

COURT OF APPEALS OF MISSISSIPPI

Pierre Thomas, II a/k/a Pierre Thomas, Jr. v. State of Mississippi

Pierre Thomas, II a/k/a Pierre Thomas, Jr. v. State of Mississippi · No. 2024-KA-01400-COA · Decided May 5, 2026

SUMMARY

The Mississippi Court of Appeals affirmed Pierre Thomas's convictions for possession of methamphetamine and cocaine with intent to distribute, as well as his sentences as a nonviolent habitual offender. The court held that the jury's verdicts were not against the overwhelming weight of the evidence, including the evidence identifying Thomas as the driver and linking him to the contraband through constructive possession. A separate opinion concurred in part and dissented in part, concluding that the evidence was insufficient to establish constructive possession.

CASE DETAILS

COURT	Court of Appeals of Mississippi
WRITING FOR THE COURT	Emfinger, J.; Barnes, C.J.; Carlton, P.J.; Wilson, P.J.; Lawrence, J.; McCarty, J.; Weddle, J.; Lassitter St. Pé, J.; McDonald, J.; Westbrooks, J.
JURISDICTION	Mississippi Court of Appeals
DECIDED	May 5, 2026
DOCKET	2024-KA-01400-COA
DISPOSITION	affirmed
PROCEDURAL POSTURE	Thomas appealed his felony convictions and sentences following a jury trial and denial of his motion for a new trial, arguing that the verdicts were against the overwhelming weight of the evidence.
STANDARD OF REVIEW	On a challenge to the weight of the evidence, the appellate court views the evidence in the light most favorable to the verdict and will disturb the verdict only when allowing it to stand would sanction an unconscionable injustice. The appellate court does not reweigh evidence, assess witness credibility, or resolve conflicts in the evidence.
PRECEDENTIAL VALUE	Published precedential opinion of the Court of Appeals of Mississippi
PARTIES	Pierre Thomas, II a/k/a Pierre Thomas, Jr. v. State of Mississippi

TOPICS

criminal procedure

evidence

appellate procedure

standard of review

PRACTICE AREAS

criminal law

criminal procedure

appellate law

evidence

QUESTIONS PRESENTED

1. Whether the jury's determination that Thomas was the person driving and fleeing from the Grand Marquis was against the overwhelming weight of the evidence.
2. Whether the jury's determination that Thomas constructively possessed the controlled substances found in the Grand Marquis was against the overwhelming weight of the evidence.

HOLDINGS

1. The verdict identifying Thomas as the driver of the Grand Marquis and the person who fled the traffic stop was not against the overwhelming weight of the evidence.
2. The verdict finding that Thomas constructively possessed the methamphetamine and cocaine was not against the overwhelming weight of the evidence.

KEY QUOTATIONS

"We do not reweigh evidence. We do not assess the witnesses' credibility. And we do not resolve conflicts between evidence. Those decisions belong solely to the jury." (§9)

"there must be sufficient facts to warrant a finding that [the] defendant was aware of the presence and character of the particular substance and was intentionally and consciously in possession of it." (§15)

"Proximity is usually an essential element, but by itself is not enough in the absence of other incriminating circumstances." (§15)

FACTUAL BACKGROUND

Police Officer Reginald Cain recognized Thomas driving a Grand Marquis and learned through dispatch that Thomas had an active arrest warrant. Thomas did not immediately stop, fled on foot after exiting the vehicle, and was not apprehended that day. Officers later searched the vehicle pursuant to a warrant and found 284.83 grams of methamphetamine, 11.75 grams of cocaine, scales, ammunition, and other suspected narcotics. Although Thomas denied driving the vehicle and denied possessing the drugs, the State presented evidence that he had been using or attempting to purchase the vehicle, had previously driven it, and was its sole occupant when he fled.

PROCEDURAL HISTORY

The Lincoln County Circuit Court jury found Thomas guilty of unlawful possession with intent to distribute 250 to 500 grams of methamphetamine and 10 to 30 grams of cocaine. The circuit court sentenced him as a nonviolent habitual offender to consecutive terms of twenty-five years and fifteen years, with five years

suspended on the cocaine conviction. The trial court denied Thomas's motion for a new trial, and the Mississippi Court of Appeals affirmed the convictions and sentences.

DISPOSITION

affirmed

CASES CITED

- Little v. State, 233 So. 3d 288, 289 (¶1) (Miss. 2017)
- Manyfield v. State, 296 So. 3d 240, 251-52 (¶40) (Miss. Ct. App. 2020)
- Bennett v. State, 757 So. 2d 1074, 1076 (¶6) (Miss. Ct. App. 2000)
- Coleman v. State, 411 So. 3d 137, 145 (¶33) (Miss. 2025)
- Williams v. State, 391 So. 3d 1151, 1158 (Miss. 2024)
- McFadden v. Mississippi State Board of Medical Licensure, 735 So. 2d 145, 152 (Miss. 1999)
- Brown v. State, 995 So. 2d 698, 702 (¶10) (Miss. 2008)
- Nicholson v. State, 523 So. 2d 68, 71 (Miss. 1988)
- Curry v. State, 249 So. 2d 414, 416 (Miss. 1971)
- Gavin v. State, 785 So. 2d 1088, 1093 (¶¶16-17) (Miss. Ct. App. 2001)
- Glidden v. State, 74 So. 3d 342, 344, 346, 349-50 (¶¶5, 13, 23-24) (Miss. 2011)
- Anderson v. State, 427 So. 3d 939, 945 (¶27) (Miss. Ct. App. 2026)
- Moore v. State, 348 So. 3d 322, 327 (¶18) (Miss. 2022)
- Knight v. State, 72 So. 3d 1056, 1063 (¶26) (Miss. 2011)
- Fultz v. State, 573 So. 2d 689, 691 (Miss. 1990)
- Hudson v. State, 362 So. 2d 645, 646-47 (Miss. 1978)
- Bates v. State, 952 So. 2d 320, 326 (¶23) (Miss. Ct. App. 2007)
- Jones v. State, 693 So. 2d 375, 375-77 (Miss. 1997)