

Supreme Court of Mississippi
Court of Appeals of the State of Mississippi
Office of the Clerk

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September 22, 2022

This is to advise you that the Mississippi Supreme Court rendered the following decision on the 22nd day of September, 2022.

Supreme Court Case # 2021-KA-00873-SCT
Trial Court Case # 2017-0011

Cortez Watts v. State of Mississippi

Current Location:
MDOC #L7210
P.O. Box 1889
Woodville, MS 39669

Affirmed. Tunica County taxed with costs of appeal.

* NOTICE TO CHANCERY/CIRCUIT/COUNTY COURT CLERKS *

If an original of any exhibit other than photos was sent to the Supreme Court Clerk and should now be returned to you, please advise this office in writing immediately.

Please note: Pursuant to MRAP 45(c), amended effective July, 1, 2010, copies of opinions will not be mailed. Any opinion rendered may be found by visiting the Court's website at: <https://courts.ms.gov>, and selecting the appropriate date the opinion was rendered under the category "Decisions."

(Appendix B)

**Supreme Court of Mississippi
Court of Appeals of the State of Mississippi
*Office of the Clerk***

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November 17, 2022

This is to advise you that the Mississippi Supreme Court rendered the following decision on the 17th day of November, 2022.

Supreme Court Case # 2021-KA-00873-SCT
Trial Court Case # 2017-0011

Cortez Watts v. State of Mississippi

Current Location:
MDOC #L7210
P.O. Box 1889
Woodville, MS 39669

The motion for rehearing filed by the appellant is denied.

*** NOTICE TO CHANCERY/CIRCUIT/COUNTY COURT CLERKS ***

If an original of any exhibit other than photos was sent to the Supreme Court Clerk and should now be returned to you, please advise this office in writing immediately.

Please note: Pursuant to MRAP 45(c), amended effective July, 1, 2010, copies of opinions will not be mailed. Any opinion rendered may be found by visiting the Court's website at: <https://courts.ms.gov>, and selecting the appropriate date the opinion was rendered under the category "Decisions."

(Appendix A)

IN THE CIRCUIT COURT OF TUNICA COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

PLAINTIFF

VERSUS

NO. 2017-0011

CORTEZ WATTS

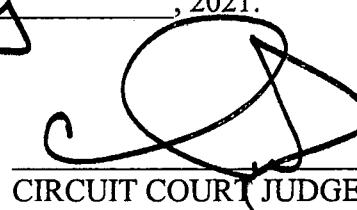
DEFENDANT

**ORDER OVERRULING MOTION FOR JUDGMENT NOTWITHSTANDING
THE JURY VERDICT OR ALTERNATIVELY MOTION FOR A NEW TRIAL**

THIS CAUSE came on this day to be heard on the Defendant's Motion for Judgment Notwithstanding the Jury Verdict or Alternatively Motion for a New Trial, and upon the Court's hearing the evidence presented and argument of counsel, the Court finds that the Motion is not well taken, it is hereby,

ORDERED, that the Defendant's Motion for Judgment Notwithstanding the Jury Verdict or Alternatively Motion for a New Trial is overruled. The Court will file its own Order stating its reasoning.

ORDERED this, the 22 day July, 2021.



CIRCUIT COURT JUDGE

FILED

JUL 22 2021

TUNICA COUNTY, MISS.
SHARON G. REYNOLDS, CIRCUIT CLERK
BY 

(Appendix 4)

IN THE CIRCUIT COURT OF TUNICA COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

PLAINTIFF

VERSUS

NO. 2017-0011

CORTEZ WATTS

DEFENDANT

**AFFIDAVIT TO ACCOMPANY MOTION FOR
LEAVE TO APPEAL IN FORMA PAUPERIS**

I, CORTEZ WATTS, being first duly sworn, depose and say that I am the Defendant in this case; that, in support of my motion to proceed on appeal without being required to prepay fees and costs, I state that because of my poverty I am unable to pay the fees and costs of this proceeding and that I believe I am entitled to redress.

I further swear that the responses which I have made to the question and instructions below relating to my ability to pay the fees and costs of prosecuting the appeal are true.

