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IN THE SUPREME COURT OF MISSISSIPPI

GILBERT EWING — APPELLANT

V. — NO. 2008-CP-00123-COA

STATE OF MISSISSIPPI — APPELLE

BRIEF OF APPELLANT

GILBERT EWING
MSP# 122848 - UNIT 29-F
PARCHMAN, MS 38738

APPELLANT, PRO SE

IN THE SUPREME COURT OF THE STATE OF MISSISSIPPI

GILBERT EWING — APPELLANT

v. — NO. 2008-CP-00123-COA

STATE OF MISSISSIPPI — APPELLEE

CERTIFICATE OF INTERESTED PERSONS

The undersigned pro Se counsel of record 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 this Court may evaluate possible disqualifications or recusal

1. State of Mississippi
2. Gilbert Ewing

THIS 6th day of January 2009.

Gilbert Ewing

GILBERT EWING
Appellant Pro Se

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STATEMENT OF THE CASE

This appeal proceeds from the Circuit Court of the First Judicial District of Hinds County, Mississippi, and a judgement of conviction for the crime of Armed Robbery against Gilbert Ewing and the resulting 30 year, 10 years suspended, 5 years supervised probation, 20 years sentence to serve following Nolle Proseqi, on burglary with intent to commit armed robbery, a jury's verdict on armed robbery and then a plea bargan conviction to the same armed robbery on August 14, 2006, all of which contains the larceny amount, Honorable Bobby B. Delaughter, Circuit Judge presiding, Gilbert Ewing is presently incarcerated with the Mississippi Department of Corrections.

FACTS

On December 13, 2005, Ewing was Indicted in a five (5) count Indictment, by the First Judicial District of Hinds County. [R. 146 - 145]. Pertinent here are, Count 2: House burglary ..with the intent to commit armed robbery and Count 4; Armed Robbery.

During the trial on the above counts, on June 19, 2006 through June 21, 2006, the jury deliberated on the facts and law presented and rendered its verdict of **GUILTY** as to Count 4,

Attempted Armed Robbery, of the Indictment. [R. 14]. During said jury deliberations, the trial jury submitted certain questions to the Court for clarification of issues lf law relating to Counts 1,2,3,4, and 5 of the indictment, which counts continued to be under jury consideration as to the guilt or innocence of the appellant. [R. 14].

The jury questions submitted caused the State of Mississippi to believe that it is in the best interests of the State of Mississippi to cease further jury deliberations on the guilt or innocence of the Appellant as to Counts 1,2,3, and 5 of the Indictment. [R. 14].

The trial court then Ordered a Nolle Prosequi . . . . . be entered as to Counts 1,2,3 and 5 of the indictment. [R. 15].

Subsequent to a jury verdict of "guilty", but before imposition of sentence thereon, which is conclusive without sentencing a [conviction], the trial court accepted Ewing's guilty plea [R. 157], which is also conclusive and itself a [conviction].

On March 2, 2007, Ewing filed his (PCR) motion in the trial court although inartfully drafted alleging substantially that the robbery indictment Count 4: was fatally defective for failure to describe the personal property (the larceny amount element) [R. 129 - 144].

On May 22, 2007, the trial court dismissed the (PCR) motion with prejudice. On June 4, 2007, Ewing filed Motion for rehearing,

[R. 162 - 166], which was denied. [R. 118]. This appeal followed.

SUMMARY OF THE ARGUMENT

Because appellant's indictment failed to charge the essential elements of armed robbery, the circuit court lacked subject matter jurisdiction over the offense. Appellant's constitutional protection against double jeopardy was violated by . . .the jury's verdict of guilty of armed robbery following the Nolle Prosequi of the burglary with intent to commit armed robbery both of which included the same larceny thats required to constitues robbery and again (same) following the guilty plea conviction where no felony offense was pending nor whether it was befor imposition of sentence thereon. Because the record reflects Ewing, his attorney, the prosecutor, and the trial court all thought that Ewing's indictment charged him with armed robbery. The record evidences that the explanation given to Ewing about the nature of the charge, the possible sentences and other consequences of the plea barganing process all pertained to Armed Robbery, not Attempted Armed Robbery. For this reason Ewing's guilty plea was not voluntary in a constitutional sense, thus he was denied due process requirements.

