

**SUPREME COURT OF GEORGIA
STATE OF GEORGIA**

SEQUOYAH HOWARD
Appellant

V.

CASE NO. **S26A**1087

STATE OF GEORGIA,
Appellee

REPLY BRIEF OF APPELLANT SEQUOYAH HOWARD

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REPLY BRIEF OF SEQUOYAH HOWARD

Sequoyah Howard was convicted of malice murder for which she received life with parole and possession of a firearm for which she received 5 years to serve suspended. (R49; T1296,97).

The defense was self defense. But the Defense was prohibited from presenting their evidence of self defense. The Victim was a convicted felon who was precluded by law from carrying a weapon. (MNT Hearing 2/09/2026) And the Defense was precluded from telling the jury that the Victim was the neighborhood drug dealer. (Id.). And the Defense was preclude from telling the jury that had six other felony convictions including armed robbery. (Id.)

At the time of this incident Sequoyah Howard was 34 years old and had two sons, 14 and 11. (T1060). She had been living in her apartment in Atlanta for 5 years. (T1061) She did not know the Victim personally but knew of him. (T1063) She said she was “afraid” of th4e Victim (T1064). She had several interactions the Victim that made her uncomfortable, especially when he was around her children outside. (T1067) She even went to the Courthouse with her uncle to get a TO on him, but the courthouse was closed. (T1067) She even presented the TO form. (T1069 Defense Ex 1) The TO was based on her neighbor’s statement that the Victim was “banging on my door threatening to shoot up my house with my children inside. That’s scary.” (T1070). Another time, the Victim was walking outside her door waving a gun. (T1071) The Victim said: “Bitch, I’ll kill you and your kids. Bring your fat bass outside.” (T1071) The policed were called. (T1071) Another time the Victim chased him up the stairs and she called the police. (T1074). “I called the police three times, I want to say within an hour, and they never showed.” (T1075) Then she took out a criminal trespass warrant against him. (T1082).

After that he was not supposed to be near her apartment. (T1082). Then, one day, actually the day of this incident, he walked up to her while she was sitting outside her apartment. T1083. She told the Vic trim: “Don’t walk up on me.” (T1083). She then pulled a gun from her bag on him. (T10-84) The Victim responded: “I don’t give a fuck about any of that.” (T1084). When she tried to put out her arm to block him from approaching her, he pushed her. (T1085). She then saw the Victim’s gun and she fired her gun at him. (T1086). “I was scared when saw his gun and I didn’t know what he was going to do to me., and I wasn’t going to give e him the opportunity to find out.” (T1089).

ARGUMENT

2. The trial Court erred in precluding the Defense from presenting evidence that would have supported the defense of self defense. (T391, 394, 396)

A. Evidence that the Victim was a convicted felon and therefore precluded from carrying a weapon. (T394-396) See Morris v. State, 303 Ga. 321, II (2018, noting the Victim’s’s certified weapon’s conviction admitted over state’s objection. If possession of a firearm can support felony murder, how can the State argue that possession of a firearm by a felon is not a violent crime? (See Brief of Appellant, pp, 6,7)

B. That the Victim was the neighborhood drug dealer. “Evidence of a victim’s violent character and general reputation for violence may be admitted upon ‘a prima facie showing that the victim was the Aggressor.” Smith v. State, 267 GA. 372, (1996). As this Court has found many times dealing drugs is a violent crime. Someone who participates in a drug transaction “made an affirmative choice to engage in a dangerous and potentially violent criminal; activity.”

Davis v. State, 290 Ga. 757, 759 (2012, citing Smith v. State, 290 Ga. 768, 771 (2012)). So the State's argument that dealing drugs "is NOT a crime of violence" is simply wrong. (Brief of Appellee, p. 6)

C. That the victim and a conviction of armed robbery and six other felonies.(T394, 396) Jones v. State, 311 Ga. 455, 463 (2021). For evidence of other crimes to be admissible for "other purposes" there must be a showing that 1) the evidence is relevant to the case other than the character; 2) the probative value is not outweighed by its undue prejudice; 3) there is sufficient proof to find by a preponderance of the evidence that the act was committed. The State is correct that the Defendant did not know the Victim's specific extensive record, but she knew that he had an extensive record. (Brief of Appellee, pp. 6,7) ((T, V9, pp. 53,54) The Defendant did not know of the Victim's specific crimes but she did not that he had a violent criminal history and that the Victim was involved in an inherently criminally violent enterprise, Davis v. State, 290 GA. 757, 759 (2012)

D. The Defendant had a prior interaction with the drug dealer and told him to stop dealer drugs around her house. (T391) Thus, the Defendant knew she was interacting with a violent drug dealer. Davis v. State, 290 Ga. 757, 759 (2012).

But the trial court granted the State's Motion to exclude all four avenues of evidence: "You're not going to be able to those three things." (T391 (Court's ruling))

See also Morris v. State, 303 Ga. 192 (2018) that mentions that Defense was able to put intro evidence the Victim's certified weapons conviction in a self defense case. And in Smith v. State, 270 Ga. 240 (1998) the Court reversed where the trial court precluded similar acts of the Victim in a self defense case. Accord Chandler v. State, 261` Ga. 402, 405 (1991).

CONCLUSION

Sequoyah Howard deserves a fair trial where she can present the jury with all the facts supporting her self defense, that the Victim was a dangerous and violent drug dealer with a violent criminal record.

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CERTIFICATE OF SERVICE

I hereby certify that on May 29, 2026 have served, by prior agreement, a copy this Reply Brief of Appellant by email, upon:

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