1. Are you presently employed? No
 - a. If the answer is yes, state the amount of your salary and wages per month and give the name and address of your employer.

 - b. If the answer is no, state the date of your last employment and the amount of the salary and wages per month which you received.
N/A

2. Have you received within the past twelve months any income from a business, profession or other form of self-employment, or in the form of rental payments, interest, dividends, or other source? Unemployed
 - a. If the answer is yes, describe each source of income and state the amount received from each during the past twelve months. _____
3. Do you own any cash or checking or savings account? Yes
 - a. If the answer is yes, state the total value of the items owned.
N/A

FILED

JUL 22 2021

TUNICA COUNTY, MISS.
SHARON B. REYNOLDS, CIRCUIT CLERK
[Signature]

(Appendix D)

4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property (excluding ordinary household furnishings and clothing)?

yes

a. If the answer is yes, describe the property and state its approximate value.

Car 3500

5. List the persons who are dependent upon you for support and state your relationship to those persons.

Carlyn L. Watts

I understand that a false statement or answer to any question or instruction in this affidavit will subject me to penalties for perjury.

Cortez Watts
CORTEZ WATTS

STATE OF MISSISSIPPI
COUNTY OF COAHOMA

SUBSCRIBED AND SWORN TO before me this 11th day of April, 2021.

Tresas S. McDaniel
NOTARY PUBLIC

MY COMMISSION EXPIRES:



IN THE CIRCUIT COURT OF TUNICA COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

PLAINTIFF

VERSUS

NO. 2017-0011

CORTEZ WATTS

DEFENDANT

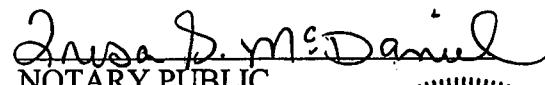
MOTION FOR LEAVE TO APPEAL IN FORMA PAUPERIS AND PAUPER'S OATH

I, Cortez Watts, do solemnly swear on information and belief that I am incarcerated and a citizen of the State of Mississippi; that I am a poor person; that I have been found guilty in the above styled case; that I desire an appeal of that conviction to the Supreme Court of the State of Mississippi; that I am financially unable to prepay the costs of such appeal; that I have no funds, means, or assets; and that I desire and move that the Court that I be allowed to appeal said conviction and the sentence thereon as a pauper.

SIGNED this, the 16th day of April, 2021.


CORTEZ WATTS

SWORN TO AND SUBSCRIBED before the undersigned Notary Public in the City of Clarksdale, Coahoma County, Mississippi, on the 16th day of April, 2021.


NOTARY PUBLIC

My Commission Expires:



F I L E D

JUL 22 2021

TUNICA COUNTY, MISS.
SHARON G. REYNOLDS, CIRCUIT CLERK
BY 

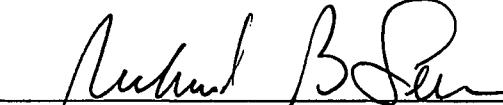
CERTIFICATE OF SERVICE

I, Richard B. Lewis, Attorney for Defendant, do hereby certify that I have this day mailed a true and correct copy of the above and foregoing document to:

Stephanie Brown, Esq.
Assistant District Attorney
115 1st Street, # 130
Clarksdale, MS 38614

Supreme Court Clerk
P. O. Box 249
Jackson, MS 39205-0249

THIS the 22nd day of July, 2021.



RICHARD B. LEWIS, MSB #1240

IN THE CIRCUIT COURT OF TUNICA COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

PLAINTIFF

VERSUS

NO. 2017-0011

CORTEZ WATTS

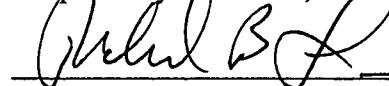
DEFENDANT

CERTIFICATE OF COMPLIANCE WITH RULE 11(b)(1)

I, Richard B. Lewis, trial attorney for Defendant, Cortez Watts, pursuant to M.R.A.P. 11(b)(1), certify that the Defendant has been declared a pauper by Order of the Circuit Court dated July 22, 2021, and therefore the necessity of posting an estimate of costs or other appeal fees is waived.

