IN THE COURT OF APPEALS OF THE STATE OF MISSISSIPPI

LAERTEZ MONSHEA MANYFIELD **APPELLANT**

v. **No. 2018-KA-1412-COA**

STATE OF MISSISSIPPI **APPELLEE**

CORRECTED BRIEF OF THE APPELLEE

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STATEMENT OF THE CASE

This appeal by Laertez M. Manyfield proceeds from the Circuit Court of Hinds County, with the Honorable Jeff Weill, Sr. presiding. Manyfield was indicted for culpable negligence manslaughter and felony leaving the scene of an accident. (CP 8). After a trial beginning on September 5, 2018, the jury found Manyfield guilty of both counts. (CP 145-46, 210; Tr. 646). For culpable negligence manslaughter, the trial court sentenced him to twenty (20) years, with five (5) years suspended, and for felony leaving the scene, twenty (20) years, with five (5) years suspended, with the sentences to run concurrently. (CP 249-50; Tr. 669). The trial court also sentenced him to five (5) years of supervised probation upon his release. *Id.* Manyfield did not file any post-trial motions, but timely filed his notice of appeal. (CP 257-58).

STATEMENT OF FACTS

On May 6, 2016, at 1:52 a.m., 911 dispatch received a call from Ricky Howard about an accident with injuries on I-55, near the Northside Drive exit in Jackson. (Tr. 197, 199, 215; Ex. 1, Ex. 2). Howard stated a white truck was going to the wrong way on Exit 100 and collided with another vehicle. (Tr. 199). Howard was traveling on I-55 South near Exit 100 when he saw a white truck driving up the exit ramp in the wrong direction. (Tr. 214). He swerved out of the way and the truck barely missed him. (Tr. 214). Howard looked in his rearview mirror and saw the truck collide with a vehicle behind him. (Tr. 214, 219). Howard got off at the next exit, looped back onto I-55, and called 911. (Tr. 215). He saw a truck teetering over the edge of the ramp and noticed a man running down the frontage road, headed north. (T. 216). He testified the man was brown-skinned, with a low haircut, and fit. (Tr. 216). Howard testified he did not see the person driving the white truck. (Tr. 218).

Joseph Green was traveling on I-55 North when he noticed in his rearview mirror headlights on the wrong side of the interstate. (Tr. 221). He testified it looked like a vehicle was coming up the exit ramp. (Tr. 236). Green heard a bang and saw smoke, so he pulled over and jumped over the median to try to help. (Tr. 221-25). He saw one truck teetering over the side of the southbound, almost onto the frontage road, and the other truck in the slow lane of the exit. (Tr. 224). He got to the white truck as the driver was trying to climb out of the truck. (Tr. 225). Police investigation later revealed the

driver was Laertez Manyfield. (Tr. 445). Green tried to get Manyfield to sit and wait for help, but he was pushing Green to out of his way. (Tr. 225). (Tr. 225). Green testified that he was "very disoriented" and he did not say anything to Green or even look at him. (Tr. 225). Green saw him walk south on I-55, towards Northside Drive. (Tr. 232).

Green then went to the other truck and could not get the door open, so he climbed in the bed and tried to talk to the driver, later identified as James Freeman. (Tr. 226, 379, 388). Although Green could hear Freeman breathing, he never responded in any way. (Tr. 226). Green stayed until police arrived. (Tr. 323). He testified that he was not able to identify the driver of the white truck. (Tr. 237).

Devonte Jackson testified that on the night of the accident he was at Last Call, a local bar, for Cinco de Mayo and he saw Manyfield there with alcohol. (Tr. 350-51, 353). Jackson testified Manyfield left the bar before him. (Tr. 352). When Jackson left, he passed by a car accident and he recognized one of the trucks as one he knew Manyfield drove. (Tr. 353-53).

Robert Watts, JPD crime scene investigator, arrived at the scene at 8:17 that morning, after the trucks had already been towed from the accident scene. (Tr. 241). He processed the white Chevy truck for evidence and collected the driver's airbag. (Tr. 243, 250). He testified that the only way someone's DNA or blood would be on the airbag is if they were in the truck when the airbag deployed. (Tr. 251, 293-94). And he testified that airbags deploy with impact to the vehicle. (Tr. 252). Watts testified he was unable

to locate any fingerprints on the vehicle. (Tr. 274). He also took six swabs from the truck for DNA, but they were never tested, because testing the airbag was a bigger priority. (Tr. 274, 518, 293).

