

IN THE COURT OF APPEALS OF THE STATE OF MISSISSIPPI

NO. 2025-KA-00454-COA

SEDRIC D. ELZIE A/K/A SEDRIC ELZIE

APPELLANT

v.

STATE OF MISSISSIPPI

APPELLEE

DATE OF JUDGMENT:	03/31/2025
TRIAL JUDGE:	HON. DAVID H. STRONG JR.
COURT FROM WHICH APPEALED:	PIKE COUNTY CIRCUIT COURT
ATTORNEYS FOR APPELLANT:	OFFICE OF STATE PUBLIC DEFENDER BY: JOSEPH SCOTT HEMLEBEN JUSTIN TAYLOR COOK
ATTORNEY FOR APPELLEE:	OFFICE OF THE ATTORNEY GENERAL BY: JULIANNE KAY BAILEY
DISTRICT ATTORNEY:	WILLIAM BRENDON ADAMS
NATURE OF THE CASE:	CRIMINAL - FELONY
DISPOSITION:	AFFIRMED - 10/13/2026
MOTION FOR REHEARING FILED:	

BEFORE WILSON, P.J., LAWRENCE AND WEDDLE, JJ.

WEDDLE, J., FOR THE COURT:

¶1. Following the shooting death of Deshauntrall Cole, a Pike County grand jury indicted Sedric Elzie on one count of first-degree murder and one count of possession of a firearm by a felon. During a pretrial hearing, Elzie’s attorney informed the Pike County Circuit Court that Elzie refused to communicate with him about the case. The circuit court granted the request by Elzie’s attorney to have Elzie’s mental competency to stand trial assessed. After two failed attempts to transport Elzie to his psychological evaluation, the circuit court ordered a third attempt to be scheduled. Elzie refused to leave the transport van for his

evaluation or to cooperate with the psychiatrist who sought to interview him. Despite Elzie's refusal to cooperate, the psychiatrist opined to a reasonable degree of medical or psychiatric certainty that Elzie was competent to stand trial.

¶2. Based on the psychiatrist's report and Elzie's failure to submit any contradictory evidence, the circuit court found Elzie was competent to stand trial. At the close of Elzie's trial, a Pike County Circuit Court jury convicted him of both indicted counts. The circuit court sentenced Elzie to life imprisonment for his first-degree-murder conviction and to a consecutive term of ten years for his conviction of possession of a firearm by a felon. The circuit court ordered both sentences to be served in the custody of the Mississippi Department of Corrections (MDOC).

¶3. In his single issue on appeal, Elzie argues that the circuit court erred by finding him mentally competent to stand trial. The record reflects that Elzie refused to cooperate with the psychological evaluations ordered by the circuit court and then failed to rebut the State's evidence and the presumption of his competency. For these reasons, we find no reversible error in the circuit court's determination regarding Elzie's competency to stand trial. We therefore affirm Elzie's convictions and sentences.

FACTS

¶4. Lasheita Houchens went to the Sunshine Apartments in Magnolia, Mississippi, to visit her mother, Sheila Collins. Collins lived at the apartment complex and worked as the manager. That evening, the women heard loud music coming from a vehicle in the parking lot. As the women approached the vehicle, Deshauntrall Cole exited, and he and Houchens

recognized one another. Houchens and Collins remained outside to chat with Cole, who explained that he was at the apartment complex to install a television for one of the residents. Realizing that his vehicle lights were still on and shining directly into someone's residence, Cole walked back over to his vehicle to turn off the lights. While Cole was turning off the vehicle's lights, Houchens saw Sedric Elzie approach and shoot Cole. According to Houchens, Elzie fired his weapon about four times. Elzie then pocketed his weapon and entered one of the nearby apartments.

¶5. Houchens called 911, and police officers arrived at the scene. Although officers tried numerous times to contact Elzie by telephone and over a public address system, Elzie did not respond or exit the apartment he had entered. The officers eventually deployed chemical munitions into the apartment. After the officers fired a second round of chemical munitions into the apartment, Elzie finally exited. The officers arrested Elzie and began processing the crime scene. The officers later discovered a revolver nestled in the roots of an oak tree behind Elzie's apartment. The revolver had five spent shell casings inside its cylinder. Upon being questioned by police, Elzie denied any involvement with Cole's shooting.

¶6. A grand jury indicted Elzie on one count of first-degree murder and one count of possession of a firearm by a felon. At his arraignment, Elzie pled not guilty to both indicted charges. During a pretrial hearing, Elzie's attorney informed the circuit court that he had attempted to speak to Elzie about the case on four or five separate occasions. Based on Elzie's continued refusal to communicate with him about the case, the attorney moved for a psychological evaluation to determine Elzie's mental competency to stand trial. The State

did not object to the defense's request, and the circuit court ordered the evaluation to be conducted.

