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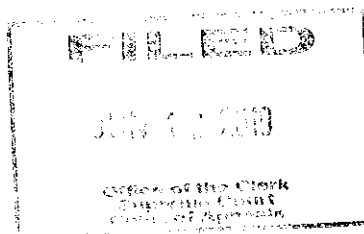
IN THE COURT OF APPEALS OF THE STATE OF MISSISSIPPI

NO. 2009-CP-0524-COA

LARRY EVANS

APPELLANT

VS.



STATE OF MISSISSIPPI

APPELLEE

REPLY BRIEF FOR APPELLANT

BY: Larry Evans
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not properly indicted as a habitual offender. This court should vacate and set aside the sentence on the basis that the claims presented by the brief support relief from the sentence.

CONCLUSION

Evans would respectfully ask this Court to reject the state's argument and find that Appellant suffered a violation of his constitutional rights under the 14th Amendment where the Court imposed an enhanced sentence without there being a proper indictment to pass constitutional muster on the question of habitual. This case should be reversed and remanded.

Respectfully submitted,

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CERTIFICATE OF SERVICE

This is to certify that I, Larry Evans, Appellant pro se, have this date delivered a true and correct copy of the above and foregoing Appellant's Reply Brief, to:

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

This, the 16 th day of June, 2010.

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