SO CERTIFIED this the 22 day of July, 2021.

Respectfully submitted,



RICHARD B. LEWIS, MSB#1240
P.O. Box 428
Clarksdale, MS 38614
662-627-4105
662-621-2538 (fax)

CERTIFICATE OF SERVICE

I, Richard B. Lewis, Attorney for Defendant in the above styled and numbered cause, do hereby certify that a true and correct copy of the foregoing Certificate of Compliance has been this day mailed by U.S. Mail, postage prepaid, to:

Hon. Charles E. Webster, Judge
Coahoma County Circuit Court
P.O. Drawer 478
Cleveland, Mississippi 38732

FILED

Stephanie Brown, Esq.
Office of the District Attorney
P.O. Box 67
Clarksdale, MS 38614

JUL 22 2021

TUNICA COUNTY, MISS.
SHARON G. REYNOLDS, CIRCUIT CLERK
B
S
L
C
R

THIS, the 22 day of July, 2021.


RICHARD B. LEWIS

IN THE CIRCUIT COURT OF TUNICA COUNTY, MISSISSIPPI

STATE OF MISSISSIPPI

PLAINTIFF

VERSUS

NO. 2017-0011

CORTEZ WATTS

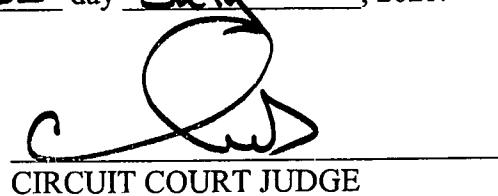
DEFENDANT

ORDER ALLOWING APPEAL ON PAUPER'S OATH

THIS CAUSE came on this day to be heard this day on Defendant's Motion for Leave to Appeal *In Forma Pauperis* and on Pauper's Oath filed herein, and the Court being fully advised is of the opinion that Defendant is a poor person as contemplated by the statute and said appeal should be allowed.

IT IS, THEREFORE, ORDERED AND ADJUDGED that Defendant herein be allowed to appeal his conviction in this cause and sentence hereon to appeal his conviction in this cause and sentence hereon to the Mississippi Supreme Court without the prepayment of costs of appeal as required by statute and the Defendant is accorded all rights herein as if he had prepaid costs in full as provided by statute.

ORDERED AND ADJUDGED this, the 22 day July, 2021.



CIRCUIT COURT JUDGE

FILED

JUL 22 2021

TUNICA COUNTY, MISS.
SHARON G. REYNOLDS, CIRCUIT CLERK
BY 

IN THE SUPREME COURT OF THE STATE OF MISSISSIPPI**CORTEZ WATTS****APPELLANT****v.****No. 2021-KA-00873-SCT****STATE OF MISSISSIPPI****APPELLEE**

BRIEF OF THE APPELLANT

Appeal from the Circuit Court of Tunica County, Miss.
No. 2021-KA-00873-SCT

Oral Argument Not Requested

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Counsel for CORTEZ WATTS

(Appendix E)

IN THE SUPREME COURT OF THE STATE OF MISSISSIPPI

CORTEZ WATTS

APPELLANT

v.

No. 2021-KA-00873-SCT

STATE OF MISSISSIPPI

APPELLEE

CERTIFICATE OF INTERESTED PERSONS

The undersigned counsel of record certifies pursuant to Mississippi Rules of Appellate Procedure 28(a)(1) that the following persons have an interest in the outcome of the case. These representations are made in order that the Judges of this Court may evaluate possible disqualification or recusal.

1. State of Mississippi
2. CORTEZ WATTS, Appellant
3. Honorable Brenda F. Mitchell, District Attorney
4. Honorable Charles E. Webster, Circuit Court Judge

This the 8th day of February, 2022.

