

FILED

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI

JAN 08 2008
DAVID J. ADAMS, CLERK
By D. Adams
Deputy

UNITED STATES OF AMERICA

VS.

CRIMINAL NO. 1:08 CR003

JOSEPH C. LANGSTON

WAIVER OF CONFLICT OF INTEREST

I, Joseph C. Langston, am being represented by Anthony L. Farese in a federal criminal investigation being conducted by the U.S. Attorney's office in the Northern District of Mississippi and the Public Integrity Division of the U.S. Justice Department out of Washington, D.C. This investigation is regarding my previous representation of Richard F. Scruggs in a case styled, Wilson v. Scruggs, which was pending in the Circuit Court of Hinds County, Mississippi and was pending in the United States District Court of the Southern District of Mississippi. I am also aware that Anthony L. Farese is representing David Zachary Scruggs in a six count federal criminal indictment in cause number 3:07CR192-B-A in the Northern District of Mississippi. I have advised Anthony L. Farese that I have no conflict of interest with Zach Scruggs and I have authorized him to represent David Zachary Scruggs. Anthony L. Farese has specifically read Rule 44(c) of the Federal Rules of Criminal Procedure to me which states as follows:

“Joint Representation. Whenever two or more defendants have been jointly charged pursuant to Rule 8(b) or have been joined for trial pursuant to Rule 13, and are represented by the same retained or assigned counsel or by retained or assigned counsel who are associated in the practice of law, the court shall promptly inquire with respect to such joint representation and shall personally advise each defendant of the right to the effective assistance of counsel, including separate representation. Unless it appears that there is good cause to believe no conflict of interest is likely to arise, the court shall take such measures as may be appropriate to protect each defendant's right to counsel.”

I understand that there are many advantages to having separate counsel but I, after having had this explained to me in detail, desire to waive any potential conflict of interest and have no objection for Anthony L. Farese representing David Zachary Scruggs in his indictment.

This the 7th day of January, 2008

Joseph C. Langston
JOSEPH C. LANGSTON

STATE OF MISSISSIPPI

COUNTY OF Lafayette

PERSONALLY appeared before me, the undersigned authority in and for the County and State aforesaid, the within named JOSEPH C. LANGSTON, who after being by me first duly sworn according to law on oath states that the he signed the above and foregoing Waiver of Potential Conflict of Interest as his true act and deed.

Joseph C. Langston
JOSEPH C. LANGSTON

SWORN TO AND SUBSCRIBED BEFORE ME, this the 7th day of January, 2008.

Linda B. King
NOTARY PUBLIC