ARGUMENT

ISSUE NO. I: **WHETHER COUNT 4 OF THE INDICTMENT FAILURE TO CHARGE ARMED ROBBERY AND DESCRIBE THE PROPERTY CAUSED THE CIRCUIT COURT TO LACK SUBJECT MATTER JURISDICTION OF ARMED ROBBERY.**

Appellant argues that due to defects in the charging document, (indictment) the circuit court was without without jurisdiction over the robbery offense. Appellant argues and first

shows that the indictment in this case Count 4; Charged attempted armed robbery and not armed robbery. Since the indictment failed to allege both take or attempt to take. The indictment language only recited " Attempt"to take. The Indictment's heading stated Attemped Armed Robbery. [R. 5]. This court recentlly discussed the "Attempt"language in Armed Robbery cases and determined to the effect that if the attempted crime as well as the completed crime was charged in the indictment then the attempt language may be viewed as surplusage. If only the "Attempt" language is cited in a robbery indictment then that indictment can only be charging an attempted crime and not a completed one. Neal v. State, 936 So. 2d 463 (Miss. App. 2006); Spears v. State, 942 So. 812 (Miss. App. 2005)

Ewing, secondly argues the indictment Count 4: [R. 5] is fatally defective for failure to describe the personal property allegedly attempted to be taken and fail to charge Ewing with the larceny of any amount of money.State v. Snowden, etal., 164 Miss. 613; 145 So. 622; 1933 Miss. LEXIS 253.

Although State v. Snowden, supra, was an appeal challenge by the State, a decision of the Circuit Court of Lauderdale County Mississippi, which sustained defendant's demurrer to an indictment charging them with robbery. Specifically defendants ---had alleged their indictment failed to charge defendants with the larceny of any amount of money. The court concluded that the indictment met this requirement. The indictment charged the larceny of "about six dollars lawful and legal money and tender of

the United States of America of the value unknown to the grand jurors, etc." The court held that this allegation as to the amount was sufficient. However the court went on to state:

> "The basic principle of English and American jurisprudence is that no man shall be deprived of life, liberty or property without due process of law;and notice of the charge or claim against him, not only sufficient to inform him that there is a charge or claim, but so distinct and specific as clearly to advise him what he has to meet, and to give him a fair and reasonable opportunity to prepare his defense, is an indispensable element of that process.

Fontana v. United States, 262 F. 283; State v. Taylor, 56 So. 524.

> The proper way to describe property charged to be stolen in a robbery and to identify the same is shown by a reference to [***3] Bishop on Directions and Forms (1 Ed.), 513 and 514 and see 1 Wharton on Precedents of Indictments, and Pleas. p. 410.

The Snowden, court went on to say:

> This court is definitely committed to the proposition that the gist of robbery is the felonious taking in larceny, and that there can be no robbery without the indictment charging larceny with the degree of certainty required in a larceny indictment.
>
> Jones v. State, 95 Miss. 121, 48 So. 407
>
> an omiission in an indictment for a felony going to the very essence of the offense renders it void and subject to attack at any time.
>
> In the case of Rains v. State, 36 Me. 532, it was held "A charge of larceny is always included in a charge of robbery. The indictment therefore, should contain all the allegations essential in larceny, with the added matter that makes the larceny robbery.
>
> 3 Bishop's New Criminal Procedure, p. 1865.
>
> The indictment should describe the property taken by robbery subsequently the same as in larceny. An information describing the money as "twenty-five

> dollars in money, the [***4] property of John Bond;" without any excuse for not giving a better description, is fatally defective. An indictment describing the property taken as (certain money and one silver watch chain is sufficient.
>
> In quite a number of cases this court is committed to the proposition that unless the property, as well as the owner of same, is clearly described in the indictment for embezzlement, false pretense, larceny and burglary that the indictment is fatally defective, and of course the same would hold true in an indictment for robbery.

State v. Snowden, supra.

Ewing argues both that the indictment was defective for failure to even charge the completed crime (armed robbery) by alleging only an attempted robbery, and also defective as to any kind of robbery for failure of the indictment to specify the property allegedly attempted to be taken and failure to state any larceny amount which is required to constitute any kind of robbery. For these reasons the circuit court was without jurisdiction of the armed robbery or any kind of robbery in this case.

