

SUPREME COURT OF MISSISSIPPI

Drexel Brown v. State of Mississippi

No. 2009-KA-00960-SCT · No. No. 2009-KA-00960-SCT · Decided May 7, 2009

SUMMARY

The Mississippi Supreme Court affirmed Drexel Brown’s conviction for the sale of cocaine and his sentence as a second or subsequent drug offender. The court held that the evidence was sufficient to support the conviction, including the testimony of the confidential informant, corroborating police testimony, video evidence, and laboratory identification of the substance. The court also held that any error in admitting an allegedly unauthenticated water bill was harmless.

CASE DETAILS

COURT	Supreme Court of Mississippi
WRITING FOR THE COURT	Carlson, Presiding Justice; Randolph, Justice; Kitchens, Justice; Waller, Chief Justice; Dickinson, Justice; Lamar, Justice; Chandler, Justice; Pierce, Justice; Graves, Presiding Justice
JURISDICTION	Mississippi
DECIDED	May 7, 2009
DOCKET	No. 2009-KA-00960-SCT
DISPOSITION	affirmed
PROCEDURAL POSTURE	Brown appealed from a Jones County Circuit Court judgment convicting him by jury of sale of cocaine and sentencing him as a second or subsequent drug offender to sixty years, with fifteen years suspended and forty-five years to serve. The appeal challenged the sufficiency of the evidence and admission of a water bill.
STANDARD OF REVIEW	For sufficiency of the evidence, the court viewed the evidence in the light most favorable to the prosecution and asked whether any rational trier of fact could have found the essential elements beyond a reasonable doubt. Evidentiary error was reviewed for harmlessness, considering whether the error was unimportant in relation to everything else the jury considered on the issue.
PRECEDENTIAL VALUE	published
PARTIES	Drexel Brown v. State of Mississippi

TOPICS

evidence

authentication

harmless error

criminal procedure

appellate procedure

PRACTICE AREAS

criminal law

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QUESTIONS PRESENTED

1. Whether the evidence was sufficient to support Brown's conviction for sale of cocaine.
2. Whether the trial court erred by admitting a water bill allegedly authenticated through the testimony of a police officer rather than a custodian or qualified witness from the water department.
3. If admission of the water bill was erroneous, whether the error was harmless.

HOLDINGS

1. The evidence was legally sufficient for a rational trier of fact to find beyond a reasonable doubt that Brown knowingly or intentionally sold or transferred cocaine to Jones.
2. Any error in admitting the water bill was harmless because the bill was unnecessary to establish the charged offense and the evidence connecting Brown to the residence and the location of the sale was cumulative.

KEY QUOTATIONS

“The essential inquiry is whether, “after viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.”” (¶8)

“The State had only to prove beyond a reasonable doubt that Brown knowingly or intentionally sold or transferred cocaine to Jones.” (¶13)

“Because the evidence was legally sufficient to sustain Drexel Brown’s conviction, and because no reversible error occurred during Brown’s trial, the judgment of conviction for sale of cocaine and sentence as a drug recidivist imposed on Drexel Brown of sixty years, with fifteen years suspended, and forty-five years to serve in the custody of the Mississippi Department of Corrections, is affirmed.” (¶14)

FACTUAL BACKGROUND

During a controlled purchase arranged by the Laurel Police Department, confidential informant Anthony Jones was searched, given \$35 in official funds, equipped with recording devices, and sent to Brown's residence to purchase cocaine. Jones testified that Brown sold him cocaine, and Officer Vince Williams corroborated the operation, identified Brown on the recording, and received the substance from Jones after the transaction. A forensic scientist identified the substance as less than 0.1 grams of cocaine. The State also introduced a water bill listing Brown's name and an address on North Joe Wheeler Avenue in Laurel.

PROCEDURAL HISTORY

A jury in the Circuit Court for the Second Judicial District of Jones County convicted Brown of sale of cocaine. The trial court sentenced him as a drug recidivist and denied his motion for new trial. Brown perfected an appeal to the Supreme Court of Mississippi, which affirmed the conviction and sentence.

DISPOSITION

affirmed

CASES CITED

- Williams v. State, 463 So. 2d 1064, 1069 (Miss. 1985)
- Bush v. State, 895 So. 2d 836, 843 (Miss. 2005)
- Carr v. State, 208 So. 2d 886, 889 (Miss. 1968)
- Jackson v. Virginia, 443 U.S. 307, 315, 99 S. Ct. 2781, 61 L. Ed. 2d 560 (1979)
- May v. State, 460 So. 2d 778, 781 (Miss. 1984)
- Edwards v. State, 469 So. 2d 68, 70 (Miss. 1985)
- Doby v. State, 532 So. 2d 584, 591 (Miss. 1988)
- Ferguson v. Snell, 905 So. 2d 516, 519 (Miss. 2004)
- Thomas v. State, 711 So. 2d 867, 872-73 (Miss. 1998)
- Williams v. State, 991 So. 2d 593, 599 (Miss. 2008)