

2007-KA-0154-COA Tr

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## **TABLE OF AUTHORITIES**

### **CASES:**

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### **STATUTES**

none

### **OTHER AUTHORITIES**

none

## REPLY ARGUMENT

### ISSUE NO. 1      *Flight Instruction*

Appellant stands on the soundness of the original arguments and authorities under this issue.

### ISSUE NO. 2:      *Weight and Sufficiency of Evidence*

The state did not show that the evidence was reliable nor sufficient to support the verdict in this case.

### ISSUE NO. 3:      *Murder vs. Mans laughter*

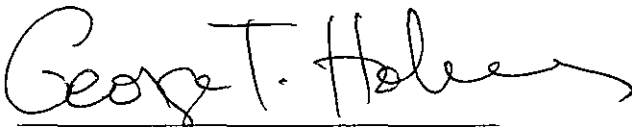
The state mistakenly suggests that the appellant is arguing that a manslaughter instruction should have been given. To the contrary, the arguments under this issue concern the weight or sufficiency of the evidence and that the evidence really only supports a manslaughter conviction, which the Court is respectfully requested to render under the authority of *Clemons v. State*, 473 So. 2d 943, 944 (Miss. 1985), and the other authorities cited. The appellant's argument has nothing to do with a manslaughter jury instruction.

ISSUE NO. 4:      *Ineffective counsel*

The state relies on the presumption of effective counsel, which has been rebutted. Moreover, the state cannot establish that there was any arguable strategy to allow the prosecution to make its case with hearsay evidence and forego Jackson's right to cross-examine his accusers. *Madison v. State*, 932 So.2d 252, 255 (Miss. App. 2006).

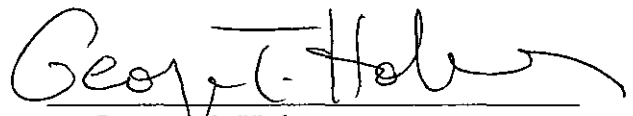
Respectfully submitted,

MISSISSIPPI OFFICE OF INDIGENT APPEALS  
For Jeffrey J. Jackson, Appellant

BY:   
GEORGE T. HOLMES, Staff Attorney

**CERTIFICATE**

I, George T. Holmes, do hereby certify that I have this the 30th day of December, 2008, mailed a true and correct copy of the above and foregoing Reply Brief to Brief Of Appellant to Hon. Kenneth L. Thomas, Circuit Judge, P. O. Box 548, Cleveland MS 38732, and to Hon. Brenda Mitchell, Asst. Dist. Atty., P. O. Box 848, Cleveland MS 38732, and to Hon. Jeffrey A. Klingfuss, Spec. Assistant Attorney General, P. O. Box 220, Jackson MS 39205 all by U. S. Mail, first class postage prepaid. all by U. S. Mail, first class postage prepaid.

  
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