

SUPREME COURT OF IOWA

State of Iowa v. Dixie Lynn Shanahan

Shanahan · No. 19 / 04-0855 · Decided April 7, 2006

SUMMARY

The Iowa Supreme Court affirmed Dixie Lynn Shanahan’s conviction for second-degree murder in the shooting death of her husband, Scott Shanahan. The court upheld the denial of her motion to suppress, concluding that the search-warrant affidavit provided a substantial basis for probable cause, and rejected her challenges to the sufficiency and weight of the evidence concerning malice and justification. The court preserved some ineffective-assistance-of-counsel claims for possible postconviction-relief proceedings.

CASE DETAILS

COURT	Supreme Court of Iowa
WRITING FOR THE COURT	Wiggins, Justice
JURISDICTION	Iowa
DECIDED	April 7, 2006
DOCKET	19 / 04-0855
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from a conviction for second-degree murder. The appellant challenged denial of a motion to suppress, denial of motions for judgment of acquittal and new trial, and alleged ineffective assistance of trial counsel.
STANDARD OF REVIEW	Constitutional suppression claims are reviewed de novo, with independent evaluation of the totality of the circumstances and deference to district-court credibility findings. A motion for judgment of acquittal is reviewed under the sufficiency-of-the-evidence standard, viewing the evidence in the light most favorable to the State. A ruling on a motion for new trial based on the weight of the evidence is reviewed for abuse of discretion. Ineffective-assistance claims may be decided on direct appeal when the record is sufficient, but are ordinarily preserved for postconviction proceedings when the record is inadequate.
PRECEDENTIAL VALUE	published precedential opinion

TOPICS

suppression of evidence

probable cause

fourth amendment

self defense

ineffective assistance

PRACTICE AREAS

criminal law

criminal procedure

evidence

constitutional law

post-conviction relief

QUESTIONS PRESENTED

1. Whether the search-warrant affidavit established probable cause to believe that a crime had been committed and that evidence of the crime would be found at the Shanahan residence.
2. Whether the evidence was sufficient to support the jury's findings of malice aforethought and lack of justification for second-degree murder.
3. Whether the district court abused its discretion in denying a new trial on the ground that the verdict was contrary to the weight of the evidence.
4. Whether trial counsel was ineffective for failing to object to other-acts evidence and prosecutorial statements, object to a jury instruction using the term 'guilt or innocence,' and request a defense-of-another instruction.
5. Whether four additional ineffective-assistance claims should be preserved for postconviction relief because the direct-appeal record was inadequate.

HOLDINGS

1. The search-warrant application and supporting affidavit provided a substantial basis for the issuing judge to find probable cause that criminal activity caused Scott's disappearance and that evidence of that activity would be found at the Shanahan residence.
2. Substantial evidence supported the jury's findings that Shanahan acted with malice aforethought and without justification when she shot Scott, so the district court properly denied the motion for judgment of acquittal.
3. The district court did not abuse its discretion in denying a new trial because the evidence did not preponderate heavily against the verdict.
4. Trial counsel was not ineffective for failing to object to evidence concerning Shanahan's post-shooting financial transactions and efforts to make Scott appear alive, because the evidence was relevant to rebut her justification defense and its probative value was not substantially outweighed by unfair prejudice.
5. Counsel was not ineffective for failing to request a defense-of-another instruction for Shanahan's two born children because they were not present and therefore were not subject to an imminent use of unlawful force. As to the unborn child, any instructional error would not have prejudiced Shanahan because the jury's rejection of self-defense necessarily defeated the same justification theory for the unborn child.

6. Four ineffective-assistance claims were preserved for postconviction relief because the direct-appeal record was insufficient to decide them.