Accident reconstructionist, Michael Outland, was called that morning to investigate the accident. (Tr. 365). Although the vehicles had already been towed from the scene, Outland had with him witnesses who had seen the location of the trucks. (Tr. 373). Outland noted that the airbag in the white truck had deployed and the keys were still in the ignition. (Tr. 377). The driver was not on the scene when police arrived, but they found books and a book bag belonging to Manyfield in the truck. (Tr. 380, 381, 389). The truck's tag and registration indicated that Timothy and Angela Mayfield owned the truck. (Tr. 383). Outland testified that Laertez Manyfield's father, Timothy, informed him that they had loaned Manyfield the truck because his vehicle was disabled and he was the current driver. (Tr. 391, 393). Timothy Manyfield testified that his son Laertez had access to the truck on the day of the accident, but all of the kids in the house had access to it. (Tr. 343, 345-46).

Photos of Manyfield show he had injuries to his arms, leg and hand. (Ex. 40-43). Outland testified that, based on his experience, the injury to Manyfield's right arm is indicative of an airbag abrasion. (Tr. 399, 441; Ex. 41). He also testified that reasons for someone to leave the scene of the crime include intoxication and suspended drivers licenses. (Tr. 419). Outland pulled Manyfield's driving records, which indicated he had

just recently been convicted of a DUI on November 22, 2015, and his drivers license was suspended at the time of the accident. (Tr. 419-20). Police also located a watch in the driver's side door of the white vehicle. (Tr. 382). Outland testified that Manyfield is wearing a similar watch in pictures on social media. (Tr. 424; Ex. 54-55). Outland testified that, based on his investigation, he concluded that Manyfield was the driver of the white truck and that he was 100% confident in his opinion. (Tr. 445-46). He testified that, through his investigation, he determined Manyfield's white truck was traveling north on I-55 South, in the wrong direction, and collided with Freeman's truck, left front to left front. (Tr. 386, 446).

JPD investigator James Roberts testified that he obtained a search warrant to collect a saliva sample from Manyfield in order to compare his DNA with DNA from the airbag. (Tr. 454, 456). He took the airbag and the sample from Manyfield to Scales Lab for DNA testing. (Tr. 457). Kathryn Rodgers, a forensic DNA analyst from Scales, testified she conducted the DNA testing on the airbag and saliva sample. (Tr. 500). She was able to obtain a full, single-source DNA profile from the airbag. (Tr. 505). She compared it to Manyfield's DNA sample and they matched. (Tr. 506). She testified the frequency of that profile is less than one in 999 trillion in the world population. (Tr. 506, 553).

SUMMARY OF THE ARGUMENT

Manyfield's prior DUI conviction was properly admitted under Rule 404(b). The The purpose for admitting the prior conviction was not to prove Manyfield's character or that he acted in conformity therewith. The purposes for admitting the conviction was to prove knowledge, intent and motive for Manyfield leaving the scene of the accident. These are appropriate under 404(b), thus the trial court did not err in admitting the prior conviction.

Manyfield is procedurally barred from arguing the court abused its discretion in not granting him a continuance. He did not raise the issue as grounds in a motion for new trial, thus he waived the issue on appeal. Notwithstanding the procedural bar, the trial judge did not abuse its discretion in not granting Manyfield a continuance because he had a reasonable opportunity to confront the State's DNA evidence at trial. Last, any error in admitting the evidence was harmless because a fair-minded jury could only conclude that Manyfield was guilty.

Last, the evidence was sufficient to sustain the verdict and the verdict was not against the overwhelming weight of the evidence. There was sufficient circumstantial evidence that Manyfield was the driver of the truck that killed Freeman. Also, there was no reasonable hypothesis of innocence in this case. Accordingly, this Court should affirm Manyfield's conviction and sentence.

ARGUMENT

I. The trial court properly admitted the prior bad acts evidence under Mississippi Rules of Evidence 404(b) and 403.

Manyfield first argues that the trial court erred in admitting evidence of his prior DUI conviction. (Brief p. 7). He argues that the admission of the evidence was extremely prejudicial and that, even if the fact that Manyfield's license was suspended was relevant, there was no justification to tell the jury his license was suspended due to a DUI conviction. (Brief p. 8).