> [HN1] An accused has a constitutional right "to be informed of the nature and cause of the accusation U.S. Const. Amend. VI. This State's Constitution does not expand the right. Miss. Const. art. III, 26. Entering a guilty plea does not waive an Indictment's failure to include an element of a crime, nor does the plea waive subject matter jurisdiction. Conerly v. State, 607 So. 2d 1153, 1156 (Miss. 1992). An indictment charging the essential elements of a crime must be served on a defendant in order for a court to obtain subject matter jurisdiction over the particular offense. Jefferson v. State, 556 So. 2d 1016, 1021 (Miss. 1989).

Neal v. State, 936 So. 2d 463 So. 2d 463 (Miss. App. 2006:

Ewing argues and submits the State should concede that Count

4 of the indictment was not sufficient for the court to have jurisdiction over the offense of armed robbery nor was it sufficient to convey jurisdiction for any kind of robbery.

Because the indictment failed to charge the completed crime Armed Robbery and failed to charge any larceny amount the law dictates that the case be rendered in favor of appellant with instructions to dismiss the indictment. SEE, Holly v. State, 671 So. 2d 32, holding that larceny element is included in the crime of robbery.

ISSUE NO. II. WHETHER APPELLANT'S CONSTITUTIONAL PROTECTION AGAINST DOUBLE JEOPARDY WAS VIOLATED?

Ewing states that he was subjected to double jeopardy by having to respond to Armed Robbery on three ocassions. One in the burglary with intent to commit armed robbery Count 2. [R. 4] which was Nolle Prosequi by the trial court on the State's motion. [R. 14 - 15].

Second in the jury trial where the jury was instructed to find guilt of Armed Robbery. [R. 29], or not guilty as to Count 4. which resulted in the jury's verdict of guilty of attempted armed robbery constituting an implied acquittal of the Armed Robbery. [R . 70].

Thirdly in the guilty plea conviction of armed robbery. [R. 72].

Although this argument was not raised in the proceedings below still this court should address the merits since a substantial right is at issue. See Miss. R. App. P 28(a)(3), Fuselier v. State, 654 So. 2d 519, 522 (Miss. 1995); Wheeler v. State, 826, So. 2d 731 (Miss. 2002).

> [HN9]Article 3, Section 22 of the Mississippi Constitution guarantees that no persn "shall be twice placed in jeopardy for the same offense . . . "In a jury trial, Jeopardy attaches once the jury has been empaneled and sworn.Simmons v. State, 746 So. 2d 302 309 (Miss. 1999)citing Serfass v. United States, 420 U.S. 377 388, 95 S. Ct. 1055, 1063 (1975).

Ewing argues that even though there was only one jury empanled its verdict constitutes an implied acquittal of Armed Robbery while during the same deliberation the trial court Nolle Prosequi Count 2 burglary with intent to commit same armed robbery and

subsequent to a jury verdict "of "guilty" to attempted Armed Robbery, but before imposition of sentence thereon, The court accepted Appellant's guilty plea to Armed Robbery.

To support this proposition Ewing cites - - - Reed v. State 506 So. 2d 277 (Miss. 1987) In reed, the defendant was indicted for armed robbery against three victims. Id at 278. During trial the State failed to produce evidence as to the robbery of one of the individuals in the indictment. Id. Reed moved for a directed verdict and the motion was overruled, but the trial court allowed the State to reopen [**36] its case and delete this individual from the indictment and the jury instructions. Id. at 279 The Mississippi Supreme Court held that even though the judge did not specifically say that he was directing a verdict as to this action, it was tantamount to an acquittal on that charge. Id. at 280.

"The trial judge's characterization of his own action cannot control the classification of this action." Id. (quoting United States v. Scott, 437 U.S. 82, 96 L. Ed 2d 65, 98 [*570] S. Ct. 2187 (1978). "An acquittal on a charge occurs when 'the ruling of the judge, whatever its label, actually represent a resolution, correct or not, of some or all the factual elements of the offense charged."

In the case subjudice, as in Reed, the trial judge determined that the State failed to produce evidence sufficient to allow the question of burglary with intent to commit armed robbery[1] to go to the jury. "That determination represents a resolution of

[1] [R.27]

one of the factual elements of the offense charged," specifically the armed robbery of Chiquita Scott. Id. Under Scott and Reed the decision of the trial judge Nolle Prosequi of Count 2, burglary with intent to commit armed robbery amounted to an implied or constructive directed verdict as to that crime.

