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In The Court of Appeals of Mississippi

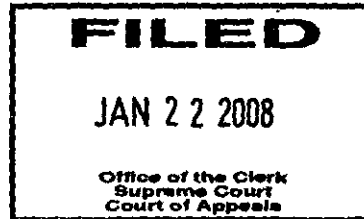
^{CP}
No: 2007-~~TS~~-02029-COA

Appellant

Carl Williams

Vs.


State of Mississippi



Appellee

On Appeal From The Circuit Court of Oktibbeha County, Mississippi

Brief of Appellant


Carl Williams, Pro Se.

Certificate of Interested Persons


The undersigned pro se Appellant certifies that the following listed persons have an interest in the outcome of this case. These representations are made in order that the justices of the Supreme Court and/or the judges of the Court of Appeals may evaluate possible disqualification of recual:

District Attorney
Forrest Allgood
P.O. Box 1044
Columbus, MS 39703-1044

Attorney at Law
Stan Perkins
Columbus, MS 39703

Circuit Judge
James Kitchens
P.O. Box 1387
Columbus, MS 39703-1387

This the 22nd, day of January, 2008.



Carl Williams, #K2731
B.C.R.C.F.
2792 Hwy 8 West
Cleveland, MS 38732

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Statement of the Issues

The Appellant, Carl Williams, seeks relief in regard to a time reduction, and ask all facts in this case be taken into consideration.

1. That Appellant's criminal history is not lengthy.
2. That Appellant has and is making positive changes within his life.
3. Shall notify the attached exhibits A-D of Conduct References.

Statement of the Case

On January 13, 2005, the Appellant, Carl Williams, was indicted in criminal cause 2005-047-CR.

Appellant filed for a reduction of sentence through Post Conviction, which was dismissed on the 18th day of October, 2007.

In the court term of April, 2006, Appellant entered a plea of guilty on a charge of the Sale of Cocaine.

In the court term of April, 2006, the District Attorney retired count #1 to the files to the guilty plea.

October 18, 2007, Appellant filed his Notice of Appeal.

Summary of the Arguments

The Appellant argues he was unfairly treated being his past criminal record was not taken into consideration, being it was not lengthy. That due consideration should have been taken into account for the Appellant.

Argument

That Appellant's attorney, Stan Perkins, was lacking in his Assistance of Counsel under the 6th Amendment of the United States Constitution, and Article 3, Sec. 26, of the Mississippi Constitution. That Appellant's attorney should have pushed the issues of the appellants lack of post criminal history, and all other due considerations before sentencing the Appellant to a lengthy sentence.

Appellant asserts for the court to take into consideration that he has made changes within his life seeking God as the Appellant knows this is his only path of staying away from dealing drugs.

Appellant seeks the authority of this court in reversing his case to the Circuit Clerk of Oktibbeha County.

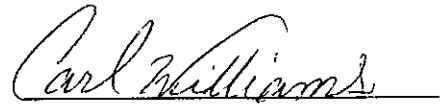
Conclusion

Wherefore, premises considered, the Appellant moves this Honorable Court to reverse this case to the Circuit Court for reconsideration of said sentence.

The Appellant moves this Honorable Court for such other relief as this Honorable Court deems just.

This the 22nd, day of January, 2008.

Respectfully submitted,


Carl Williams, pro se.

Certificate Of Service

This is to certify, that I, Carl Williams, have this day mailed a true and correct copy of the attached and foregoing Appellants Brief, VIA United States Postal Service, post pre-paid, to the following persons below:

Honorable Jim Hood
Attorney General
P.O. Box 220
Jackson, MS 39205

Circuit Court Judge
James Kitchens
P.O. Box 1387
Columbus, MS 39703-1387

District Attorney
Forrest Allgood
P.O. Box 1044
Columbus, MS 39703-1044

Supreme Court Clerk
P.O. Box 249
Jackson, MS 39205-0249

On this 22nd, day of January, 2008.