The admissibility of prior bad acts is provided by Mississippi Rule of Evidence 404(b), which states that, "[e]vidence of a crime, wrong, or other act is not admissible to prove a person's character in order to show that on a particular occasion the person acted in accordance with the character." Miss. R. Evid. 404(b)(1). However, "[t]his evidence may be admissible for another purpose, such as proving motive, opportunity, intent, preparation, plan, knowledge, identity, absence of mistake, or lack of accident." Miss. R. Evid. 404(b)(2). Evidence of prior bad acts is also admissible "in order to tell the complete story so as not to confuse the jury." *Simmons v. State*, 813 So.2d 710, 716 (Miss. 2002).

"Where a trial court determines that potentially prejudicial evidence possess sufficient probative value, it is within that court's sound discretion whether or not to admit same, since M.R.E. 403 does not mandate exclusion but rather provides that the evidence *may* be excluded." *Jones v. State*, 904 So.2d 149, 152 (¶7) (Miss. 2005) (citing

Baldwin v. State, 784 So.2d 148, 156 (Miss. 2001)).

Before trial, Manyfield filed a Motion in Limine to prohibit the introduction of prior crimes under Mississippi Rule of Evidence 404. (CP 62-63). The State also filed a notice of intent to use 404(b) evidence, citing its intention to introduce Manyfield's DUI conviction on November 23, 2015, to show his knowledge or intent that he left the scene of the accident because he was still on probation and his license was suspended. (CP 87-90). The trial court stated it would take up the issue when it came up during trial. (Tr. 13). During accident reconstructionist Michael Outland's testimony, the State sought to introduce the evidence. (Tr. 405). The State argued that the evidence was admissible to prove Manyfield's motive for leaving the scene of the accident because he was still on probation. (Tr. 414). After the State proffered his testimony, the trial court found that the prior DUI and current accident was close in time and extremely probative of motivation to leave the scene of the accident. (Tr. 415). The trial court also found that a DUI conviction is not a "major felony of moral turpitude" that would result in an enormous amount of prejudice to Manyfield. (Tr. 415-416). Therefore, the court ruled the evidence was admissible. *Id.*

The trial court properly found that evidence of Manyfield's prior DUI and suspended license was admissible under Rule 404(b). The State did not offer the evidence to show Manyfield's character or that he acted in conformity therewith. The evidence was presented as an integral part of the story to show Manyfield's knowledge,

intent, and motive for leaving the scene of the accident. Manyfield knew his license was suspended and that he was on probation and he knew that if he waited on police after this accident, he would be in serious trouble. His intent was to leave the scene so he would not be caught by police. These are proper purposes for admitting his prior bad acts under Rule 404(b).

The trial court also properly admitted the evidence under Rule 403. After admitting evidence of prior bad acts under Rule 404(b), "the Court must still consider the admission of the evidence in connection with M.R.E. 403." *Simmons*, 813 So.2d at 716 (¶33). Rule 403 provides: "The court may exclude relevant evidence if its probative value is substantially outweighed by a danger of one or more of the following: unfair prejudice, confusing the issues, misleading the jury, undue delay, wasting time, or needlessly presenting cumulative evidence."

Here, the trial court heard a proffer of Outland's testimony outside the presence of the jury and determined that the probative value of the evidence outweighed the prejudicial value. The trial court heard the evidence, arguments from counsel and made properly weighed the evidence according to Rule 403. Thus, the court did not abuse its discretion and the evidence was properly admitted.

II. The trial court did not abuse its discretion in denying Manyfield's request for continuance because Manyfield had a reasonable opportunity to confront the State's evidence.

On May 6, 2016, a crime scene investigator collected evidence from Manyfield's white truck, including the driver's side air bag. (CP; 126-127; Tr. 246, 250). The crime scene report noted the air bag was collected and the report was provided to Manyfield in discovery. (CP 126-127; Tr. 9). On July 31, 2018, the State obtained a search warrant for a saliva sample from Manyfield. (CP 109-110; Tr. 456). The affidavit for the search warrant stated the purpose for the saliva samples was to see if Manyfield's DNA matched any DNA collected from the air bag. (CP 107-108). That same day, Manyfield filed a motion to quash the search warrant and suppress any evidence obtained from it. (CP 105-106). On August 23, 2018, an investigator obtained Manyfield's saliva sample. (Tr. 457, 460). The State then sent Manyfield's saliva samples and the air bag to a private lab for DNA testing. (CP 134-135; Tr. 277, 458, 475). The daManyfield claims he received the lab results that the DNA matched on Friday, August 31, 2018, four days before his trial was set to begin on September 5, 2018, which was right before Labor Day weekend. (Brief p. 10; Tr. 3). However, he acknowledged the prosecutor provided him verbal results of the testing on Wednesday, August 29, 2018, and then emailed the report as soon as she received it on Friday morning. (Tr. 9, 10).

