

**IN THE COURT OF APPEALS  
OF THE  
STATE OF MISSISSIPPI  
NO. 95-KA-00832 COA**

**JULIUS RIDDLE A/K/A JULIUS ANDREW RIDDLE**

**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

DATE OF JUDGMENT:	07/18/95
TRIAL JUDGE:	HON. MARCUS D. GORDON
COURT FROM WHICH APPEALED:	NESHOBA COUNTY CIRCUIT COURT
ATTORNEY FOR APPELLANT:	EDWARD A. WILLIAMSON
ATTORNEY FOR APPELLEE:	OFFICE OF THE ATTORNEY GENERAL BY: BILLY L. GORE
DISTRICT ATTORNEY:	KEN TURNER
NATURE OF THE CASE:	CRIMINAL - FELONY
TRIAL COURT DISPOSITION:	SALE OF COCAINE: SENTENCED TO SERVE A TERM OF 15 YRS IN THE CUSTODY OF THE MDOC & PAY A FINE OF \$10,000.00
DISPOSITION:	AFFIRMED - 11/4/97
MOTION FOR REHEARING FILED:	
CERTIORARI FILED:	
MANDATE ISSUED:	2/23/98

BEFORE THOMAS, P.J., HERRING, AND HINKEBEIN, JJ.

PER CURIAM:

Julius Riddle was convicted of sale of crack cocaine and sentenced to a term of fifteen years in the custody of the Mississippi Department of Corrections and a fine of \$10,000. He appeals his

conviction and sentence, arguing that the trial court abused its discretion in denying his motion for JNOV or alternatively, for a new trial.

On the morning of May 21, 1994, three undercover agents and a confidential informant began an

undercover operation in an attempt to buy narcotics in Neshoba County. Stanley Walsh, one of the agents, accompanied by the informant, went to Carver Avenue, known as "The Hill" in Philadelphia. Walsh was equipped with a body transmitter which allowed the two surveillance agents to listen to any conversation.

Walsh stopped his automobile near a black Mercedes with the personalized license plate "JUJU," which was registered to Riddle. Walsh identified Riddle as the lone passenger in the Mercedes. A man who identified himself as Dexter Young approached the agents and after some conversation Young went to the passenger side of the Mercedes where Walsh "observed Julius Riddle raise his hand, reaching out to Dexter Young." Young then brought a rock of crack cocaine to Walsh who gave him \$175, whereupon Young went back to Riddle and spoke with him. Walsh did not see Young give the money to Riddle.

Riddle did not testify and offered no witnesses in opposition to the officers' testimony identifying him as the source of the crack cocaine purchased.

Riddle's post trial motions challenged both the legal sufficiency and weight of the evidence. In reviewing the legal sufficiency of the evidence, our authority to disturb the jury's verdict is quite limited. *Clayton v. State*, 652 So. 2d 720, 724 (Miss. 1995). We consider the evidence in the light most consistent with the verdict. *Id.* The prosecution must be given the benefit of "all favorable inferences that may reasonably be drawn from the evidence." *Id.* We may not reverse unless one or more of the elements of the offense charged is such that reasonable and fair minded jurors could only find the accused not guilty. *McClain v. State*, 625 So. 2d 774, 778 (Miss. 1993).

In determining whether a jury verdict is against the overwhelming weight of the evidence, the trial court is required to view all of the evidence in the light most favorable to the verdict. *Strong v. State*, 600 So. 2d 199, 204 (Miss. 1992). As to matters upon which the evidence was in conflict, the court should assume that the jury resolved the conflict in a manner consistent with the verdict. *Gossett v. State*, 660 So. 2d 1285, 1294 (Miss. 1995). The court must grant a new trial if it reaches the conclusion, based upon a review of the evidence in this light, that to sustain the verdict would work a manifest injustice. *Burrell v. State*, 613 So. 2d 1186, 1191 (Miss. 1993). Otherwise, the court should deny the motion.

There was ample evidence that Riddle and Dexter Young acted in concert to sell cocaine with Young acting as the go-between. Because we find that the evidence supported the verdict, we affirm.

**THE JUDGMENT OF THE CIRCUIT COURT OF NESHOBA COUNTY OF CONVICTION OF SALE OF COCAINE AND SENTENCE OF FIFTEEN YEARS IN THE CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS AND FINE OF \$10,000 IS AFFIRMED. ALL COSTS OF APPEAL ARE ASSESSED TO NESHOBA COUNTY.**

**BRIDGES, C.J., McMILLIN AND THOMAS, P.JJ., COLEMAN, DIAZ, HERRING, HINKEBEIN, KING, PAYNE, AND SOUTHWICK, JJ., CONCUR.**