¶7. At a subsequent hearing, the circuit judge inquired about Elzie's evaluation. Elzie's attorney explained that an appointment date with a psychiatrist had been scheduled but had not been kept. In response, the circuit judge explained to Elzie that the examination was for his (Elzie's) benefit and that he would be required to go to the appointment. After reiterating that the evaluation was for Elzie's benefit, the circuit judge asked if Elzie understood. Elzie nodded affirmatively at two separate points during the exchange to indicate his understanding of the circuit judge's statements.

¶8. About two months later, the circuit judge held another hearing in which he discussed the written report prepared by Dr. Mark Webb, the psychiatrist who interviewed and evaluated Elzie. Dr. Webb's report stated that Elzie refused to exit the transport van and to participate in the interview. As a result, Dr. Webb went outside to the transport van to see Elzie. Dr. Webb's report indicated that Elzie did not appear agitated and instead was calm, alert, and coherent. Despite his alertness and coherence, Elzie made it clear that he did not wish to participate in the interview. Dr. Webb made Elzie "completely aware of the purpose and ramifications of [their] interview, and [Elzie] consent[ed] to both." Dr. Webb attempted to question Elzie, but Elzie "refused to divulge any significant information." Although Dr. Webb characterized Elzie as both "stubborn and recalcitrant[,]" Dr. Webb did not find that Elzie suffered "with any significant mental illness." Based on his brief interaction with and examination of Elzie, Dr. Webb concluded there was "no mental disease, injury, or

congenital defect [that] would render [Elzie] unable to aid or assist his attorney at the trial” with the pending indicted charges. As a result, Dr. Webb opined “to a reasonable degree of medical or psychiatric certainty” that Elzie was indeed competent to stand trial.

¶9. After reviewing Dr. Webb’s findings and conclusions, the circuit judge asked if the defense had any additional testimony or evidence that it wished to present regarding the issue of Elzie’s mental competency. Elzie’s attorney again stated for the record that during his previous visits with his client, Elzie had offered no assistance toward his own defense. The circuit judge noted that Dr. Webb had deemed Elzie competent to stand trial and that Dr. Webb’s report was the only evidence before him regarding Elzie’s mental competency. The circuit court therefore found Elzie mentally competent to stand trial.

¶10. At the close of Elzie’s subsequent trial, the jury found him guilty of one count of first-degree murder and one count of possession of a firearm by a felon. The circuit court sentenced Elzie to life imprisonment for first-degree murder and to a consecutive term of ten years for possession of a firearm by a felon, with both sentences to be served in MDOC’s custody. Elzie moved unsuccessfully for judgment notwithstanding the verdict or, alternatively, a new trial. Aggrieved, Elzie appeals.

DISCUSSION

¶11. On appeal, Elzie argues that the circuit court erred by finding him competent to stand trial. More specifically, Elzie contends that the circuit court’s determination “rested solely” on Dr. Webb’s “conclusory” report and was made without providing “a meaningful, evidence-based determination of competency.” As a result, Elzie requests that this Court

reverse his convictions and sentences.

¶12. “[A] competency determination ‘is a legal inquiry, not a medical inquiry.’” *Mount v. State*, 412 So. 3d 538, 551 (¶39) (Miss. Ct. App. 2025) (quoting *McManus v. Neal*, 779 F.3d 634, 658 (7th Cir. 2015)). “A mental illness, defect, or disability alone is not grounds for finding a defendant incompetent to stand trial.” *Id.* (quoting MRCrP 12.1). Rather, “[a] defendant is competent to stand trial if he has ‘the ability to perceive and understand the nature of the proceedings, to communicate rationally with his attorney about the case, to recall relevant facts, and to testify in his own defense, if appropriate.’” *Id.* (quoting MRCrP 12.1). Relevant to the present appeal, “[t]here is a presumption that a criminal defendant is competent, and ‘the burden of proof rests on the defendant to prove that he is mentally incompetent to stand trial.’” *Id.* (quoting *Evans v. State*, 226 So. 3d 1, 14 (¶22) (Miss. 2017)). “This Court will reverse a trial court’s competency determination only if it is manifestly against the overwhelming weight of the evidence.” *Id.* at 551-52 (¶39) (quoting *Sandoval v. State*, 315 So. 3d 469, 474 (¶17) (Miss. 2021)).

¶13. In addressing Elzie’s arguments on appeal, we find the Mississippi Supreme Court’s decision in *Hutto v. State*, 227 So. 3d 963 (Miss. 2017), to be instructive. The supreme court rejected Hutto’s arguments that the trial court manifestly erred by (1) relying on a doctor’s report and (2) finding Hutto competent to stand trial. *Id.* at 974-75 (¶¶24-26). The doctor who evaluated Hutto reported that he was unable to “form an opinion to a reasonable degree of psychological certainty regarding Hutto’s competence because Hutto failed to cooperate.” *Id.* at 974 (¶26). The doctor did find, however, that Hutto had no “deficits in his

competence-related abilities.” *Id.* at 973 (¶20). The doctor noted that despite Hutto’s refusal to answer questions, Hutto “demonstrated no deficits in his ability to interact with staff” or “in his awareness of his situation, his thought process, or his ability to understand a wide range of pertinent issues[.]” *Id.* As a result, the doctor concluded that “there appear[ed] to be good evidence that [Hutto] ha[d] the functional abilities associated with competence” *Id.* Thus, despite the doctor’s non-finding as to Hutto’s overall competency, the trial court still relied on the report in determining that Hutto was mentally competent to stand trial. *Id.* at 974 (¶22).

