

IN THE COURT OF APPEALS OF THE STATE OF
MISSISSIPPI
COPY

Fredrick C. Ellis

Appellant

V
State of Mississippi

NO. 2006-KA-1163-COA
Appellee

FILED

JUN 11 2007

OFFICE OF THE CLERK
SUPREME COURT
COURT OF APPEALS

Supplemental Brief of Appellant

Fredrick C. Ellis
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MISSISSIPPI

Fredrick C. Ellis

Appellant

V.
STATE of Mississippi

NO. 2006-KA-1163-COA
Appellee

Certificate of interested persons

The undersigned Appellant certifies the following persons have an interest in the outcome of this case:

1. Fredrick C. Ellis, Appellant
2. State of Mississippi
3. Honorable Cono Caranna, District Attorney
4. Honorable Jerry O' Terry, Circuit Court Judge

This the 11th day of JUNE 2007,

respectfully submitted.



Fredrick C. Ellis

MDOC#110746 B-49

1420 Industrial PK. Rd

Wiggins, MS, 39577

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Cases:

Crisp V. Town of Hatley (Miss. 2001) 796 So. 2d. 233
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545 N.Y. S. 2d. 985 at 990-992 (Sup. Ct. 1989)
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Polk V. State 612 So. 2d. 381 (Miss. 1992)
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Strickland V. Washington 466 U.S. 668, 686, 104 S. Ct
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Sturdivant V. State 745 So. 2d 240, 243
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Statutes:

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5th Amendment Pages: 5

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Statement of Issues

ON the 16th day of April, 2007, the Appellant submitted an initial Brief of the Appellant to the Court of Appeals of Mississippi, to the office of the Clerk. The Appellant wishes to stand by those issues raised and raise these additional Issues in the Court of Appeals of Mississippi:

1. It is a Sixth Amendment right to due process in which appellant should have access to all court records and proceedings to properly prepare an appeal on the issues in his or her case. I have tried through proper motions to do so, and have been unsuccessful. 6th Amendment U.S. Const. Strickland v. Washington 466 U.S. 668, 686, 104 S. Ct. 2052 80 L Ed. 674 (1984)

2. the testimony of an Expert witness Explaining a scientific analysis and not the analyst who performed the test is a violation of defendant's state and federal constitutional right to confront witnesses Crisp v. Town of Hatley (Miss. 2001) 796 So. 2d 233

Polk v. state 612 So. 2d. 381 (Miss. 1992)
People v. Castro 144 Misc. 2d 956 at 965-67,
545 N.Y. S. 2d. 985 at 990-992 (Sup. Ct 1988)
(4)

Statement of Issues

3. Appellant met with Court appointed Counsel on several occasions, to discuss witnesses to be subpoenaed. It is apparent by Court Appointed Counsel filing a motion for psychological evaluation, and not at the last moment as suggested by Mr. Hinchcliff in his brief. It is apparent by the police report page 12 where Paula Brown the mother of Carolyn Brown stated her family had been through several investigations by DHS based on Rumors. It is apparent by Miranda Ellis statement in the police report page 13 she was called to the office at her school to discuss her sister Carolyn Brown. Miranda Ellis did not solicit the authorities she was solicited by the authorities at her school. It is apparent by Carolyn Brown signed statement August 25, 2002 in which she was taken from her classroom and interrogated by DHS representative Julia Warsick there was an investigation of the Appellant prior to being accused. Court appointed Counsel chose to psychoanalyze Appellant and Not do An investigation of the facts.

Strickland v. Washington 466 U.S. 668, 686, 104 S. Ct. 2052 80 L. Ed. 674 (1984)

5th Amendment, 6th Amendment, And 14th Amendment
U.S. constitution

Statement of Issues

4. The Trial Court found appellant to be indigent prior to Trial and later ruled appellant should hire an independent expert at his own expense to evaluate DNA evidence presented against him by the State, prejudiced the appellant being appellant had no funds to hire such an expert and could not question the DNA findings by the State or confront the State's expert witness testimony.

Sturdivant V. State 745 So. 2d. 240, 243 (Miss 1999)

U.S. V. MEJIA 69 f. 3d. 309 (9th Cir 1995)

Polk V. State 612 So. 2d. 381 (Miss 1992)

Statement of Case

A Statement of the case was given in the initial Brief of the Appellant presented to This Honorable Court, Office of the Clerk on April 16, 2007. Appellant wishes to stand by that statement.

Facts

The facts were presented to the best of the Appellant's knowledge, in the previous Brief of Appellant presented to This Honorable Court, on April 16, 2007, office of the Clerk. Appellant has not seen any record of the Trial Court's Transcript or proceedings, after filing the proper Pro Se motions to do so, and according to Mr. Hincheliff's Brief the Court's record is grossly different from the actual proceedings.

Summary Argument:

reference: April 16, 2007 Appellant Brief

Argument

reference: April 16, 2007 Brief of Appellant

Conclusion

Appellant, prays this Honorable Court reviews the Trial records and all proceedings and investigations and Appellant's April, 16, 2007 Brief and Appellant's supplement Brief.

This Honorable Court will find Constitutionally in favor of Appellant.

CERTIFICATE OF SERVICE

I, Fredrick C. Ellis, Pro Se, do hereby certify that I have this day mailed a postage prepaid, true and correct copy of the above and foregoing Supplemental Brief of Appellant to following:

Honorable Jerry O. Terry
Circuit Court Judge
421 Linda Drive
Biloxi, MS. 39531

Honorable Cono Caranna
District Attorney District 2
Post Office Box 1180
Gulfport, Miss. 39502

Honorable Jim Hood
Attorney General
Post Office Box 220
Jackson, Miss. 39205-0220

This 11th day of JUNE 2007.

Jacki Danzey Larden

(9)


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