

SUPREME COURT OF KENTUCKY

Donald M. Lynch v. Commonwealth of Kentucky

2021-SC-0022-MR · No. 2021-SC-0022-MR · Decided March 22, 2022

SUMMARY

The Supreme Court of Kentucky affirmed Donald M. Lynch’s convictions and life-without-parole sentence for first-degree rape, murder, abuse of a corpse, first-degree trafficking in a controlled substance, and tampering with physical evidence. The court held that no palpable error occurred in the trial court’s handling of Lynch’s waiver of his right to testify, concluding that defense counsel, rather than the court, bears the primary duty to address impediments absent improper state action. The court also rejected Lynch’s challenges to the denial of directed verdicts on the first-degree rape and tampering charges.

CASE DETAILS

COURT	Supreme Court of Kentucky
WRITING FOR THE COURT	Justice Lambert
JURISDICTION	Kentucky
DECIDED	March 22, 2022
DOCKET	2021-SC-0022-MR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Lynch appealed as a matter of right from his convictions and resulting sentence in the Ohio Circuit Court. He challenged the trial court's handling of his waiver of the right to testify and the denial of directed verdicts on first-degree rape and tampering with physical evidence.
STANDARD OF REVIEW	Unpreserved claims were reviewed for palpable error under Kentucky Rule of Criminal Procedure 10.26. A directed-verdict ruling is reviewed under whether, viewing the evidence as a whole and drawing all fair and reasonable inferences in favor of the Commonwealth, it would be clearly unreasonable for a jury to find guilt beyond a reasonable doubt.
PRECEDENTIAL VALUE	Published Kentucky Supreme Court opinion
PARTIES	Donald M. Lynch v. Commonwealth of Kentucky

TOPICS

criminal procedure

appellate procedure

standard of review

due process

evidence

PRACTICE AREAS

criminal law

criminal procedure

appellate practice

evidence

QUESTIONS PRESENTED

1. Whether the trial court committed reversible or palpable error by failing to conduct a more extensive inquiry into Lynch's waiver of his constitutional right to testify after he stated that he feared retaliation from a witness and motorcycle club affiliates.
2. Whether the trial court erred by denying Lynch's motion for a directed verdict on the charge of first-degree rape.
3. Whether the trial court committed palpable error by denying Lynch's motion for a directed verdict on the charge of tampering with physical evidence.

HOLDINGS

1. A trial court generally should follow the no-inquiry rule regarding a defendant's decision not to testify, unless it is aware that defense counsel or the Commonwealth is impermissibly preventing the defendant from exercising the right to testify. Where the alleged impediment is attributable only to a private actor, no constitutional violation occurred on these facts, and the limited colloquy did not constitute palpable error.
2. Lynch was not entitled to a directed verdict on first-degree rape because the evidence, viewed in the Commonwealth's favor, was sufficient for a reasonable jury to infer that the sexual act was nonconsensual and involved forcible compulsion.
3. Lynch was not entitled to a directed verdict on tampering with physical evidence, and the trial court did not commit palpable error by submitting the charge to the jury.

KEY QUOTATIONS

“where a private actor has worked to impede a defendant’s right to testify, no constitutional violation occurs.” (14)

“A trial court should hold steadfast to the “no-inquiry” rule, unless that court is aware of an impediment to a defendant’s right to testify that has been impermissibly exercised by defense counsel or the Commonwealth.” (15)

“On a motion for directed verdict, the trial court must draw all fair and reasonable inferences from the evidence in favor of the Commonwealth.” (16)

FACTUAL BACKGROUND

Amanda Riley disappeared on December 16, 2016, and her body was found the next morning in the Peabody Wildlife Management Area. Evidence connected Lynch to Riley, including text messages, cell-location data placing their phones together, Lynch's statement that he had been with Riley, his DNA in the rape-kit evidence,

and Riley's blood on his shoe. Riley died from blunt-force trauma, and evidence supported the Commonwealth's theory that Lynch raped and murdered her and discarded her purse to delay identification.

PROCEDURAL HISTORY

A jury convicted Lynch of first-degree rape, murder, abuse of a corpse, first-degree trafficking in a controlled substance, and tampering with physical evidence. The jury found that the murder was committed during the commission of rape, and Lynch was sentenced to life imprisonment without parole. The Supreme Court of Kentucky affirmed.

DISPOSITION

affirmed

CASES CITED

- Rock v. Arkansas, 483 U.S. 44, 51-53 (1987)
- Quarels v. Commonwealth, 142 S.W.3d 73, 78-79 (Ky. 2004)
- Woolfolk v. Commonwealth, 339 S.W.3d 411, 419, 421 (Ky. 2011)
- Watkins v. Commonwealth, 105 S.W.3d 449, 453 (Ky. 2003)
- United States v. Joelson, 7 F.3d 174, 177 (9th Cir. 1993)
- United States v. Webber, 208 F.3d 545, 550-51 (6th Cir. 2000)
- United States v. Stover, 474 F.3d 904, 908 (6th Cir. 2007)
- Riley v. Commonwealth, 91 S.W.3d 560, 562-63 (Ky. 2002)
- Crawley v. Commonwealth, 107 S.W.3d 197, 199 (Ky. 2003)
- Commonwealth v. Pennycooke, 65 F.3d 9, 13 (3d Cir. 1995)
- Strickland v. Washington, 466 U.S. 668, 685 (1984)
- Brock v. Commonwealth, 947 S.W.2d 24, 28 (Ky. 1997)
- Martin v. Commonwealth, 207 S.W.3d 1, 3 (Ky. 2006)
- Benham v. Commonwealth, 816 S.W.2d 186, 187 (Ky. 1991)
- Lackey v. Commonwealth, 468 S.W.3d 348, 352 (Ky. 2015)
- Wahl v. Commonwealth, 636 S.W.3d 484, 501 (Ky. 2021)
- Commonwealth v. James, 586 S.W.3d 717, 722 (Ky. 2019)
- Florence v. Commonwealth, 120 S.W.3d 699 (Ky. 2003)
- Quarels v. Commonwealth, 142 S.W.3d 73 (Ky. 2004)