

SUPREME COURT OF GEORGIA

Stephens v. State

813 S.E.2d 596 (Ga. 2018) · Decided April 16, 2018

SUMMARY

The Georgia Supreme Court affirmed Stephanie Stephens's felony-murder conviction predicated on possession of cocaine with intent to distribute in connection with her child's cocaine-poisoning death. The court held that the evidence sufficiently established a nexus between the drug offense and the death because the child ingested cocaine stored in the home for distribution. Arguments concerning other convictions were moot because those convictions had been merged or effectively vacated.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	Peterson, Justice; All other Justices
JURISDICTION	Georgia
DECIDED	April 16, 2018
DISPOSITION	affirmed
PROCEDURAL POSTURE	Stephens appealed her convictions and sentences to the Supreme Court of Georgia after the trial court denied her motion for new trial and entered orders merging or effectively vacating all but one felony-murder conviction.
STANDARD OF REVIEW	The sufficiency of the evidence is reviewed in the light most favorable to the verdict.
PRECEDENTIAL VALUE	Published opinion; precedential
PARTIES	Stephanie Stephens v. State of Georgia

TOPICS

- criminal procedure
- evidence
- appellate procedure
- mootness

PRACTICE AREAS

- criminal law
- criminal procedure
- appellate litigation

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to support Stephens's felony-murder conviction predicated on possession of cocaine with intent to distribute when the State allegedly failed to prove a nexus between the underlying felony and the child's death.
2. Whether Stephens's arguments concerning the other counts were moot after those convictions were merged or effectively vacated for sentencing purposes.

HOLDINGS

1. Because all convictions except the felony-murder conviction on Count 1 were merged or effectively vacated, Stephens's arguments concerning the other counts were moot.
2. The evidence was sufficient to support Stephens's felony-murder conviction because it established the necessary nexus between the possession of cocaine with intent to distribute and the child's death.

KEY QUOTATIONS

“the facts support the unmistakable conclusion that the victim ingested the deadly dose of cocaine after finding it in the place where [Williams and Stephens] stored it to sell to others.” (599)

FACTUAL BACKGROUND

One-year-old Jewell Williams died from cocaine poisoning after emergency personnel responded to a distress call at the home Stephens shared with co-defendant Anthony Williams. Evidence showed that cocaine was present in the home, that Stephens and Williams sold cocaine there, and that cocaine was stored in locations including the sofa and Stephens's purse. The State's evidence supported the conclusion that Jewell ingested the fatal dose after finding cocaine stored in the home for sale.

PROCEDURAL HISTORY

A Bartow County jury found Stephens guilty in 2009 of eight counts arising from her child's cocaine-poisoning death, including four felony-murder counts and four predicate felonies. The trial court initially imposed four concurrent life sentences and merged the predicate felonies into the corresponding felony-murder counts. After remand and further proceedings concerning a potential ineffective-assistance claim, the trial court denied a renewed motion for new trial and purported to merge three felony-murder counts into Count 1, leaving the life sentence on Count 1. Stephens appealed, and the Supreme Court of Georgia affirmed.

DISPOSITION

affirmed

CASES CITED

- Williams v. State, 298 Ga. 208, 213-214 (2) (b), 779 S.E.2d 304 (2015)
- Williams v. State, 298 Ga. 208, 214 (3), 779 S.E.2d 304 (2015)
- Williams v. State, 298 Ga. 208 n. 1, 779 S.E.2d 304 (2015)
- Dixon v. State, 302 Ga. 691, 696-98 (4), 808 S.E.2d 696 (2017)

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