Respectfully Submitted,

/s/Zakia Butler
Zakia Butler, MSB # 105669
Counsel for the Appellant

TABLE OF CONTENTS

CERTIFICATE OF INTERESTED PERSONS.....	i
TABLE OF CONTENTS.....	ii
TABLE OF AUTHORITIES.....	iii
STATEMENT OF THE ISSUE.....	1
STATEMENT OF THE CASE	1
<i>Procedural Background</i>	1
<i>Factual Background</i>	1
SUMMARY OF THE ARGUMENT	3
ARGUMENT.....	4
CONCLUSION.....	10
CERTIFICATE OF SERVICE	11

TABLE OF AUTHORITIES

Cases

<i>Magee v. State</i> , 124 So. 3d 64 (Miss. 2013).....	4, 5, 8, 9
<i>Myers v. State</i> , 565 So. 2d 554 (Miss. 1990).....	4
<i>Odom v. State</i> , 355 So. 2d.1381, 1383 (Miss. 1978).....	9
<i>Perkins v. State</i> , 244 So. 2d 414 (Miss. 1971).....	7, 8
<i>Watts v. State</i> , 281 So. 3d 873 (Miss. Ct. App. 2019)	1

Rules

Mississippi Rules of Appellate Procedure 28(a)(1)	i
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STATEMENT OF THE ISSUE

**WHETHER THE TRIAL COURT ERRED IN APPLYING THE
ODOM¹ TEST, WHERE JURORS' VOIR DIRE OMISSIONS HAD A
PREJUDICIAL EFFECT ON JURY SELECTION.**

STATEMENT OF THE CASE

Procedural Background

This appeal proceeds from the Circuit Court of Tunica County, Mississippi, and a judgement of conviction for one count of conspiracy to commit armed robbery, one count of attempted armed robbery, one count of aggravated assault, and one count of felon in possession of a firearm entered against Cortez Watts following a remand and jury trial on April 15-16, 2021, the Honorable Charles E. Webster, Circuit Judge, presiding. (C.P.178-181, 194-203; Tr. 340; R.E. 9-14).² The trial court sentenced Watts to serve thirty-five (35) years in the custody of the Mississippi Department of Corrections. (C.P. 196-203; Tr. 354-356; R.E. 15-22). Watts filed a motion for JNOV or new trial, which the trial court denied after an evidentiary hearing. (C.P. 187-89, 345, 364-69; Tr. 360-449; R.E. 23-26,). Watts now appeals to this honorable Court for relief.

Factual Background

In the evening hours of October 16, 2016, Cortez Watts, his girlfriend, Tanyatta Kinnel, and one of Watts's cousins ventured to a nearby casino in Tunica.

¹ *Odom v. State*, 355 So. 2d.1381, 1383 (Miss. 1978) (set forth analysis to determine whether juror's failure to respond during voir dire warrants new trial).

² The Mississippi Court of Appeals reversed Watts's initial conviction and remanded this case for a new trial in *Watts v. State*, 281 So. 3d 873 (Miss. Ct. App. 2019).

(Tr. 291). While there, Watts gambled and socialized with various people on the casino floor. (Tr. 292). The group left the casino to take Watts's cousin home but Watts and Kinnel returned at Kinnel's request. (Tr. 294).

Watts did not gamble anymore but meandered around the casino floor while Kinnel to finish playing. (Tr. 305, 310). Watts testified that he stopped to ask someone, later identified as Derek Phillips, for a cigarette during his stroll. (Tr. 205, 209, 307). Phillips obliged though the men did not know one another. (Tr. 206-07). Phillips did, however, recognize Kinnel as a former acquaintance. (Tr. 206-07). Before leaving the casino with Watts, Kinnel slipped Phillips her phone number. (Tr. 207, 213, 310).

When Phillips left the casino, he texted Kinnel. (Tr. 214-15). Kinnel responded by asking Phillips to bring her a soft drink. (Tr. 214-15). He agreed and went to the Kirby Estates apartment complex at Kinnel's behest. (Tr. 215-16). When Phillips arrived, Kinnel asked him to get out of the car for a hug. (Tr. 216). Again, Phillips agreed. (Tr. 216, 218). Phillips testified that shortly after he stepped out of his vehicle, an armed man appeared out of the darkness and attempted to rob him. (Tr. 218-21). A tussle ensued and Phillips ran away but sustained a gunshot wound to his neck. (Tr. 219-21). Days after the incident, Phillips identified Watts as the assailant and testified the same at Watts's trial. (Tr. 226-27; Ex. S-3).