The report indicated that Manyfield DNA matched DNA found on the airbag. (Tr. 507). Manyfield's attorney requested a continuance after receiving the report,

arguing he needed time to find an expert who can "tell us what this [the report] says. And so all I'm asking for is just a delay to be able to find out what this means." (CP 138-139; Tr. 8). The trial court denied his continuance, holding as follows:

> The … State produced a written report Friday morning and apparently e-mailed the results Wednesday evening… [I]t's been several days. It's not like this is a brand-new issue that has come up. The results came in last week, but the issue of DNA has been on the table for quite some time. And there were swabs taken and it's been known that there was a possibility that … the issue of DNA would be out there.
>
> As the State pointed out, the air bag could have been tested by the … defense[.] [T]hey had ample opportunity for that. I would have been glad to sign an order if the State wouldn't turn it over for destructive testing, if necessary… I'll note it's Wednesday morning and … the defense had the report since Friday morning. And I just think it's not appropriate under the circumstances to continue the case for … that reason.

(Tr. 11-12).

On appeal, Manyfield argues that the trial court erred in denying him a continuance because he needed time to consult an expert and to make an adequate investigation and preparation. (Brief p. 10-12). He argues the denial of a continuance prevented him from presenting his theory of the case and denied him due process and a right to a fair trial. (Brief p. 14).

First, this issue is procedurally barred. The Mississippi Supreme Court has held that "the denial of a continuance in the trial court is not reviewable unless the party whose motion for continuance was denied makes a motion for a new trial on this ground." *Walker v. State*, 671 So.2d 581, 592 (Miss. 1995) (quoting *Metcalf v. State*, 629

So.2d 558, 562 (Miss. 1993)); *see also Wimberly v. State* 760 So.2d 800, 803 (¶8) (Miss. Ct. App. 2000) (holding defendant was procedurally barred from raising on appeal an issue with the denial of his motion for continuance where his motion for new trial failed to list the issue as a ground for his motion); *Conner v. State*, 875 So.2d 253, 255 (¶8) (Miss. Ct. App. 2004) (holding defendant procedurally barred for failing to raise an issue with the denial of his continuance in his motion for new trial). The Court has recently reaffirmed this rule. *See Miles v. State*, 249 So.3d 362, 368 (¶30) (Miss. 2018). The record here does not indicate Manyfield filed a motion for new trial. Because he failed to raise this issue in a motion for new trial, as required, he is procedurally barred from raising the issue now on appeal. This issue is not reviewable by this Court.

Next, procedural bar notwithstanding, Manyfield's claim has no merit. "Trial judges have wide latitude in deciding whether to grant continuances, and that decision is left to the sound discretion of the trial judge." *Miles v. State*, 249 So.3d 362, 368 (¶30) (Miss. 2018) (citation omitted). When deciding whether to grant or deny a continuance, "the key inquiry is whether a defendant has been afforded a 'reasonable opportunity' to confront the State's evidence at trial." *Patterson v. State*, 93 So.3d 43, 46 (¶11) (Miss. Ct. App. 2011) (citation omitted). "In considering whether the denial of a continuance was error … 'the question of whether [a] defendant had a reasonable opportunity to prepare to confront the State's evidence at trial depends upon the particular facts and circumstances of each case.'" *Walker*, 671 So.2d at 592 (quoting *Traylor v. State*, 582 So.2d

1003, 1006 (Miss. 1991)). Reversal is not warranted "[u]nless manifest injustice is evident[.]" *Id.* (citation omitted). Importantly, "[t]he burden of showing manifest injustice is not satisfied by conclusory arguments alone; rather, the defendant is required to show concrete facts that demonstrate the particular prejudice to the defense." *Jackson v. State*, 231 So.3d 257, 264 (¶34) (Miss. Ct. App. 2017) (citation omitted). "Even a wrongful denial of continuance … does not mandate reversal absent a showing of injury." *Walker* at 592 (citation omitted).

