously and burglariously break and enter
14 a certain automobile, being a 1984 Nissan
15 Sentra, white in color, the property of Oscar
16 Paulson, where goods were kept, with intent
17 to steal from therein.

18 Tell me what your part was in that.

19 DEFENDANT WOODCOCK: I assisted
20 everybody in breaking into the car, sir.

21 THE COURT: Well, it looks like y'all
22 made the rounds on that particular occasion.
23 The State is not pursuing two of these
24 counts, but all of them occurred -- no. Two
25 of them occurred on the 27th, and one of them

1 occurred on the 28th.

2 Tell me where this was located.

3 DEFENDANT WOODCOCK: Pass Christian,
4 sir, apartment complex in Pass Christian.

5 THE COURT: What did y'all do, just go
6 down there on a rampage of breaking into
7 automobiles?

8 DEFENDANT WOODCOCK: Yes, sir.

9 THE COURT: What did you get out of
10 them?

11 DEFENDANT WOODCOCK: Some stereos and a
12 cell phone, sir.

13 THE COURT: Did you sell them, sell the
14 articles?

15 DEFENDANT WOODCOCK: I didn't get a
16 chance, sir.

17 THE COURT: What, y'all got arrested
18 before you got away?

19 DEFENDANT WOODCOCK: Yes, sir.

20 THE COURT: Well; what part did these
21 other two have to do with it; what did they
22 do?

23 DEFENDANT WOODCOCK: They were -- they
24 were the ones that went into the car and got
25 the stuff, and I was the one that was

1 supposed to sell it and stand guard and
2 everything, sir.

3 THE COURT: How did y'all get there?

4 DEFENDANT WOODCOCK: Calvin drove us,
5 sir.

6 THE COURT: Have these other two pled
7 guilty or been tried?

8 MS. FORSTER: Your Honor, they both pled
9 guilty previously.

10 THE COURT: What were they sentenced to?

11 MS. FORSTER: Both Mr. Hamrick and
12 Mr. Woolard, Your Honor, received probation.
13 It appears Mr. Woolard got a nonadjudicated
14 probation, and Mr. Hamrick received seven
15 years suspended for three years probation.

16 THE COURT: Okay.

17 MS. FORSTER: I would point out, Your
18 Honor, that at their pleas, both Mr. Hamrick
19 and Mr. Woolard indicated that Mr. Woodcock
20 was the ring leader in terms of breaking into
21 the vehicles. There were also several other
22 vehicles that were broken into that were not
23 indicted.

24 (PAUSE IN PROCEEDINGS.)

25 THE COURT: What do you understand,

1 young man, that the penalty is for statutory
2 rape?

3 DEFENDANT WOODCOCK: Maximum of life,
4 sir.

5 THE COURT: Have these statutes been
6 amended?

7 MS. FORSTER: Your Honor, they have, and
8 it depends on -- actually, just as you said
9 that, I was thinking Mr. Woodcock was at the
10 time 17 years of age in terms of statutory
11 rape.

12 THE COURT: Yes, ma'am.

13 MS. FORSTER: And the victim had just
14 turned 15, which I believe would mean that
15 the maximum penalty for statutory rape as
16 opposed to the capital rape, the count that
17 he's not pleading to, is five years, Your
18 Honor.

19 THE COURT: Then what he is pleading
20 guilty to now is a maximum penalty of five
21 years?

22 MS. FORSTER: Yes, sir.

23 THE COURT: What is the State's
24 recommendation on these cases?

25 MS. FORSTER: Your Honor, and I believe

1 the maximum on the burglary charges is seven.

2 Our recommendation would be seven years
3 to serve on the burglary, seven years with
4 two of those years suspended, five years to
5 serve.

6 Our recommendation would be five years
7 to serve on the statutory rape. We would
8 also ask that he receive two years of
9 post-release supervision on the burglary
10 charges; that he during that period of time
11 is to have no contact with the victim or her
12 family in the statutory rape charge.

13 In addition, Your Honor, we have \$317.82
14 that is owed to the Worthless Check Division.
15 The other two young men in the burglary
16 charge were ordered to make some nominal
17 restitution to the victims, but we're not
18 requesting that in this case due to the fact
19 that we are recommending time on
20 Mr. Woodcock.

21 THE COURT: Did you understand that's
22 what the recommendation was going to be?

23 DEFENDANT WOODCOCK: Yes, sir, pretty
24 much, sir.

25 MR. MUSSELMAN: Judge, we were not aware

1 of the worthless checks.

2 DEFENDANT WOODCOCK: I was not aware of
3 that, sir.

4 THE COURT: Is that \$317?

5 MS. FORSTER: Yes, sir, and 82 cents.
6 And I was not aware of those, Your Honor,
7 until this was put into our file by our
8 Worthless Check Division when they saw his
9 cases on the docket. It was in the forgery
10 file. And I just advised Mr. Musselman right
11 before court, so he hadn't had an opportunity
12 to talk with Mr. Woodcock about it.