¶14. The supreme court noted that during the competency hearing, the defense did not cross-examine the doctor about his report or call other medical professionals to discredit the doctor’s observations. *Id.* at 975 (¶26). Rather, Hutto failed to present any evidence at all to suggest to the trial court that he was incompetent to stand trial. *Id.* The supreme court also noted “that the trial judge held numerous pretrial hearings at which he could observe Hutto personally” *Id.* at 974 (¶24). Although the record reflected that Hutto failed to cooperate with his attorney, the supreme court emphasized that Hutto also “fail[ed] to point to instances in the record showing that he *lacked the ability to* consult with his attorneys or *lacked an understanding* of the proceedings against him.” *Id.* at (¶25). As a result, the supreme court found no manifest error in the trial court’s reliance on the doctor’s report or in the trial court’s overall determination that Hutto was competent to stand trial. *Id.* at 975 (¶26).

¶15. During Elzie’s competency hearing, the State presented Dr. Webb’s report containing

the psychiatrist's uncontradicted findings and opinions about Elzie's competency to stand trial. Based on his observations of and interaction with Elzie, Dr. Webb opined "to a reasonable degree of medical or psychiatric certainty" that Elzie was mentally competent to stand trial. As in *Hutto*, when the circuit judge gave the defense an opportunity to rebut Dr. Webb's findings, Elzie offered no evidence or testimony to do so or to otherwise prove his mental incompetency.

¶16. Also similarly to *Hutto*, the record here supports the State's assertion that any deficiencies in Dr. Webb's report about which Elzie now complains "are directly attributable to Elzie's refusal to cooperate." The record reflects that Elzie's interview with Dr. Webb occurred on the third attempt to arrange the meeting. As Elzie's attorney explained to the circuit judge during one of the pretrial hearings, two prior attempts—both unsuccessful—had been made to conduct the evaluation. On the third and final attempt, although Elzie was calm, alert, and coherent, he refused to leave the transport van or to "divulge any significant information" in response to Dr. Webb's questions.

¶17. As in *Hutto*, we conclude that a review of the record reveals no evidence or testimony demonstrating that Elzie was unable to assist with his defense. Instead, the on-the-record statements by Elzie's attorney and the findings contained in Dr. Webb's report indicate that Elzie simply refused to meaningfully aid in his defense. As the supreme court has repeatedly emphasized, "competency is the *ability* to rationally communicate with one's attorney about the case." *Robinson v. State*, 301 So. 3d 577, 582 (¶26) (Miss. 2020); *see also Hutto*, 227 So. 3d at 974 (¶¶23, 25). Despite Elzie's uncooperative behavior when interacting with both

his attorney and Dr. Webb, the record provides no indication that he truly “was *unable* to assist in [his] defense.” *Robinson*, 301 So. 3d at 582 (¶26); *see also Hutto*, 227 So. 3d at 974 (¶¶25). And as the circuit judge noted during the competency hearing, no one could force Elzie to speak with his attorney.

¶18. Over the course of several pretrial hearings, including the competency hearing itself, the circuit judge observed firsthand Elzie’s “demeanor and behavior” and “had the benefit of speaking with [Elzie] directly and observing [him] in person” *Robinson*, 301 So. 3d at 582 (¶27). As a result, the circuit judge’s “conclusions about [Elzie’s] competency should not be lightly disturbed.” *Id.*

¶19. Given the circuit judge’s own observations of and interactions with Elzie, as well as Dr. Webb’s unrefuted opinion that Elzie was competent to stand trial, we cannot conclude that the circuit judge’s determination was “manifestly against the overwhelming weight of the evidence.” *Mount*, 412 So. 3d at 551-52 (¶39) (quoting *Sandoval*, 315 So. 3d at 474 (¶17)). As repeatedly discussed, Elzie bore the burden of rebutting the presumption that he was competent to stand trial. *Id.* at 551 (¶39). Upon review, we conclude that he failed to satisfy his evidentiary burden. Accordingly, we find no reversible error as to this issue.

CONCLUSION

¶20. Because we find no reversible error in the circuit court’s determination that Elzie was mentally competent to stand trial, we affirm Elzie’s convictions and sentences.

¶21. **AFFIRMED.**

BARNES, C.J., CARLTON AND WILSON, P.JJ., McDONALD, LAWRENCE, McCARTY, EMFINGER AND LASSITTER ST. PÉ, JJ., CONCUR. WESTBROOKS,

J., DISSENTS WITHOUT SEPARATE WRITTEN OPINION.