Here, the trial court's denial of Manyfield's motion for continuance was not an abuse of discretion and no manifest injustice resulted from the denial of the continuance. Manyfield was afforded a reasonable opportunity to prepare to confront the DNA evidence. He knew the air bag was collected as evidence, as well as six other swabs from the truck. It was foreseeable that the State may conduct DNA testing on the air bag or the swabs. Therefore, Manyfield knew there could be DNA testing when he was provided with discovery indicating the evidence collected. Nothing prevented him from lining up a DNA expert early in the case in the event that the State tested the evidence for DNA and the results were not favorable. At a minimum, Manyfield knew DNA would be an issue when the State obtained the search warrant for his saliva and he could have easily secured an expert to help prepare him to confront the DNA test results. If his entire defense relied on the State's inability to prove he was the driver of the truck, he should have been preparing for the DNA results as soon as the State was

sending the air bag for testing. It was within the trial court's discretion to find that Manyfield had ample time to confront the State's evidence.

Manyfield cannot show manifest injustice occurred because his continuance was denied. The State noted at trial that an expert does not retest DNA when reviewing the results; they just review the materials and determine whether the test was performed correctly. (Tr. 9-10). Manyfield could have interviewed the State's DNA expert to investigate and prepare for cross-examination of the evidence and, yet, he did not do so. (Tr. 8). Even so, Manyfield's counsel thoroughly cross-examined the State's DNA expert. Further, he has only made conclusory arguments and he has not presented anything concrete to demonstrate how his defense would have been different had the continuance been granted. Manyfield could have obtained an expert and conducted a sufficient investigation to adequately prove the particular prejudice his defense suffered in a motion for new trial. However, his failure to file a motion for new trial supports the finding that manifest injustice did not actually result from the trial court's denial of his motion for continuance. Because manifest injustice is not evident here, reversal is not warranted.

Last, if this Court finds that the trial court did err in denying Manyfield's motion for continuance, the State submits that the error was harmless. This Court has held that "[t]he test for harmless error is whether it appears 'beyond a reasonable doubt that the error complained of did not contribute to the verdict obtained.'" *Delashmit v. State*, 991

So.2d 1215, 1223 (¶32) (Miss. 2008) (quoting *Thomas v. State*, 711 So.2d 867, 872 (Miss. 1998)). "[A]n error is harmless only when it is apparent on the face of the record that a fair minded jury could have arrived at no verdict other than that of guilty." *White v. State*, 223 So.3d 859, 870 (¶38) (Miss. Ct. App. 2017) (quoting *Young v. State*, 981 So.2d 308, 313 (¶17) (Miss. Ct. App. 2007)). Any error by the trial court in failing to grant Manyfield a continuance was harmless error because it is apparent from the record that a fair-minded jury could only conclude Manyfield was guilty. The evidence shows Manyfield was borrowing the truck from his parents on the date of the accident because his vehicle was disabled. His belongings were found in the truck. Before the wreck, he was seen at a bar drinking alcohol. Evidence that Manyfield was recently convicted of a DUI and his license was suspended at the time of the wreck shows he had a motive to leave the scene of the accident so he would not get caught. The witness description of the driver as brown-skinned, with a low haircut, and fit matches Manyfield's general appearance. And Manyfield had injuries consistent with a car accident and airbag burns. Despite the circumstantial nature of the case, even without the DNA evidence, the record does not support a verdict other than guilty.

III. The evidence was sufficient to support the verdict against Manyfield and the verdict was not against the overwhelming weight of the evidence.

Last, Manyfield argues that the State did not establish beyond a reasonable doubt that he was the driver of the truck at the time of the accident. (Brief p. 14). He asserts that there are no witnesses placing him in the truck at the time of the accident and he claims. *Id.* He also claims it is possible that his DNA on the air bag was transferred from other parts of the truck when collected. *Id.* He argues that, for these reasons, "the evidence was either insufficient as a matter of law or the conviction was against the weight of the evidence." *Id.*

A. Sufficiency of the Evidence

When reviewing a claim that the evidence is insufficient to support a verdict, reversal is appropriate "only if the facts and inferences 'point in favor of the defendant on any element of the offense with sufficient force that reasonable men could not have found beyond a reasonable doubt that the defendant was guilty. *Johnson v. State*, 224 So.3d 66, 68 (¶4) (Miss. 2016) (citation omitted). The evidence is considered in a light most favorable to the State. *Id.* Further, "[t]he State receives the benefit of all favorable inferences that reasonably may be drawn from the evidence." *Id.*