KEY QUOTATIONS

“Thus, there was a substantial basis for the issuing judge to conclude probable cause existed to issue the search warrant.” (14)

“We find no error in the district court’s rulings with respect to the motion to suppress, motion for judgment of acquittal, and motion for new trial.” (35)

FACTUAL BACKGROUND

Dixie Shanahan shot her husband, Scott, in the back of the head in August 2002 and left his body concealed in a bedroom of their home. She claimed Scott had subjected her to severe domestic abuse, threatened her and her unborn child, and that she shot him in self-defense when he moved toward her or the shotgun. After the shooting, she concealed the body and weapon and took steps to create the appearance that Scott had left voluntarily, including signing his name to checks and selling his property. A search warrant issued after an extensive investigation into Scott's disappearance led to discovery of his remains and evidence connecting Shanahan to the killing.

PROCEDURAL HISTORY

A jury convicted Shanahan of the lesser included offense of second-degree murder and found that she was in immediate possession and control of a firearm. The district court denied her motion to suppress, motions for judgment of acquittal and new trial, and sentenced her to an indeterminate fifty-year term with a thirty-five-year mandatory minimum and restitution. The Supreme Court of Iowa affirmed the conviction while preserving four ineffective-assistance claims for postconviction relief.

DISPOSITION

affirmed

CASES CITED

- State v. Freeman, 705 N.W.2d 293, 297 (Iowa 2005)
- State v. Turner, 630 N.W.2d 601, 606 (Iowa 2001)
- State v. Gogg, 561 N.W.2d 360, 363-64 (Iowa 1997)
- State v. Green, 540 N.W.2d 649, 652-53, 656 (Iowa 1995)
- State v. Love, 302 N.W.2d 115, 119 (Iowa 1981)
- State v. Reeves, 636 N.W.2d 22, 26 (Iowa 2001)
- State v. Lee, 494 N.W.2d 706, 707 (Iowa 1993)
- State v. Lawler, 571 N.W.2d 486, 489 (Iowa 1997)
- State v. Greene, 592 N.W.2d 24, 29 (Iowa 1999)

- State v. Robinson, 288 N.W.2d 337, 338-40 (Iowa 1980)
- State v. Hahn, 259 N.W.2d 753, 759 (Iowa 1977)
- State v. Thornton, 498 N.W.2d 670, 673-74, 676 (Iowa 1993)
- State v. Ellis, 578 N.W.2d 655, 657-59 (Iowa 1998)
- State v. Atley, 564 N.W.2d 817, 821 (Iowa 1997)
- State v. Schrier, 300 N.W.2d 305, 309 (Iowa 1981)
- State v. Blair, 347 N.W.2d 416, 420 (Iowa 1984)
- State v. Taylor, 689 N.W.2d 116, 123-24 (Iowa 2004)
- State v. Plaster, 424 N.W.2d 226, 231 (Iowa 1988)
- State v. Rodriquez, 636 N.W.2d 234, 240 (Iowa 2001)
- State v. Walters, 426 N.W.2d 136, 140-41 (Iowa 1988)
- State v. Liddell, 672 N.W.2d 805, 809 (Iowa 2003)
- State v. Vickroy, 205 N.W.2d 748, 749-51 (Iowa 1973)
- State v. Phillips, 226 N.W.2d 16, 19 (Iowa 1975)
- State v. Odem, 322 N.W.2d 43, 47 (Iowa 1982)
- State v. Graves, 668 N.W.2d 860, 869, 879-80, 884 (Iowa 2003)
- State v. Werts, 677 N.W.2d 734, 739-40 (Iowa 2004)
- State v. Wills, 696 N.W.2d 20, 24 (Iowa 2005)
- State v. Fintel, 689 N.W.2d 95, 104 (Iowa 2004)
- State v. Tubbs, 690 N.W.2d 911, 916 (Iowa 2005)
- State v. Langlet, 283 N.W.2d 330, 337 (Iowa 1979)
- State v. Kellogg, 542 N.W.2d 514, 516 (Iowa 1996)
- Bowman v. State, 710 N.W.2d 200, 203 (Iowa 2006)
- State v. Hopkins, 576 N.W.2d 374, 378 (Iowa 1998)
- Strickland v. Washington, 466 U.S. 668, 694 (1984)