

INDIANA SUPREME COURT

Michael Carr v. State of Indiana

Indiana Supreme Court Case No. 23S-LW-139 · No. 23S-LW-139 · Decided February 24, 2026

SUMMARY

The Indiana Supreme Court affirmed Michael Carr’s murder conviction and life-without-parole sentence. The court held that Carr failed to establish a Sixth Amendment fair-cross-section violation, forfeited his confrontation rights by threatening witnesses, and did not demonstrate reversible error in the admission of out-of-court statements or the jury instructions. The court also declined to revise the sentence under Indiana Appellate Rule 7(B).

CASE DETAILS

COURT	Indiana Supreme Court
WRITING FOR THE COURT	Justice Goff; Chief Justice Rush; Justice Massa; Justice Slaughter; Justice Molter
JURISDICTION	Indiana Supreme Court
DECIDED	February 24, 2026
DOCKET	23S-LW-139
DISPOSITION	affirmed
PROCEDURAL POSTURE	Carr took a mandatory and exclusive direct appeal from his murder conviction and life-without-parole sentence imposed by the Wayne Superior Court. He challenged jury selection, the admission of out-of-court statements, the jury instructions, and the appropriateness of his sentence.
STANDARD OF REVIEW	Federal constitutional issues, including the Sixth Amendment impartial-jury claim, are reviewed de novo. Constitutional challenges to the admission of evidence and witness unavailability for Confrontation Clause purposes are reviewed de novo, while ordinary evidentiary rulings are reviewed for abuse of discretion. Jury instructions are reviewed for abuse of discretion. Sentencing claims under Indiana Appellate Rule 7(B) receive considerable deference and are reviewed for whether the sentence is inappropriate in light of the offense and the offender.
PRECEDENTIAL VALUE	Published precedential opinion

PARTIES

Michael Carr v. State of Indiana

TOPICS

jury selection

sixth amendment

hearsay

criminal procedure

sentencing

PRACTICE AREAS

criminal procedure

evidence

constitutional law

sentencing

appellate procedure

QUESTIONS PRESENTED

1. Whether the composition of the venire violated Carr's Sixth Amendment right to a jury selected from a fair cross-section of the community.
2. Whether statements made by unavailable witnesses Vansickle and Smith to police were admissible after Carr forfeited his confrontation rights by threatening them and their families.
3. Whether Smith's statement to his sister that Carr shot Lewis was admissible as an excited utterance.
4. Whether the trial court's omission of a final instruction concerning the jury's authority under article 1, section 19 of the Indiana Constitution constituted fundamental error.
5. Whether Carr's life-without-parole sentence was inappropriate under Indiana Appellate Rule 7(B).

HOLDINGS

1. Carr did not establish a prima facie Sixth Amendment fair-cross-section violation because he failed to show that African Americans were systematically excluded from Wayne County jury venires on a regular basis.
2. The trial court properly admitted the statements because the witnesses were unavailable despite the State's reasonable efforts and Carr forfeited his confrontation rights by threatening to kill the witnesses and their families to prevent their testimony.
3. The trial court did not abuse its discretion by admitting Smith's statement that Carr shot Lewis as an excited utterance.
4. The omission did not constitute fundamental error because Carr waived the issue and the jury received the substance of the instruction in the preliminary instructions and was told to consider the preliminary and final instructions together.
5. Carr's life-without-parole sentence was not inappropriate in light of the brutal and calculated nature of the murder and Carr's character, including his criminal history, parole status, threats, and disregard for the rule of law.

KEY QUOTATIONS

"To establish a prima facie violation of the Sixth Amendment's fair-cross-section requirement when a group is excluded from the jury, a defendant must show "(1) that the group alleged to be excluded is a 'distinctive' group in the community," "(2) that the representation of this group in venires from which juries are selected is

not fair and reasonable in relation to the number of such persons in the community,” and “(3) that this underrepresentation is due to systematic exclusion of the group in the jury-selection process.”” (6)

“The State bears the burden of showing by a preponderance of the evidence that the defendant forfeited his right to confrontation.” (11)

“Therefore, the trial court’s failure to give a final section 19 instruction here did not deny Carr fundamental due process.” (17)

“By “holding court in the streets” and seeking revenge against Lewis after he testified in Carr’s last trial, Carr has shown blatant disregard for the rule of law.” (19)

FACTUAL BACKGROUND

Carr shot and killed Jason Lewis in Richmond, Indiana, after Lewis had served as a confidential informant in Carr's earlier cocaine-dealing prosecution. Carr lured Lewis to an apartment complex with the assistance of Lamita Vansickle, chased Lewis after initially shooting him, and fired eighteen shots, fifteen of which struck Lewis. After the killing, Carr threatened Vansickle and A.J. Smith and their families to prevent them from testifying, and he made admissions and wrote letters describing the murder. Carr was on parole at the time of the killing.