Ewing cites in support of his second argument that the jury trial on the Attempted Armed Robbery / armed robbery indictment, that the jury was instructed that it could return a verdict of armed robbery had the opportunity to return a verdict for armed robbery, and its verdict of guilty of "attempted armed robbery was an implied acquittal of any armed robbery charge in the indictment. Davis v. Herring, 800 F. 2d 513 (5th Cir. 1986), for double jeopardy purpose.[3] (Cf. Lowery v. Estelle, 696 F. 2d 333(5th Cir 1983)

Thirdly subsequent to the Nolle Prosequi acquittal and jury verdict acquittal on the robbery indictment, but before imposition of sentence thereon, the trial court accepted appellant's guilty plea to same armed robbery and while no other felony count was pending. These advents he argues violated his Constitutional protection against double jeopardy. Morris v. Reynolds, 264 F.3d. 38 (2nd Cir. 2001).[4] See, Holly v. State, supra.

> The Supreme Court has clearly established, [HN7] that when no greater offense remain "pending" ---at the time a court accepts a defendant's guilty plea to a lesser included offense, and the prosecution has not objected to the defendant's plea, the Double clause bars reinstatement of the greater offense.
>
> [HN8]The Double Jeopardy Clause provides that no person shall "be subjected for the same offense to be twice put in jeopardy of life or limb."U.S. Const. amend V. cl. 2. "it protects against a second prosecution for the same offense after acquittal. It protects against a second prosecution for the same offense after conviction.And it protects against multiple punishments for the

offense." Ohio v. Johnson, 467 U.S. 493, 49881 L. Ed 2d 425 104 S. Ct. 2536 (1984) [**26] (citing Brown v. Ohio 97 S. Ct.2221 (1977) quoting North Carolina v. Pearce, 89 S. Ct. 2072 (1969) (emphase added). The provision "serves principally as a restraint on courts and prosecutors." Brown, 432 U.S. at 165. "/Where successive prosecutions are at stake, the guarantee serves 'a constitutional policy of finality for the defendant's benefit "Id. (quoting - - United States v. Jones, 91 S. Ct. 547 (1971) (plurality opinion)

The Supreme Court has long held that a guilty plea constitutes a conviction. See - - - Kercheval v. United States 47 S. Ct. 582 (1927). In Kercheval, the government [*49] charged defendant with using the mail to defraud. See id. at 221. Defendant plead guilty and the court sentenced him to a term of imprisonment of three years. See id. Upon defendant's motion the court allowed the defendant to withdraw his guilty plea. See id at 221-22. At the trial the court permitted the prosecution, over [*27] defendant's objection, to put in evidence a certified copy of the guilty plea. See id. at 222. On appeal the government argued that a guilty plea is similar to a confession, and therefore should be likewise admitted. See id at 223. The Supreme Court held that a guilty plea differs in purpose and effect from a confession; "it is itself a **conviction.** Like a verdict of a jury it is conclusive. More is not required; The court has nothing to do but give judgement and sentence. Id. at 223. Given that a guilty plea is a conviction, see id., and that the Double Jeopardy Clause "protects against a second prosecution for the same offense after conviction," Johnson, 467 U.S. at 498 (citation and internal quotation marks omitted), the Clause prohibits a second prosecution for the same offense following a guilty plea.

It has long been clearly established by the Supreme Court that [HN9] it is a violation of double jeopardy to prosecute a defendant for a greater offense after convicting and punishing the defendant for a lesser included offense. See Brown, 432 U.S. at 168. In Brown, the defendant pleaded [**28] guilty to joyriding, the crime of operating a vehicle without the owner's consent. 432 U.S. at 162. After he completed his 30 day jail sentence, he was indicted for theft of the same car (however on a different day), a greater offense which under Ohio law includes the misdemenor of joyriding. Id. at 162-63 Applying the Blockburger test the Court determined that "for purposes of barring successive prosecutions" a greater offense is the **same offense** as a **leser** **included**

3
In Lowery v. Estelle, the court held that because there had been no acquittal on the robbery with firearm charge and because the charge

