

SUPREME COURT OF MISSISSIPPI

Loni Marie Rutland v. State of Mississippi

Rutland v. State · No. No. 2008-CT-01544-SCT · Decided August 24, 2007

SUMMARY

The Supreme Court of Mississippi affirmed the Court of Appeals’ judgment upholding Loni Marie Rutland’s conviction and sentence for felony child abuse. The court held that the evidence was legally sufficient and that the verdict was not against the overwhelming weight of the evidence. It also held that Rutland failed to demonstrate prejudice from a juror’s use of dictionary definitions during deliberations, and therefore the trial court did not abuse its discretion in denying a new trial.

CASE DETAILS

COURT	Supreme Court of Mississippi
WRITING FOR THE COURT	Carlson, P.J.; Waller, C.J.; Randolph, J.; Lamar, J.; Pierce, J.; Kitchens, J.; Dickinson, P.J.; Chandler, J.; King, J., not participating
JURISDICTION	Mississippi
DECIDED	August 24, 2007
DOCKET	No. 2008-CT-01544-SCT
DISPOSITION	affirmed
PROCEDURAL POSTURE	Rutland was convicted of felony child abuse after a jury trial, appealed, and obtained no relief in the Mississippi Court of Appeals. The Mississippi Supreme Court granted her petition for writ of certiorari and reviewed the sufficiency and weight of the evidence and alleged juror misconduct.
STANDARD OF REVIEW	The grant or denial of a motion for new trial is reviewed for abuse of discretion. For legal sufficiency, the relevant question is whether, viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements beyond a reasonable doubt. A verdict will not be disturbed for juror misconduct absent an adequate showing of prejudice.
PRECEDENTIAL VALUE	Published, precedential Mississippi Supreme Court opinion; decided en banc.
PARTIES	Loni Marie Rutland v. State of Mississippi

TOPICS

criminal procedure

evidence

appellate procedure

standard of review

preservation of error

PRACTICE AREAS

criminal law

criminal procedure

evidence

appellate procedure

QUESTIONS PRESENTED

1. Whether the evidence was legally sufficient to support Rutland's conviction for felony child abuse.
2. Whether the verdict was against the overwhelming weight of the evidence.
3. Whether alleged juror misconduct involving the use of extraneous dictionary definitions of abuse and neglect required a new trial.

HOLDINGS

1. The evidence was legally sufficient to sustain the guilty verdict, and the verdict was not so contrary to the overwhelming weight of the evidence that allowing it to stand would sanction an unconscionable injustice.
2. The trial court did not abuse its discretion in denying a new trial because Rutland failed to demonstrate that the juror's unauthorized use of dictionary definitions prejudiced the verdict.

KEY QUOTATIONS

“The purpose of Rule 606(b) is to protect jurors from fear of being interrogated about their actions or mental processes and to allow the jury to deliberate freely.” (§20)

“Once this determination is made, the trial court must decide whether it is reasonably possible that the improper communication altered the jury’s verdict.” (§24)

“Considering that much of the evidence Rutland presented to support her claim of juror misconduct is inadmissible under Rule 606(b), Rutland has failed to demonstrate how she was prejudiced by the juror’s impropriety.” (§33)

FACTUAL BACKGROUND

While in Rutland's care, her seventeen-month-old daughter suffered fractures to both sides of her skull, multiple fractures to her left leg, and a dislocated ankle. Rutland attributed the injuries to falls, contact with an end table, crib-related incidents, and other accidents. During deliberations, jurors asked whether negligence was the same as abuse; after trial, the State conceded that a juror had looked up dictionary definitions of abuse and neglect and brought them into the jury room.

PROCEDURAL HISTORY

Rutland was indicted on two felony child-abuse counts. The trial court granted a directed verdict on Count I but denied a directed verdict on Count II, and the jury convicted her on Count II. The trial court denied her JNOV

and new-trial motions. The Court of Appeals affirmed, and the Mississippi Supreme Court granted certiorari and affirmed the Court of Appeals' judgment.

DISPOSITION

affirmed

CASES CITED

- Walton v. State, 998 So. 2d 971, 975 (Miss. 2008)
- Bush v. State, 895 So. 2d 836, 842-45 (Miss. 2005)
- Jackson v. Virginia, 443 U.S. 307, 315 (1979)
- Irby v. State, 49 So. 3d 94, 103 (Miss. 2010)
- Miller v. State, 980 So. 2d 927, 929 (Miss. 2008)
- Gleeton v. State, 716 So. 2d 1083, 1087 (Miss. 1998)
- Miss. Transp. Comm'n v. McLemore, 863 So. 2d 31, 39, 42-43 (Miss. 2003)
- James v. State, 912 So. 2d 940, 951 (Miss. 2005)
- Perkins v. Dauterive, 882 So. 2d 773, 781 (Miss. Ct. App. 2004)
- Gladney v. Clarksdale Beverage Co., 625 So. 2d 407, 414-15, 419 (Miss. 1993)
- Gatewood v. Sampson, 812 So. 2d 212, 217 (Miss. 2002)
- Brister v. State, 86 Miss. 461, 463, 38 So. 678, 678 (1905)
- State v. Melton, 692 P.2d 45, 49 (N.M. Ct. App. 1984)
- State v. Tinius, 527 N.W.2d 414, 417 (Iowa Ct. App. 1994)
- Dawson v. Hummer, 649 N.E.2d 653, 665 (Ind. Ct. App. 1995)
- Stagecoach Transp., Inc. v. Shuttle, Inc., 741 N.E.2d 862, 869 (Mass. App. Ct. 2001)
- Fuselier v. State, 468 So. 2d 45, 57 (Miss. 1985)
- Rutland v. State, ___ So. 3d ___, 2010 WL 522689 (Miss. Ct. App. Feb. 16, 2010)