

IN THE COURT OF APPEALS 12/29/95
OF THE
STATE OF MISSISSIPPI
NO. 94-KA-00962 COA

FRED NORRIS

APPELLANT

v.

STATE OF MISSISSIPPI

APPELLEE

PER CURIAM AFFIRMANCE MEMORANDUM OPINION

THIS OPINION IS NOT DESIGNATED FOR PUBLICATION AND
MAY NOT BE CITED, PURSUANT TO M.R.A.P. 35-B

TRIAL JUDGE: HON. JOHN LESLIE HATCHER

COURT FROM WHICH APPEALED: COAHOMA COUNTY CIRCUIT COURT

ATTORNEY FOR APPELLANT:

CHARLES E. WEBSTER

ATTORNEYS FOR APPELLEE:

OFFICE OF THE ATTORNEY GENERAL

BY: WAYNE SNUGGS AND

TRACEY L. TUCKER

DISTRICT ATTORNEY: LAURENCE Y. MELLEN

NATURE OF THE CASE: CRIMINAL; SALE OF A CONTROLLED SUBSTANCE

TRIAL COURT DISPOSITION: FOUND GUILTY; SENTENCED TO SERVE A TERM OF TWENTY YEARS IN THE MDOC AND PAY A FINE OF \$1,000.00 AND A CRIME LAB FEE OF \$125.00.

BEFORE THOMAS, P.J., BARBER, AND DIAZ, JJ.

PER CURIAM:

Fred Norris was indicted and convicted for the sale of a controlled substance, namely crack cocaine. The Honorable John Leslie Hatcher of the Coahoma County Circuit Court sentenced Norris to a term of twenty years in the custody of the Mississippi Department of Corrections and ordered him to pay a \$1,000.00 fine and a \$125.00 crime lab fee. On appeal to this Court, Norris argues that the weight of the evidence is insufficient to support the jury's determination of his guilt. This Court disagrees with Norris and affirms his conviction and sentence.

At trial, Rolena Jennings testified that she purchased a substance, which was identified at trial as crack cocaine, from Norris on August 2, 1993. Fernando Harris, an investigator with the Clarksdale Police Department, testified that he and Officer Dale Jones provided surveillance of the alleged drug transaction between Jennings and Norris. In an effort to impeach Harris's credibility, Norris inquired during cross-examination of Harris of prior "run-ins" with the defendant. Officer Jones corroborated the testimony of Jennings and Harris that the defendant, Norris, did sell a controlled substance to Jennings on the day in question. Norris then attempted to impeach Jones's credibility in the same manner as with Harris. Norris testified that he did not sell crack cocaine to Ms. Jennings.

The jury heard all of the testimony presented at trial; it is the duty of the jury to evaluate the testimony of witnesses and resolve conflicts. *See Groseclose v. State*, 440 So. 2d 297, 300 (Miss. 1983). The jury found Norris guilty for the sale of a controlled substance. After reviewing the record, this Court finds that the weight of the evidence clearly supports the jury's determination of guilt. Therefore, we affirm Norris's conviction and sentence.

THE JUDGMENT OF THE COAHOMA COUNTY CIRCUIT COURT FOR SALE OF A CONTROLLED SUBSTANCE AND THE SENTENCE TO SERVE A TERM OF TWENTY YEARS IN THE CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS AND ORDER TO PAY A \$1,000.00 FINE AND A CRIME LAB FEE IS AFFIRMED. ALL COSTS ARE TAXED TO COAHOMA COUNTY.

FRAISER, C.J., BRIDGES AND THOMAS, P.JJ., BARBER, COLEMAN, DIAZ, KING, McMILLIN, PAYNE, AND SOUTHWICK, JJ., CONCUR.