13 THE COURT: All right. Do you
14 understand that if I accept the State's
15 recommendation and sentence you to five years
16 on the statutory rape charge, that that being
17 a sex crime, that service is day for day,
18 isn't it?

19 MS. FORSTER: Yes, sir.

20 THE COURT: Do you understand that,
21 young man?

22 DEFENDANT WOODCOCK: Yes, sir.

23 THE COURT: How much time have you
24 already served, 18 months?

25 DEFENDANT WOODCOCK: Yes, sir.

1 THE COURT: Mr. Musselman, do you have
2 anything to say?

3 MR. MUSSELMAN: Well, Judge, we believe
4 it's a fair outcome for the case. We'd urge
5 the Court to follow the recommendation.

6 THE COURT: Do you have anything, sir?

7 DEFENDANT WOODCOCK: No, sir.

8 THE COURT: Has the victim's family been
9 advised?

10 MS. FORSTER: Yes, sir, they have. This
11 is something that we discussed quite some
12 time ago. In fact, the victim and her family
13 are present in the courtroom.

14 THE COURT: I see.

15 MS. FORSTER: They have approved this
16 recommendation, Your Honor.

17 THE COURT: All right. Jason Richard
18 Woodcock, I'm satisfied you understand the
19 consequences of entering a plea of guilty.
20 I'm satisfied that you are, in fact, guilty;
21 that you freely and voluntarily have entered
22 into this plea. You did intend for these
23 sentences to run concurrently?

24 MS. FORSTER: Yes, Your Honor, I did.

25 THE COURT: All right. On the charge of

1 burglary, 99-14, I sentence you to the
2 custody of the Department of Corrections of
3 the State of Mississippi for a term of seven
4 years. I'm not going to accept the State's
5 recommendation. I'm going to sentence you to
6 seven years, suspend three. That leaves you
7 four to serve on that charge.

8 On the charge of statutory rape, I
9 sentence you to five years, suspend one of
10 those years. These are to run concurrently,
11 and I'm going to place you on two years of
12 reporting post-release supervision. There
13 will be \$317 paid to the Bad Check Division.

14 For the benefit of the victim and the
15 victim's family, I have suspended one year of
16 the maximum penalty on the statutory rape
17 simply because there appears to have been at
18 least a consensual relationship. And this
19 time will be served day for day, and I think
20 that four years is adequate penalty. So
21 that's my feelings.

22 MS. FORSTER: Your Honor, may we add
23 that he will be required to register as a sex
24 offender?

25 THE COURT: Yes, ma'am. He will be

1 required to register as a sex offender. Upon
2 your release from the Department of
3 Corrections, they will furnish information to
4 the Mississippi State Highway Patrol
5 immediately upon your release from the
6 Department of Corrections. You will then
7 make your way to the Sheriff's Office of
8 Harrison County and register, and continue to
9 register each time you move.

10 DEFENDANT WOODCOCK: Yes, sir.

11 THE COURT: You will be given -- do you
12 have a worksheet that gives all of the
13 information on what he's got to do in his
14 registration? I had it here somewhere that I
15 could read it to him.

16 MS. FORSTER: Yes, sir, I do, in my
17 office.

18 MR. MUSSELMAN: Judge, it's in the plea
19 packet.

20 THE COURT: It is?

21 MR. MUSSELMAN: Yes, sir. It's the
22 second page from the last.

23 THE COURT: Okay.

24 MR. MUSSELMAN: And Mr. Woodcock and I
25 did go over that, Judge, and he signed it.

1 THE COURT: Don't fail to register
2 because that's a felony as well.

3 DEFENDANT WOODCOCK: Yes, sir.

4 THE COURT: If you fail to register, you
5 can be indicted and picked up for that. Good
6 luck to you.

7 (PROCEEDINGS ADJOURNED.)
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1 STATE OF MISSISSIPPI

2 COUNTY OF HARRISON

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4 CERTIFICATE OF COURT REPORTER

5 I, Cheryl E. Sablich, Official Court Reporter for
6 the Second Circuit Court District of the State of
7 Mississippi, do hereby certify that the foregoing 17
8 pages constitute, to the best of my skill and ability,
9 a true and correct transcript of my stenographic notes
10 and electronic tape recording of the PLEA HEARING had
11 on the 21st day of February, 2000, before the Honorable
12 Jerry O. Terry, Circuit Court Judge of the Second
13 Circuit Court District of the State of Mississippi,
14 being a regular day in the February Term of Harrison
15 County Circuit Court at Gulfport.

16 I do further certify that my certificate annexed
17 hereto applies only to the original and certified
18 transcript and electronic disks. The undersigned
19 assumes no responsibility for the accuracy of any
20 reproduced copies not made under my control and
21 direction.

22 WITNESS MY SIGNATURE on this, the 25th day of
23 April, 2014.

24 
25 Cheryl E. Sablich, CSR #1111
Official Court Reporter