The case against Manyfield was a circumstantial evidence case and our law clearly provides that direct evidence is not necessary to support a conviction. *Underwood v. State*, 708 So.2d 18, 35 (Miss. 1998). In cases where the conviction is based on

circumstantial evidence, the Mississippi Supreme Court has held that "[c]ircumstantial evidence need not exclude every possible doubt, but only every other reasonable hypothesis of innocence." *Stephens v. State*, 911 So.2d 424, 437 (¶43) (Miss. 2005). "Our system of justice allows the jury to make logical and reasonable inferences and presumptions." *Edwards v. State*, 167 So.3d 1286, 1289 (¶22) (Miss. Ct. App. 2014) (quoting *Travis v. State*, 972 So.2d 674, 678 (¶14) (Miss. Ct. App. 2007)). "From these reasonable inferences, even if jurors could have come to different conclusions on each element of the crime, the evidence remains sufficient." *Id.* "Moreover, a mere fanciful or farfetched or unreasonable hypothesis of innocence is not sufficient to require an acquittal." *Travis* at 680-81 (¶26) (citation omitted).

Here, there was sufficient circumstantial evidence that Manyfield was the driver of the truck when it caused the accident that killed James Freeman. Also, there is no reasonable hypothesis of innocence in this case. As argued in Issue II, the evidence shows that, on the date of the accident, Manyfield was borrowing the truck from his parents because his vehicle was disabled. His books and book bag were found in the truck. Before the wreck, testimony shows he was at a bar drinking alcohol. Manyfield was recently convicted of a DUI and his license was suspended at the time of the wreck. Such evidence shows he had a motive to leave the scene of the accident so he would not get caught. The witness description of the driver as brown-skinned, with a low haircut, and fit matches Manyfield's general appearance. And Manyfield had injuries consistent

with a car accident and airbag burns. Most importantly, Manyfield's DNA matched the DNA found on the airbag. Since airbags are sealed until they are deployed upon impact to the vehicle, it is reasonable to conclude Manyfield was the driver of the vehicle. Although he argues that there is a possibility his DNA was transferred to the airbag from other parts of the truck, such a hypothesis is not reasonable.

B. Weight of the Evidence

Manyfield did not preserve his challenge to the weight of the evidence for appeal. *See Allen v. State*, 200 So.3d 1100, 1101 (Miss. Ct. App. 2016) (citations omitted) (holding that in order to preserve a weight-of-the-evidence issue for appeal, a defendant must first raise the claim in a motion for new trial); *see also Kimble v. State*, 270 So.3d 940, 947 (¶29) (Miss. Ct. App. 2018) (holding defendant was procedurally barred from challenging the weight of the evidence on appeal, where he failed to file a motion for a new trial). Manyfield failed to file a motion for new trial; therefore, he is procedurally barred from challenging the weight of the evidence on appeal.

Procedural bar notwithstanding, Manyfield's challenge to the weight of the evidence has no merit. When reviewing a weight-of-the-evidence claim, "this Court must accept as true the evidence which supports the verdict." *Robinson v. State*, 247 So.3d 1212, 1227 (¶31) (Miss. 2018) (citation omitted). This Court should not reverse a conviction and grant a new trial "unless [it is] convinced that the verdict is so contrary to the overwhelming weight of the evidence that to allow it to stand would sanction an

unconscionable injustice." *Boatner v. State*, 754 So.2d 1184, 1191 (Miss. 2000 (citation omitted). A new trial should be granted "only in exceptional circumstances, when the evidence weighs heavily against the jury's verdict." *Johnson*, 224 So.3d at 71 (¶18) (citation omitted). For the reasons stated above, this is not one of those exceptional cases where the verdict against the overwhelming weight of the evidence. The jury was tasked with weighing the evidence and making reasonable inferences. There is nothing in the record to suggest that allowing the jury's verdict to stand would sanction an unconscionable injustice. This issue has no merit.

CONCLUSION

For the foregoing reasons, the State of Mississippi respectfully requests this Honorable Court to affirm Laertez M. Manyfield's conviction and sentence.

Respectfully submitted,
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CERTIFICATE OF SERVICE

I hereby certify that on this day I electronically filed the foregoing pleading or other paper with the Clerk of the Court using the MEC system which sent notification of such filing to the following:

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Further, I hereby certify that I have mailed by United States Postal Service the document to the following non-MEC participants:

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This the 3rd day of September, 2019.

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