

SUPREME COURT OF NEW HAMPSHIRE

State v. Looney

148 N.H. 656 (2002) · Decided December 16, 2002

SUMMARY

The New Hampshire Supreme Court affirmed William Looney’s conviction and enhanced sentence for first-degree assault on a law enforcement officer. The court held that the evidence, viewed in the light most favorable to the State, was sufficient for a rational jury to find that Looney subjectively knew the victim was a police officer.

CASE DETAILS

COURT	Supreme Court of New Hampshire
WRITING FOR THE COURT	Nadeau, J.; Brock, C.J.; Dalianis, J.
JURISDICTION	New Hampshire
DECIDED	December 16, 2002
DISPOSITION	affirmed
PROCEDURAL POSTURE	Looney appealed his jury conviction and enhanced sentence for first-degree assault on a law enforcement officer, challenging the sufficiency of the evidence that he knew the victim was a law enforcement officer.
STANDARD OF REVIEW	On a sufficiency-of-the-evidence appeal, the defendant must show that no rational fact-finder, viewing the evidence in the light most favorable to the State, could have found guilt beyond a reasonable doubt. When evidence of an element is circumstantial, it must exclude all rational conclusions except guilt, while being evaluated in the context of all the evidence.
PRECEDENTIAL VALUE	Published precedential opinion
PARTIES	William Looney v. State

TOPICS

- criminal procedure
- standard of review
- appellate procedure
- burden of proof
- evidence

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the evidence was sufficient for a rational jury to find beyond a reasonable doubt that Looney subjectively knew Officer Pitman was a law enforcement officer.
2. Whether the sentence enhancement based on Officer Pitman's status as a law enforcement officer was supported by sufficient evidence.

HOLDINGS

1. The evidence was sufficient for a rational jury to find beyond a reasonable doubt that Looney subjectively knew Officer Pitman was a police officer.

KEY QUOTATIONS

"In an appeal challenging the sufficiency of the evidence, the defendant must prove that no rational fact-finder at trial, viewing all of the evidence presented in the light most favorable to the State, could have found guilt beyond a reasonable doubt." (148 N.H. at 657-58)

"Taking these facts together in context, in the light most favorable to the State, this evidence reasonably excludes all rational conclusions except that the defendant knew Officer Pitman was a law enforcement officer." (148 N.H. at 658)

FACTUAL BACKGROUND

Officer Kenneth Pitman, a uniformed Manchester police officer assigned to security at a nightclub, twice prevented Looney from reentering the club and questioned him about his intoxication. Shortly afterward, Looney threw a piece of concrete through the club's front window and attempted to drive away while Pitman's arm was caught in the driver's-side door. Looney dragged Pitman through the parking lot and onto a highway, causing significant bodily injuries. Witnesses testified that Pitman was wearing a police uniform and badge, and the badge was scratched during the incident.

PROCEDURAL HISTORY

After a jury trial in the New Hampshire Superior Court, Looney was convicted of assault on a law enforcement officer. The trial court enhanced his sentence based on the victim's status as a law enforcement officer acting in the line of duty. The Supreme Court of New Hampshire affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Dugas, 147 N.H. 62, 66 (2001)
- State v. Reid, 134 N.H. 418, 422-23 (1991)

