

SUPREME JUDICIAL COURT OF MAINE

State v. Mills, 2006 ME 134

910 A.2d 1053 (Me. 2006) · Decided November 21, 2006

SUMMARY

The Maine Supreme Judicial Court affirmed Brandon Mills's convictions for manslaughter and burglary. The court held that the trial court properly excluded a witness's remote juvenile adjudication and Department records concerning prior knife possession because the proposed evidence was irrelevant and too speculative to support an alternative-perpetrator theory.

CASE DETAILS

COURT	Supreme Judicial Court of Maine
WRITING FOR THE COURT	Alexander, J.; Saufley, C.J.; Clifford, J.; Dana, J.; Levy, J.; Silver, J.
JURISDICTION	Maine
DECIDED	November 21, 2006
DISPOSITION	affirmed
PROCEDURAL POSTURE	Mills appealed his convictions for manslaughter and burglary, arguing that the trial court improperly excluded evidence used to impeach a prosecution witness and violated his Sixth Amendment right to confrontation.
STANDARD OF REVIEW	Evidentiary rulings are reviewed for clear error or abuse of discretion. Relevancy determinations are reviewed for clear error, while admissibility decisions are generally reviewed for abuse of discretion.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Brandon T. Mills v. State of Maine

TOPICS

- evidence
- relevance
- impeachment
- sixth amendment
- appellate procedure

PRACTICE AREAS

- criminal law
- criminal procedure
- evidence
- constitutional law
- appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion or committed clear error by excluding evidence of Isabel Garcia's juvenile adjudication for carrying a concealed weapon and Department records concerning her past possession of knives.
2. Whether exclusion of that evidence violated Mills's Sixth Amendment right to confront and cross-examine Garcia.

HOLDINGS

1. The trial court properly excluded the evidence because Mills presented no evidence linking Garcia's remote history of possessing knives to the stabbing, making the proposed alternative-perpetrator theory speculative and the evidence irrelevant.
2. The exclusion of the challenged evidence did not violate Mills's confrontation rights because the evidence was irrelevant and speculative; the court did not need to decide Mills's broader constitutional challenge concerning the scope of *Davis v. Alaska*.
3. The Department records were properly excluded because Mills sought to use Garcia's prior knife possession to suggest that she possessed a knife and acted similarly at the time of the stabbing, which was prohibited propensity reasoning under M.R. Evid. 404(b), and the records were independently irrelevant.

KEY QUOTATIONS

"Pursuant to the Confrontation Clause of the Sixth Amendment, a defendant has a "right to conduct reasonable or otherwise appropriate cross-examination to expose facts from which jurors could appropriately draw inferences relating to a witness's reliability." (910 A.2d at 1057)

"The defendant must reasonably establish the connection between the alternative perpetrator and the crime through admissible evidence." (910 A.2d at 1058)

"This is the type of evidence that M.R. Evid. 404(b) explicitly prohibits." (910 A.2d at 1059)

FACTUAL BACKGROUND

Brandon Mills and his brother Antwane forced their way into an apartment after an earlier confrontation involving water being thrown at Antwane. During a fight at the apartment doorway, a witness testified that Brandon produced a knife and stabbed Jarmaine Ramirez, who later died. Another witness, Isabel Garcia, did not see a knife or the stabbing, and Mills sought to impeach her with a juvenile adjudication and Department records concerning her past possession of knives.

PROCEDURAL HISTORY

Mills was charged in the Maine Superior Court with intentional and knowing murder and burglary. After trial, the jury acquitted him of murder but convicted him of manslaughter as a lesser included offense and burglary. The Superior Court sentenced him to seventeen years' imprisonment, with all but twelve years suspended, followed by six years of probation. The Supreme Judicial Court of Maine affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Reese, 2005 ME 87, ¶¶ 9-10, 877 A.2d 1090, 1092-93
- State v. Howe, 2001 ME 181, ¶ 8, 788 A.2d 161, 163
- D'Angelo v. McNutt, 2005 ME 31, ¶ 6, 868 A.2d 239, 242
- State v. Bennett, 658 A.2d 1058, 1062 (Me. 1995)
- State v. Warren, 312 A.2d 535, 544 (Me. 1973)
- State v. Robinson, 2002 ME 136, ¶¶ 13, 15, 803 A.2d 452, 457-58
- State v. Donovan, 1997 ME 181, ¶ 4, 698 A.2d 1045, 1047
- State v. Graves, 638 A.2d 734, 737 (Me. 1994)
- State v. Ouellette, 544 A.2d 761, 763 (Me. 1988)
- Davis v. Alaska, 415 U.S. 308, 317-19, 94 S. Ct. 1105, 39 L. Ed. 2d 347 (1974)
- State v. Sampson, 387 A.2d 213, 217 (Me. 1978)
- State v. Bridges, 2003 ME 103, ¶ 39, 829 A.2d 247, 258
- State v. Robinson, 628 A.2d 664, 667 (Me. 1993)