PROCEDURAL HISTORY

A jury found Carr guilty of murder and recommended a life-without-parole sentence after a ten-day trial. The Wayne Superior Court imposed the recommended sentence. Carr appealed directly to the Indiana Supreme Court, which affirmed both the conviction and sentence.

DISPOSITION

affirmed

CASES CITED

- Alford v. State, 699 N.E.2d 247, 251 (Ind. 1998)
- Speers v. State, 999 N.E.2d 850, 852 (Ind. 2013)
- Fowler v. State, 829 N.E.2d 459, 463, 465-66 (Ind. 2005)
- Dunn v. State, 230 N.E.3d 910, 914 (Ind. 2024)
- Lane v. State, 232 N.E.3d 119, 122 (Ind. 2024)
- Taylor v. Louisiana, 419 U.S. 522, 528 (1975)
- Duren v. Missouri, 439 U.S. 357, 364, 366-67 (1979)
- Fields v. State, 679 N.E.2d 1315, 1318 (Ind. 1996)
- Williams v. State, 877 N.E.2d 845, 847 (Ind. Ct. App. 2007), trans. denied
- Crawford v. Washington, 541 U.S. 36, 59-60 (2004)
- Scott v. State, 139 N.E.3d 1148, 1153, 1155 (Ind. Ct. App. 2020), trans. denied

- Davis v. Washington, 547 U.S. 813, 833 (2006)
- Jackson v. State, 735 N.E.2d 1146, 1151 (Ind. 2000)
- Barber v. Page, 390 U.S. 719, 725 (1968)
- Ohio v. Roberts, 448 U.S. 56, 74 (1980)
- Berkman v. State, 976 N.E.2d 68, 77 (Ind. Ct. App. 2012), trans. denied
- Doyle v. State, 223 N.E.3d 1113, 1121-22 (Ind. Ct. App. 2023)
- Smoots v. State, 172 N.E.3d 1279, 1287 (Ind. Ct. App. 2021)
- Koenig v. State, 933 N.E.2d 1271, 1273 (Ind. 2010)
- Taylor v. State, 271 N.E.3d 559, 563 (Ind. 2025)
- Jefferson v. State, 399 N.E.2d 816, 819-20 (Ind. Ct. App. 1980)
- Noojin v. State, 730 N.E.2d 672, 676-77 (Ind. 2000)
- Yamobi v. State, 672 N.E.2d 1344, 1346 (Ind. 1996)
- Young v. State, 980 N.E.2d 412, 421 (Ind. Ct. App. 2012)
- Ramsey v. State, 122 N.E.3d 1023, 1032 (Ind. Ct. App. 2019), trans. denied
- Hayko v. State, 211 N.E.3d 483, 492 (Ind. 2023)
- Hester v. State, 551 N.E.2d 1187, 1192 (Ind. Ct. App. 1990)
- Warren v. State, 725 N.E.2d 828, 836-37 (Ind. 2000)
- Durden v. State, 99 N.E.3d 645, 651-52 (Ind. 2018)
- Knapp v. State, 9 N.E.3d 1274, 1281 (Ind. 2014)
- Clark v. State, 561 N.E.2d 759, 764 (Ind. 1990)
- Bonham v. State, 644 N.E.2d 1223, 1227 (Ind. 1994)
- Weisheit v. State, 26 N.E.3d 3, 20 (Ind. 2015)
- Wright v. State, 168 N.E.3d 244, 261 n.11 (Ind. 2021)
- Smith v. State, 686 N.E.2d 1264, 1273 (Ind. 1997)
- Cramer v. State, 240 N.E.3d 693, 698 (Ind. 2024)
- McCallister v. State, 91 N.E.3d 554, 566 (Ind. 2018)
- Stephenson v. State, 29 N.E.3d 111, 122 (Ind. 2015)
- Satterfield v. State, 33 N.E.3d 344, 355 (Ind. 2015)
- Ritchie v. State, 875 N.E.2d 706, 725 (Ind. 2007)
- Coleman v. State, 741 N.E.2d 697, 703 (Ind. 2000)
- Prince v. State, 148 N.E.3d 1171, 1174 (Ind. Ct. App. 2020)