Watts denied any involvement in the incident. (Tr. 299, 306-07). The police did not recover the gun used in the assault and no physical evidence connected Watts to the scene. An alibi witness placed Watts in his apartment asleep during

the purported attack. (Tr. 226, 260-63, 306-07). Still, the jury convicted Watts as charged. (C.P. 178-81).

Post-trial, Watts learned of a familial relationship between two of his jurors, Juror 29 and Juror 30, and a man named Kerris Black. (C.P. 187-89). Watts's older brother pled guilty to Black's murder. (C.P. 187-89). Watts also learned that at least one of the jurors knew him and his family prior to the trial. (C.P. 187-89). Both jurors failed to disclose their connections during voir dire questioning. (C.P. 187-89). Watts amended his post-trial motion for a new trial to include the newly discovered information and alleged juror impropriety for the jurors' failure to respond to voir dire questions. (C.P. 187-89).

The trial court held an evidentiary hearing where Juror 29 (Vivian Smith) and Juror 30 (Natassia Joyner), testified regarding their familial connection to Black and prior associations with Watts. (Tr. 388-415). Smith and Joyner were also close relatives—a sister and niece—of Sharon Reynolds, the circuit clerk court. (Tr. 393, 409-10, 422-23). Reynolds sat in voir dire and testified that she knew about the connection between Black, their family and Watts's brother. (Tr. 423). After hearing their testimonies, the trial court concluded that the jurors did not have substantial knowledge of the information sought in voir dire and denied Watts's motion for a new trial. (Tr. 368).

Additional facts will be provided as necessary throughout the argument.

SUMMARY OF THE ARGUMENT

The trial court erroneously found that Watts's jury was fair and impartial.

Two jurors failed to properly respond to questions during voir dire. Juror 29 did not disclose that she knew Watts, nor did she disclose her familial relationship with Kerris Black, a man killed by Watts's brother. Juror 30, likewise, failed to disclose her relationship to Black.

Additionally, the circuit court clerk—Juror 29's sister and Juror 30's aunt—admittedly knew about the connection between the jurors, Black and Watts's older brother but failed to disclose the information to the trial court or the parties.

These omissions hid information that would have alerted Watts to a strong possibility of bias; deprived Watts of the opportunity to eliminate the possible bias through a challenge for cause or peremptory challenge; and created an appearance of impropriety that warrants a new trial.

ARGUMENT

The jurors' omissions during voir dire deprived Watts of the right to intelligently participate in the jury selection process.

When reviewing a trial court's finding that a jury was fair and impartial, the "clearly erroneous" standard of review applies. *Magee v. State*, 124 So. 3d 64, 67 (Miss. 2013).

"Voir dire examination is often the most crucial crucible in forging our primary instrument of justice: the fair and impartial jury." *Myers v. State*, 565 So. 2d 554, 558 (Miss. 1990). "When offering challenges for cause and challenges peremptory, parties and their lawyers must rely on the objective candor and responsiveness of prospective jurors." *Id.* This Court has recognized that "no firm

unbending rule can be laid down that would control every situation that might arise on the voir dire of prospective jurors.” *Magee*, 124 So. 3d at 67 (quoting *Odom*, 355 So.2d at 1383). Where a juror is alleged to have withheld to Instances where a juror fails to respond must be reviewed on an ad hoc basis to determine “whether the question propounded to the juror was (1) relevant to the voir dire examination; (2) whether it was unambiguous; and (3) whether the juror had substantial knowledge of the information sought to be elicited.” *Id.* “If the trial court’s determination of these inquiries is in the affirmative, the court should then determine if prejudice to the defendant in selecting the jury reasonably could be inferred from the juror’s failure to respond.” *Id.*

Juror 29 and Juror 30 did not respond to the following questions posed during the trial court’s voir dire:

1. Anybody simply know the defendant, Mr. Watts? You just know him or know of him or members of his family? (Tr. 6,365) (“Question 1”)
2. How many of you, you or a loved one have been the victim of a crime of violence? (Tr. 25, 365) (“Question 2”)

The trial court acknowledged the relevancy and absence of ambiguity in the voir dire questions at issue, which satisfied the first two prongs of the *Odom* test, however, the court erroneously concluded that the jurors lacked “substantial knowledge of the information sought to be elicited.” *Odom*, 124 So. 3d at 67.