Respectfully submitted,

Carl Williams

Bolivar County Regional Correctional Facility

January 30, 2008

Re: Carl Williams #K2731

To Whom It May Concern:

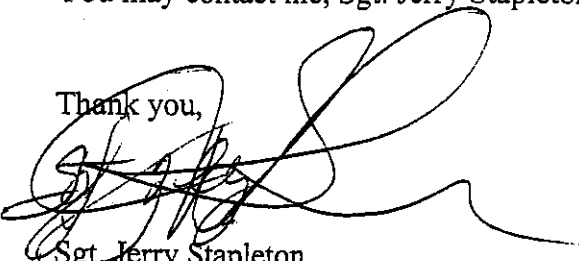
As an officer here at Bolivar County Regional Correctional Facility, I have had many occasions to work with offender, Carl Williams #K2731. I have found Carl Williams, to be a good model inmate.

Since being here at BCRCF, I know that Mr. Williams has participated in many of the Programs that are offer at this facility. Mr. Williams is currently enrolled in the GED program and is also participating in our Basic Construction Program. This program is helping to erect our future women's holding facility that is to be open in the next few months. He has proven to be a hard worker and committed to bettering his life.

It is unusual to meet an offender who is always willing to help others when it needed. Mr. Williams is dependable in all requirements. He is responsible and conducts himself with honor and integrity and who is always willing to help when called upon. He is respectful, follows rules, and procedures, and never caused problems.

You may contact me, Sgt. Jerry Stapleton, at 662-843-7478, if you have any questions.

Thank you,


Sgt. Jerry Stapleton

..... <Exhibit A>

Bolivar County Regional Correctional Facility

January 25, 2008

Re: Carl Williams #K2731

To Whom It May Concern:

As an officer here at Bolivar County Regional Correctional Facility, I have had many occasions to work with offender, Carl Williams #K2731. I have found Carl Williams, to be a good model inmate.

Since being here at BCRCF, I know that Mr. Williams has participated in many of the Programs that are offer at this facility. Mr. Williams is currently enrolled in the GED program and is also participating in our Basic Construction Program. This program is helping to erect our future women's holding facility that is to be open in the next few months. He has proven to be a hard worker and committed to bettering his life.

It is unusual to meet an offender who is always willing to help others when it needed. Mr. Williams is dependable in all requirements. He is responsible and conducts himself with honor and integrity and who is always willing to help when called upon. He is respectful, follows rules, and procedures, and never caused problems.

You may contact me, Lt. Ollie S. Hall, at 662-843-7478, if you have any questions.

Thank you,



Lt. Ollie S. Hall

... [Exhibit B] ...

Bolivar County Regional Correctional Facility
2791 Highway 8 West
Cleveland, Ms

To whom it might concern,

My name is Robert E. Brown; I serve as the Chief of Security at the above facility. I take this time to make mention of Carl E. Williams #K2731, who has been housed here since July 23, 2007. I have counseled Carl several times since his arrival, all on positive traits that he has shown, I will say to his credit.

Carl has been of excellent spirit and character the entire time of his incarceration in this facility.

I ask you to aid this young man in his endeavor at this point in his life. He has accepted responsibility for his erroneous ways and acts that brought him into this system. Any help that you share in this case will not be in vain, he has made a complete turn around in his thought processes.

Sincerely and Hopefully,
Robert E. Brown

A handwritten signature in cursive script, appearing to read "Robert E. Brown", written in black ink.

[Exhibit C]

Bolivar County Regional Correctional Facility

January 25, 2008

Re: Carl Williams #K2731

To Whom It May Concern:

As program director here at Bolivar County Regional Correctional Facility, I have had many occasions to work with offender, Carl Williams #K2731. I have found him to be of good character and a model inmate.

Since being here at BCRCF, Mr. Williams has participated in our Literacy Program and is currently working towards obtaining his GED. He also participates in our Basic Construction Program, helping to erect our future women's holding facility. He has proven himself to be a hard worker and committed to bettering his life.

In regards to his character, it is rare to meet an offender who is dependable, responsible, conducts himself with honor and integrity, and who is always willing to help when called upon. He is respectful, follows rules and procedure, and never has caused problems.

If you have any questions, you may contact me, Sylvester Hogan, at 662-843-7478 Ex..410

Thank you,



Sylvester Hogan, Program Director

.....[Exhibit D].....