> **offense.** See Id. at 166 (citing Block burger v. United States,52 S. Ct. 180 (1932), In Brown, of course the trial court not only convicted the defendant of the lesser included offense, it also punished him for that offense prior to prosecution for the greater offense. The Court was clear in Brown, and subsequently in Johnson, however, that the double jeopardy bar prohibits not only multiple punishments for the same offense, but also a **second prosecution following conviction, regardless of whether sentencing has taken place.** "Previously we have recognized that the Double Jeopardy Clause prohibits prosecution [**29] of a defendant for a greater offense when he has already been tried and acquitted or convicted on the lesser included offense."Johnson, 467 U.S. at 501 (citing Brown, 432 U.S. 161). We therefore conclude that the Supreme Court has established that, after a court accepts defendant's guilty plea to a lesser included offense, prosecution for the greater offense villates the Double Jeopardy Clause. Thus, a trial court may not sua sponte reinstate a dismissed felony following acceptance of a guilty plea to a lesser offense. Nor may it sua sponte vacate the defendant's plea in order to reinstate the greater offense.

Appellant Ewing like Morris resolved the only charge pending against him at the time his [**31] plea was accepted. He did not attempt to use double jeopardy "as a sword to prevent the State from completing its prosecution on the remaining charges." Johnson, 467 U.S. at 502. (emphasis added). There were no remaining charges. Consequently, similar to the defendant in Morris and Brown, the subsequent prosecution infringed **Ewing's** interest in repose which the Double Jeopardy Clause protects.

Further, although appellant agree that a court has the power to correct its own errors, when the correction of those errors infringes a defendants rights under the Double Jeopardy Clause to finality and repose, the power to correct mistakes must cede ground. The Morris court went on to show that the court in Johnson erred in accepting defendant's guilty plea to the lesser included charges while the greater charges remained pending, and the prosecution objected to the

entry of the plea. However, because the defendant had no interest in finality, since he offered to resolve only part of the charges against him, the Double Jeopardy Clause did not restrain the correction of that error.

In the instant case here **Ewing** as in **Morris and Brown,** appellant had an interest in finality because he had resolved all the charges pending against him. Under the circumstances the Double Jeopardy Clause acts to restrain the trial court from correcting any error.

Thus, this Court must conclude that under **Morris, Kercheval, Brown, and Johnson,** which constitute "clearly established Federal law," the guilty plea prosecution in this case violated appellant's rights under the Double Jeopardy Clause, and is contrary to or an unreasonable application of this clearly established federal law.

Appellant request the conviction be reversed and rendered in his favor.

3 was never considered by a jury, double jeopardy had never attached.

4 In Holly v. State, supra, because the elements of grand larceny were included in the crime of robbery, once convicted of capital murder with armed robbery as the underlying offense, conviction on the grand larceny charge constituted double jeopardy under the particular circumstances of the case. For that reason the court vacated defendant's sentence and conviction for the lesser included offense of grand larceny.

ISSUE NO. III: WHETHER APPELLANT'S GUILTY PLEA TO ARMED ROBBERY IS VALID?

Ewing argues not only was the plea invalid for all the reasons having already discussed in assignment I and II, but also because the guilty plea was not voluntarily, knowingly, and intelligently entered with sufficient awareness of the relevant circumstances.

The indictment Count 4, heading shows the charge as attempted armed robbery. The language charged only an Attempt and not both Attempt or take. [R. 4]. [R. 5].

The pre-post sentence Investigation summary sheet shows the charge as Armed Robbery Att. [R. 104 [

The sentencing Order shows the charge as Armed Robbery.[R. 105].

The prison commitment notice shows the charge as Armed Robbery. [R. 106].

The Probation Order shows the crime as Attempted and Armed Robbery. [R. 107].

The verdict of the jury shows the charge as Attempted Armed Robbery. [R. 70].

The Order of Nolle Prosequi to Counts 1,2,3,5, shows the jury's verdict as to count 4, as being guilty to an Armed Robbery of the indictment. [R. 14].

The jury had been instructed in the burglary Count 2 of the indictment to find guilt of burglary with intent to commit armed Robbery. [R. 27].

The jury instruction No. 12 instructed the jury on Count 4, of the indictment as (1) wilfully, unlawfully, and feloniously took or attempted to take and further instructed they the jury could find guilt of Armed Robbery. [R. 29].

The waiver petition to appeal only waived the non-jurisdictional issues in the jury trial. [R. 75-78-A].

