

SUPREME COURT OF TENNESSEE

State of Tennessee v. Prince Adams

405 S.W.3d 641 (Tenn. 2013) · No. W2009-01492-SC-R11-CD · Decided May 16, 2013

SUMMARY

The Supreme Court of Tennessee affirmed Prince Adams's conviction for first degree premeditated murder and life sentence. The court held that an improper note from a discharged alternate juror to the jury foreman created a presumption of prejudice, but that the State rebutted the presumption under Tennessee Rule of Evidence 606(b).

CASE DETAILS

COURT	Supreme Court of Tennessee
WRITING FOR THE COURT	Gary R. Wade, Chief Justice; Janice M. Holder, Justice; Cornelia A. Clark, Justice; William C. Koch, Jr., Justice; Sharon G. Lee, Justice
JURISDICTION	Tennessee
DECIDED	May 16, 2013
DOCKET	W2009-01492-SC-R11-CD
DISPOSITION	affirmed
PROCEDURAL POSTURE	Adams appealed by permission from the Tennessee Court of Criminal Appeals after affirmance of his conviction for first degree premeditated murder and life sentence.
STANDARD OF REVIEW	The juror-misconduct issue was reviewed de novo as a mixed question of law and fact, with a presumption of correctness for the trial court's factual findings and de novo review of legal conclusions. Admission of the audiotape under Tennessee Rule of Evidence 404(b) was reviewed for abuse of discretion because the trial court substantially complied with the rule. Admission of photographs was reviewed for abuse of discretion. Sufficiency of the evidence was reviewed under whether any rational trier of fact could have found the essential elements beyond a reasonable doubt, viewing the evidence in the light most favorable to the State. Jury-instruction issues were reviewed to determine whether the charge, read as a whole, fully and fairly stated the applicable law.
PRECEDENTIAL VALUE	Published Tennessee Supreme Court opinion; precedential.

TOPICS

criminal procedure

jury instructions

evidence

appellate procedure

standard of review

PRACTICE AREAS

criminal law

criminal procedure

evidence

appellate procedure

QUESTIONS PRESENTED

1. Whether an improper communication from a discharged alternate juror to the jury foreman created a presumption of prejudice and required a new trial.
2. Whether the trial court's admission of a portrait photograph of the victim and crime-scene photographs was reversible error.
3. Whether the trial court abused its discretion by admitting an audiotape containing a reference to Adams's prior domestic-violence offense.
4. Whether the trial court erred by refusing to give a special jury instruction expressly using the term diminished capacity.
5. Whether the evidence was sufficient to establish premeditation and support Adams's conviction for first degree premeditated murder.

HOLDINGS

1. A communication from a discharged alternate juror to a deliberating jury member is an improper outside influence that triggers a rebuttable presumption of prejudice, but the State may rebut that presumption through admissible evidence and an objective analysis of the circumstances. Here, the State rebutted the presumption, and the communication did not require a new trial.
2. The trial court erred by admitting a portrait-style photograph of the victim taken while she was alive because the photograph was not relevant to a disputed issue, but the error was harmless. The trial court did not abuse its discretion by admitting the crime-scene photographs because they were relevant to the victim's injuries, the disposal of the body, and premeditation, and their probative value was not substantially outweighed by unfair prejudice.
3. The trial court did not abuse its discretion by admitting the audiotape, including the reference to Adams's prior domestic-violence offense, because the recording was highly probative of his motive and state of mind and the trial court complied with Tennessee Rule of Evidence 404(b).
4. The trial court did not err by refusing to give a special instruction expressly using the term diminished capacity because the general instructions adequately permitted the jury to consider whether Adams's mental condition or Ambien use affected his ability to form the required culpable mental state.
5. The evidence was sufficient for a rational jury to find beyond a reasonable doubt that Adams intentionally and premeditatedly killed Flowers, supporting the first degree murder conviction.

KEY QUOTATIONS

“In determining whether the State has rebutted the presumption of prejudice in circumstances such as these, trial courts should consider the following factors: (1) the nature and content of the information or influence, including whether the content was cumulative of other evidence adduced at trial; (2) the number of jurors exposed to the information or influence; (3) the manner and timing of the exposure to the juror(s); and (4) the weight of the evidence adduced at trial.” (9)

“No single factor is dispositive. Instead, trial courts should consider all of the factors in light of the ultimate inquiry—whether there exists a reasonable possibility that the extraneous prejudicial information or improper outside influence altered the verdict.” (9)

“Prior to admitting photographs of victims taken while they were alive, trial courts must determine whether the photographs are relevant by considering whether the purported use of the photograph—such as depicting a life-in-being—is a disputed issue at trial.” (14)

FACTUAL BACKGROUND

Adams killed his girlfriend, Ohrdra Flowers, by repeatedly stabbing her with a pocketknife after she told him she had been unfaithful. He had previously recorded that he would kill her if he discovered she was cheating, and after the killing he disposed of her body and later admitted responsibility to police. At trial, after two alternate jurors were discharged, one alternate left the jury foreman a note stating that the alternates believed Adams was guilty of first degree murder. The foreman discarded the note and did not tell the other jurors about it.