Natassia Joyner (Juror 30)

Joyner was Kerris Black’s cousin and the circuit court clerk, Sharon

Reynold's, niece. (Tr. 409, 433). Joyner considered Kerris Black a loved one and learned about Black's death from her great grandmother. (Tr. 408, 410-11, 414). Joyner also recalled that Black died after involvement in a shooting. (Tr. 406).³ Two of Joyner's siblings discussed Black's death with Watt's brother. (Tr. 432-33). Joyner's sister expressed that their family was hurt that Watts's brother had killed their cousin (Black). (Tr. 431, 433). Joyner knew Black as a loved one and knew that his death resulted from violence. Thus, she should have responded to Question 2.

Vivian Smith (Juror 29)

Smith was Kerris Black's second cousin and the sister of the circuit court clerk, Sharon Reynolds. (Tr. 389, 391, 393-94). Smith did not disclose any knowledge about Watts or his family during voir dire but later divulged a connection to Watts's brother. (Tr. 396-97). Smith also claimed she lacked knowledge of how Black died, however, portions of Smith's testimony indicated otherwise. (Tr. 399).

Smith stated she did not know Watts. (Tr. 390). But in her next response, Smith acknowledged a connection to Watts's brother, Jamorris Vaughn, and even regarded Vaughn's mother as her best friend (Tr. 390, 396-97). Smith referenced Vaughn by the nick name, "Pookie" and realized that Vaughn and Watts were connected through their father. (Tr. 390, 396-97). Recognizing that connection

³ Joyner purportedly had a stroke some years prior to the trial, which caused "varied" memories. (Tr. 411).

shows that Smith also recognized Watts and should have responded to Question 1.

Smith considered Kerris Black a “loved one” because he was a part of her family and knew Black’s nick name, “Chip”. (Tr. 394, 399). Smith initially testified that she knew nothing about Black’s death but later stated that “they said he [Black] got killed” and that she had “heard people talk about it.” (Tr. 389-90, 396). Had Smith responded to Question 2, Watts could have fleshed out further details about Smith’s connection to his brother and the resultant potential for bias.

Sharon Reynolds (Circuit Court Clerk)

Smith’s sister and Joyner’s aunt, Reynolds, had extensive knowledge of their family’s connection to Black, Watts and the details surrounding Black’s death. (Tr. 422-23). The record is unclear as to whether the clerk had discussed her knowledge with her sister and niece, but it is certainly plausible that given the closeness of their relationship, she was amongst those they “heard” talking about Black’s death. (Tr. 389-90, 396, 406).

Reynolds did not alert the trial court or the parties of her family’s ties to Black and Watts. (Tr. 423). Admittedly, the duty of the clerk in this situation is unclear but this Court has long recognized that what is “of equal or greater importance in this regard is the appearance of unfairness, and this is of vital importance; for public confidence in the fairness of jury trials is essential to the existence of our legal system.” *Perkins v. State*, 244 So.2d 414, 415 (Miss. 1971). The clerk’s alert the court or the attorneys of her knowledge familial connections to the web of parties involved “Whatever tends to threaten public confidence in the

fairness of jury trials, tends to threaten one of our sacred legal institutions.” *Id.* The jurors’ omissions, considering their close familial relationships to the clerk, cast substantial doubt over the candor of their testimony.