First Ewing argues that the record reflects a fundamental misunderstanding about the identy of the crime charged in the indictment. The record shows that Ewing, his appointed counsel, the trial court and the prosecutor were all under the impression that Appellant Ewing had been indicted for Armed Robbery. Therefore Ewing was never informed of the true nature of the charge against him or of the consequences of pleading guilty to Armed Robbery. See Garner v. State, 944 So. 2d 934 (Miss. App. 2006)

The Mississippi Supreme Court has ruled that [HN2] upon entering a guilty plea, only two matters are .not waived for appeal: (1) failure to charge a necessary element of the crime, and (2) lack of subject matter jurisdiction. Jefferson v. State, 556 So. 2d 1016, 1019 (Miss. 1989). Therefore Appellant argues that his guilty plea is invalid because the trial court lacked jurisdiction of the charge of Armed Robbery as he was indicted by the grand jury of only Attempted Armed Robbery and not The completed crime Armed Robbery.

The appellant requested in the designation of records for the plea bargan transcript. [R. 176]. is missing from the record on appeal here and appellant move the court for its production before this court on appeal.

instruction No. 12 [R. 29], instructed the jury on the completed Crime of Armed Robbery. Ewing argues that this instruction effectively amended the indictment returned by the grand jury. That this error requires reversal. See Spears v. State supra, Neal v. State, supra.

Gilbert Ewing respectfully asks this court to review the facts of this case with the guidance of the authority presented and **Reverse** and **Remand** his conviction for Armed Robbery with instructions to dismiss the indictment.

By changing the indictment from charging an attempted crime to a completed crime, Ewing's defense that he had actually completed the crime was no longer available to him. Clearly, Ewing suffered prejudice from this amendment.[2] Accordingly, this Court must reverse and remand Ewing's conviction.

[2] Ewing would also point out that it was also error in allowing a conviction on an amended indictment where the record was devoid of an Order allowing amendment of the indictment. The trial judge failed to enter an appropriate Order in the record as required by §99-17-15 see Reed v. State supra.

ISSUE NO. IV: WHETHER THE WAIVER OF APPEAL IS UNENFORCEABLE AND VOID.

APPELLANT ARGUES THAT THE PETITION TO waive appeal and corresponding right there to [R. 75-78A] because of a misidenty is invalid and unenforceable. First this issue was not raised in the court below and because it affects a substantial right is being raised on this appeal and the court should reach its merit as this court has done in other cases. See Wheeler v. State supra where the issue affect substantial rights. See Johnson v. Zerbst, 58 S. Ct. 1019 (1938). holding

> "that a waiver cannotes a knowing relinquishment of a known right. Id.

Ewing argues and point out that Count 4 [R. 5] the indictment Attempted Armed Robbery Alleges the victim's name was Chiquita Scott. The petition to waive appeal refer to the elements as

> "Did willfully, unlawfully, and feloniously attempt to take the personal property of Erica Scott ...

[R. 78].

Ewing argues that the two names are in no way spelling can be said to be alike. Therefore the waiver contains a mis-identy which is of substance.* This error makes the waiver invalid as to the indictment. That since the waiver is invalid and unenforceable he raises the following issue from the jury trial.

ISSUE NO. V: WHETHER THE TRIAL COURT IMPERMISSIBLY CONSTRUCTIVELY AMENDED THE GRAND JURY CHARGE IN THE INDICTMENT.

The record in this case shows the indictment only charges an attempted Armed Robbery [R. Id. The jury instruction

* See Reed v. State, supra. In Reed the Court held that channge of name in an indictment was of substance and not of form.

CONCLUSION

Ewing is entitled to have his conviction reversed and rendered, with instruction to dismiss all counts of the indictment.

Respectfully submitted,

Gilbert Ewing

BY: Gilbert Ewing
Gilbert Ewing
Appellant Pro Se

CERTIFICATE

I, Gilbert Ewing, do hereby certify that I have this the 6th day of January, 2009, mailed a true and correct copy of the above and foregoing Brief Of Appellant to Hon. Bobby Burt Delaughter, Hinds Co. Circuit Judge, P. O. Box 327 Jackson Ms 39205, and to Hon. Jim Hood, Attorney General, P. O. Box 220, Jackson, Ms 39205 all by U.S. Mail, first class postage prepaid.

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