PROCEDURAL HISTORY

A Shelby County jury convicted Adams of first degree premeditated murder and he received a life sentence. The trial court denied his motion for a new trial. The Court of Criminal Appeals affirmed, and the Tennessee Supreme Court granted permission to appeal primarily to determine whether an improper communication from a discharged alternate juror to the jury foreman required a new trial. The Supreme Court affirmed the judgment.

DISPOSITION

affirmed

CASES CITED

- State v. Sexton, 368 S.W.3d 371, 390 (Tenn. 2012)
- Caldararo ex rel. Caldararo v. Vanderbilt University, 794 S.W.2d 738, 740-43 (Tenn. Ct. App. 1990)
- State v. Blackwell, 664 S.W.2d 686, 688-89 (Tenn. 1984)
- State v. Coker, 746 S.W.2d 167, 171 (Tenn. 1987)
- Robinson v. Polk, 438 F.3d 350, 363 (4th Cir. 2006)
- Remmer v. United States, 347 U.S. 227, 229 (1954)
- Walsh v. State, 166 S.W.3d 641, 643, 647-49 (Tenn. 2005)
- State v. Parchman, 973 S.W.2d 607, 612 (Tenn. Crim. App. 1997)

- Haugh v. Jones & Laughlin Steel Corp., 949 F.2d 914, 917 (7th Cir. 1991)
- United States v. Farhane, 634 F.3d 127, 169 (2d Cir. 2011)
- United States v. Console, 13 F.3d 641, 666-68 (3d Cir. 1993)
- United States v. Blumeyer, 62 F.3d 1013, 1017 (8th Cir. 1995)
- Fullwood v. Lee, 290 F.3d 663, 668 (4th Cir. 2002)
- Parker v. Gladden, 385 U.S. 363, 366 (1966)
- State v. Bobo, 814 S.W.2d 353, 355 (Tenn. 1991)
- Patten v. State, 426 S.W.2d 503, 506-07 (Tenn. 1968)
- State v. Vann, 976 S.W.2d 93, 102 (Tenn. 1998)
- State v. Williamson, 919 S.W.2d 69, 78 (Tenn. Crim. App. 1995)
- State v. Young, 196 S.W.3d 85, 105-06 (Tenn. 2006)
- State v. Cole, 155 S.W.3d 885, 911-12 (Tenn. 2005)
- State v. Nesbit, 978 S.W.2d 872, 898, 902 n.3 (Tenn. 1998)
- State v. Dicks, 615 S.W.2d 126, 128 (Tenn. 1981)
- State v. Richardson, 697 S.W.2d 594, 597 (Tenn. Crim. App. 1985)
- State v. Richardson, 995 S.W.2d 119, 128 (Tenn. Crim. App. 1998)
- State v. Jordan, 325 S.W.3d 1, 86 (Tenn. 2010)
- State v. Adkisson, 899 S.W.2d 626, 645-46 (Tenn. Crim. App. 1995)
- Bunch v. State, 605 S.W.2d 227, 229 (Tenn. 1980)
- State v. McCary, 119 S.W.3d 226, 243 (Tenn. Crim. App. 2003)
- State v. DuBose, 953 S.W.2d 649, 652 (Tenn. 1997)
- Wilson v. State, 367 S.W.3d 229, 235 (Tenn. 2012)
- State v. Hall, 958 S.W.2d 679, 690-91 (Tenn. 1997)
- State v. Morris, 24 S.W.3d 788, 796 (Tenn. 2000)
- State v. Hanson, 279 S.W.3d 265, 275, 280 (Tenn. 2009)
- State v. Cozart, 54 S.W.3d 242, 245 (Tenn. 2001)
- State v. Ferrell, 277 S.W.3d 372, 379 (Tenn. 2009)
- State v. Vaughn, 279 S.W.3d 584, 601-02 (Tenn. Crim. App. 2008)
- State v. Shelton, 854 S.W.2d 116, 122 (Tenn. 1992)
- State v. Vasques, 221 S.W.3d 514, 521 (Tenn. 2007)
- State v. Cabbage, 571 S.W.2d 832, 835 (Tenn. 1978)
- State v. Evans, 838 S.W.2d 185, 191 (Tenn. 1992)
- State v. Dorantes, 331 S.W.3d 370, 379, 381 (Tenn. 2011)
- Duchac v. State, 505 S.W.2d 237, 241 (Tenn. 1973)
- Marable v. State, 313 S.W.2d 451, 456-58 (Tenn. 1958)
- State v. Rice, 184 S.W.3d 646, 662 (Tenn. 2006)
- State v. Lewter, 313 S.W.3d 745, 748 (Tenn. 2010)

- State v. Davidson, 121 S.W.3d 600, 615 (Tenn. 2003)
- State v. Bland, 958 S.W.2d 651, 660 (Tenn. 1997)
- State v. Sims, 45 S.W.3d 1, 8 (Tenn. 2001)
- State v. Brown, 836 S.W.2d 530, 541-43 (Tenn. 1992)
- State v. Reid, 164 S.W.3d 286, 311 (Tenn. 2005)
- State v. Keough, 18 S.W.3d 175, 181 (Tenn. 2000)

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