Other jurors acknowledged knowing Watts and/or his family and were excluded because of their connection. For instance, Juror 18, Watts’s first cousin, disclosed their familial connection during voir dire. (Tr. 7). In turn, the trial court dismissed Juror 18 for cause, stating that a first cousin is “pretty close.” (Tr. 48). Though no kinship existed between Watts and Juror 49, the State exercised a preemptory challenge to prevent Juror 49 from serving on Watts’s jury because Juror 49 disclosed a family tie between Watts and her children. (Tr. 11, 63). The trial court and the State excluded these jurors based on their relationships, however remote, to Watts and his family. Watts should have been afforded the same opportunity.

Failure to recognize a connection between Black’s death and Watts’s case did not excuse the jurors’ failure to respond. (Tr. 399). Clarifying its finding in *Odom*, this Court reiterated that “prejudice potentially can occur regardless of a juror’s reason for remaining silent.” *Magee*, 124 So. 3d at 69. Thus, even if the jurors here did not: regard Black as highly as they did Reynolds; know the particulars of Black’s murder; attend Black’s funeral; or “deal with” Black on a regular basis; the evidence showed that both recognized him as family—“a loved one”—and both jurors knew Black fell victim to violence. (Tr. 395, 399, 400, 402-03, 406, 410-11).

“The degree of kinship, connection, and knowledge required to be present

before prejudice can be inferred will vary depending on the facts of each case.” *Id.* In this instance, no further details or knowledge were required to warrant a response. The jurors’ knowledge should reasonably be considered within “the information sought to be elicited. *Id.* at 68.” Their candor would have given Watts and opportunity to evaluate the potential for bias and act accordingly.

“The failure of a juror to respond to a relevant, direct, and unambiguous question leaves the examining attorney uninformed and unable to ask any follow-up questions to elicit the necessary facts to intelligently reach a decision to exercise a peremptory challenge or to challenge a juror for cause.” *Odom*, 355 So. 2d at 1383. Juror 29 knew of Watts through members of Watts’s family, including his brother and father. (Tr. 390, 396-97). Juror 29 and Juror 30 testified that Black was a “loved one” and knew that Black met a violent end. (Tr. 389-90; 399, 406). Neither divulged the information in response to the relevant voir dire questions. The result— “prejudice to [Watts] in selecting the jury reasonably could be inferred[.]” *Id.*

Watts’s trial counsel expressly stated, and it can be reasonably inferred that if Juror 29 and Juror 30 had disclosed their relationship to Kerris Black, “whether they’ve (sic) said they knew anything about it or not, [Watts] would’ve saved two [peremptory] challenges” to eliminate the potential bias. (Tr. 449). Thus, the trial court’s finding that Juror 29 and Juror 30 lacked substantial information to respond to the voir dire questions was clearly erroneous. (Tr. 368). “Having established facts from which prejudice to him in selecting the jury might

reasonably be inferred, [Watts's] judgement and sentence [should be] reversed and the cause remanded for a new trial." *Id.*

CONCLUSION

Based on the above propositions and authorities, together with any plain error noticed by the Court which has not been specifically raised, Watts respectfully requests this Honorable Court to reverse his convictions and sentences and remand this case for a new trial.

Respectfully submitted,

CORTEZ WATTS, Appellant

By: /s/Zakia Butler
Zakia Butler,
Counsel for the Appellant

CERTIFICATE OF SERVICE

I, Zakia Butler, counsel for CORTEZ WATTS, do hereby certify that on this day I electronically filed the foregoing **BRIEF OF THE APPELLANT** with the Clerk of the Court using the MEC system which sent immediate notification of such filing to the following:

Honorable Ashley L. Sulser
Office of the Attorney General

Further, I have this day caused to be mailed electronically or via United States Postal Service, First Class postage prepaid, a true and correct copy of the above to the following non-MEC participants:

Honorable Charles E. Webster
Circuit Court Judge
Post Office Drawer 998
Clarksdale, MS 38614

Honorable Brenda F. Mitchell
District Attorney
Post Office Box 848
Cleveland, MS 38732

THIS the 8th day of February, 2022

s/ Zakia Butler
Zakia Butler
Counsel for the Appellant

ZAKIA BUTLER, MSB# 105669
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INDIGENT APPEALS DIVISION
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