

Teen's bond hearing postponed by appeal

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A federal court order to grant a bond hearing to a 14-year-old capital murder suspect forced a brief hearing on Thursday in Oktibbeha County Circuit Court, but a pending appeal to the Fifth Circuit Court of Appeals will ultimately decide if the West Point teen will be released on bond.

Tyler Edmonds of West Point has been jailed without bond since May 12, 2003, on charges that he and his half-sister, Kristi Leigh Fulgham, shot to death her ex-husband, Joseph T. Fulgham, 28, in the Longview community on May 10, 2003.

Since then, Edmonds' attorney, Jim Waide of Tupelo, has either petitioned the local court, state high court and even federal courts for his client's release on bond. All have been denied by higher courts.

Edmonds' latest request for bail was filed with the U.S District Court for the Northern District of Mississippi and Thursday's hearing was ordered from Judge Michael Mills -- the second time the judge has intervened in the case.

Kitchens said in court Thursday an appeal to this order by the prosecution was pending to the Fifth Circuit Court of Appeals, and any bond hearing would wait for the New Orleans court's ruling.

Kitchens stopped Waide from making any statements on Tuesday regarding the postponement.

"I don't want to hear it," said Kitchens, interrupting Waide. "There is a stay on this matter. We will let the Fifth Circuit Court make a decision once and for all."

Kitchens informed Waide that Edmonds' case had already been postponed from October and January trial dates. The most recent delay was a decision by Waide at a December 22 hearing that he did not wish to proceed to trial on January 5 without using expert testimony.

"Let's get this case prepared and let's try this case," Kitchens said tersely. "It's past time."

Kitchens adjourned the case until a March 12 hearing to consider the admissibility of expert testimony to be used by Waide.

Kitchens also made an unprecedented move after a brief meeting in chambers with Waide and prosecuting attorney Patricia Faver, sealing all Circuit Court records pertaining to the case were.

"The records have been sealed by the court, the entire record," said Circuit Clerk Angie McGinnis, who could not release a copy of Kitchen's order itself late Friday. "I've never seen it happen before but then again, we have never had a case quite like this one before. I understand proceedings in state and Fifth Circuit court have been sealed as well."

McGinnis said it was unclear why the other two courts sealed their files, only that Kitchens filed his order Thursday.

Kitchens issued a gag order in October 2003 to stop the release of information pertaining to the facts of the case by Waide to local media and for other court officials to follow court rules regarding the release of information.

Meanwhile, Waide has continued to petition courts to force a bond hearing on grounds that Edmonds' incarceration in an adult facility was damaging his mental health.

But prosecutors have successfully argued the seriousness of the charge to justify keeping Edmonds behind bars until his trial.

In a February ruling, the Mississippi Supreme Court upheld the Kitchens' ruling that Edmonds was being lawfully held without bond. State law allows suspects in a capital crime to be held in jail without bond.

District Attorney Forrest Allgood said the procedural process in this latest development in the Edmond's case is familiar.

Allgood said the order from Mills was similar to an earlier bond hearing request by Mills before his Oxford court in September 2003 . This hearing was stayed the night before by the same court now considering Mills' second request.

The Edmonds case has attracted a lot of nationwide attention on the Internet on several child advocacy websites such as www.***** and www.justiceforjuveniles.org, who have mentioned Edmonds in links or show photos of Edmonds.

One website, www.KIDSINCOURT.net, has a worldwide chat forum that includes postings from local residents and others as far away as Ireland discussing everything from Edmonds' treatment to the latest case developments.

McGinnis said the court has received only two inquiries from news organizations outside of Mississippi interested in the case so far.

"One is from CourtTV in New York and the other was a major newspaper chain," said McGinnis. "Both came after the gag order in October."

The other suspect in the case, Kristi Fulgham, is also being held without bond in the Oktibbeha County Jail on a capital murder charge. She is represented by Public Defender Stephanie Mallette.