

SUPREME COURT OF CALIFORNIA

People v. Navarette

30 Cal. 4th 458, 133 Cal. Rptr. 2d 89, 66 P.3d 1182 (Cal. 2003) · No. S022481 · Decided April 28, 2003

SUMMARY

The Supreme Court of California reviewed Martin Anthony Navarette's automatic appeal from a judgment of death following convictions for two first degree murders and related offenses. The court addressed pretrial issues including change of venue, voir dire limitations, and alleged juror bias, and affirmed the judgment.

CASE DETAILS

COURT	Supreme Court of California
WRITING FOR THE COURT	Brown, J.
JURISDICTION	California
DECIDED	April 28, 2003
DOCKET	S022481
DISPOSITION	affirmed
PROCEDURAL POSTURE	Automatic appeal from a judgment of death after a jury convicted defendant of two counts of first degree murder, burglary, robbery, attempted robbery, battery with serious bodily injury, and related enhancements and special-circumstance allegations.
STANDARD OF REVIEW	The court applied abuse-of-discretion review to venue, voir dire, juror-removal, evidentiary, and mistrial rulings; substantial-evidence review to the sufficiency of the evidence; and examined preserved constitutional and instructional claims under the applicable state and federal harmless-error standards.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Martin Anthony Navarette v. The People of the State of California

TOPICS

- criminal procedure
- sentencing
- jury selection
- evidence
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the trial court erred by denying a change of venue or intracounty transfer.
2. Whether the trial court improperly limited voir dire, excused or retained prospective jurors, or handled juror-safety concerns in a manner that denied defendant an impartial jury.
3. Whether the trial court improperly admitted or excluded evidence, including photographs, forensic evidence, and lay opinions concerning intoxication.
4. Whether defendant's absence from in-chambers conferences violated his statutory or constitutional rights.
5. Whether substantial evidence supported the convictions, special-circumstance findings, and required mental states despite defendant's intoxication claims.
6. Whether the jury instructions concerning mental state, flight, robbery, intoxication, unconsciousness, and felony-murder special circumstances were erroneous.
7. Whether prosecutorial misconduct or cumulative error required reversal.
8. Whether the penalty-phase proceedings, instructions, and California's death-penalty scheme violated state or federal law.

HOLDINGS

1. The trial court properly denied the motion for a change of venue or intracounty transfer because defendant did not show a reasonable likelihood of an unfair trial or actual prejudice.
2. The trial court did not abuse its discretion in limiting the juror questionnaire, conducting voir dire, excusing one juror for cause, retaining another juror with a hearing concern, or addressing jurors' safety concerns.
3. The trial court did not abuse its discretion or violate the Fourth Amendment by admitting the challenged photographs, forensic evidence, testimony, and carport items, or by excluding inadequately founded lay opinions concerning cocaine intoxication.
4. Substantial evidence supported the convictions, special-circumstance findings, and required mental states despite evidence that defendant had consumed alcohol and smoked cocaine.
5. The trial court correctly instructed the jury on mental state, flight, robbery, voluntary intoxication, unconsciousness, and the burglary- and robbery-murder special circumstances.
6. The alleged prosecutorial misconduct did not require reversal because many claims were forfeited, the remaining conduct was not misconduct or was nonprejudicial, and the trial court gave appropriate admonitions where necessary.
7. The penalty-phase instructions and California's death-penalty scheme were not unconstitutional, and the penalty verdict was not affected by prejudicial prosecutorial misconduct.

KEY QUOTATIONS

“While it may be true that one cannot rob a person who is already dead when one first arrives on the scene, one can certainly rob a living person by killing that person and then taking his or her property.” (118)

“In other words, if the felony is merely incidental to achieving the murder—the murder being the defendant's primary purpose—then the special circumstance is not present, but if the defendant has an “independent felonious purpose”” (123)

FACTUAL BACKGROUND

Navarette spent the day before the offenses drinking beer and smoking cocaine. During the night, Deborah Converse and Alexandra Hickman were murdered in their neighboring apartments, and property was taken from Converse's apartment, including her truck and personal items. Evidence connected Navarette to both apartments and the crimes, including his fingerprints, bloody clothing, a missing jeans button matching a button found near Hickman's body, shoe-print evidence, and blood matching both victims. The next morning he assaulted Brigitte Morales, took her vehicle, and was later arrested with scratches and cuts and with property taken from Converse's apartment found in his residence.

PROCEDURAL HISTORY

A jury convicted Navarette of two first degree murders and several related offenses, found burglary-murder, robbery-murder, and multiple-murder special circumstances true, and returned a death verdict. The trial court denied his motion for a new trial or modification of the verdict, imposed two death sentences and a determinate sentence on the remaining counts, and stayed or struck specified enhancements. The California Supreme Court reviewed the judgment automatically and affirmed.

DISPOSITION

affirmed

CASES CITED

- People v. Jenkins, 22 Cal. 4th 900, 943-945, 95 Cal. Rptr. 2d 377, 997 P.2d 1044 (2000)
- People v. Waidla, 22 Cal. 4th 690, 713-714, 94 Cal. Rptr. 2d 396, 996 P.2d 46 (2000)
- People v. Ochoa, 19 Cal. 4th 353, 417, 444, 79 Cal. Rptr. 2d 408, 966 P.2d 442 (1998)
- People v. Taylor, 26 Cal. 4th 1155, 1168-1169, 113 Cal. Rptr. 2d 827, 34 P.3d 937 (2001)
- People v. Williams, 44 Cal. 3d 883, 914, 971-972, 245 Cal. Rptr. 336, 751 P.2d 395 (1988)
- People v. Silva, 25 Cal. 4th 345, 368, 106 Cal. Rptr. 2d 93, 21 P.3d 769 (2001)
- People v. Frye, 18 Cal. 4th 894, 955-956, 77 Cal. Rptr. 2d 25, 959 P.2d 183 (1998)
- People v. Green, 27 Cal. 3d 1, 61, 164 Cal. Rptr. 1, 609 P.2d 468 (1980)
- People v. Samayoa, 15 Cal. 4th 795, 841, 64 Cal. Rptr. 2d 400, 938 P.2d 2 (1997)
- People v. Watson, 46 Cal. 2d 818, 836, 299 P.2d 243 (1956)
- People v. Prieto, 30 Cal. 4th 226, 272, 275, 133 Cal. Rptr. 2d 18, 66 P.3d 1123 (2003)
- Ring v. Arizona, 536 U.S. 584 (2002)

- Booth v. Maryland, 482 U.S. 496 (1987)
- Payne v. Tennessee, 501 U.S. 808 (1991)
- Hovey v. Superior Court, 28 Cal. 3d 1, 168 Cal. Rptr. 128, 616 P.2d 1301 (1980)

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