

SUPREME COURT OF FLORIDA

Evans v. State

800 So. 2d 182 (Fla. 2001) · No. SC95993 · Decided October 11, 2001

SUMMARY

The Supreme Court of Florida affirmed Steven Maurice Evans’s convictions for premeditated first-degree murder and his death sentence. The court rejected challenges concerning competency to stand trial, a witness’s reference to prior criminal records, the admission of allegedly irrelevant evidence, the cold, calculated, and premeditated aggravator, the heinous, atrocious, or cruel aggravator, and the proportionality of the death sentence.

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Chief Justice Wells; Justice Shaw; Justice Harding; Justice Anstead; Justice Pariente; Justice Lewis; Justice Quince
JURISDICTION	Florida
DECIDED	October 11, 2001
DOCKET	SC95993
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from a judgment of conviction for premeditated first-degree murder and a sentence of death.
STANDARD OF REVIEW	Competency determinations are reviewed for abuse of discretion. Mistrial rulings are reviewed for abuse of discretion. Evidentiary rulings are reviewed for clear abuse of discretion. Sentencing findings concerning aggravating and mitigating circumstances are affirmed if supported by competent substantial evidence. Proportionality of a death sentence is reviewed under the totality of the circumstances.
PRECEDENTIAL VALUE	published binding precedent of the Supreme Court of Florida
PARTIES	Steven Maurice Evans v. State of Florida

TOPICS

- sentencing
- criminal procedure
- evidence
- standard of review
- appellate procedure

PRACTICE AREAS

criminal law

capital punishment

criminal procedure

evidence

constitutional law

appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion in finding Evans competent to stand trial.
2. Whether the trial court erred in denying a mistrial after a State witness referred to Evans's fingerprints on record with the Orlando Police Department.
3. Whether the admission of a shell casing, gang-membership evidence, and evidence concerning the planned Sanford robbery deprived Evans of a fair trial.
4. Whether the evidence supported the cold, calculated, and premeditated aggravating circumstance.
5. Whether the evidence supported the heinous, atrocious, or cruel aggravating circumstance.
6. Whether the trial court improperly weighed aggravating and mitigating circumstances.
7. Whether the death sentence was disproportionate under Florida law.
8. Whether an eleven-to-one jury recommendation rendered the death sentence unconstitutional.

HOLDINGS

1. The trial court did not abuse its discretion in finding Evans competent to stand trial.
2. The trial court properly denied the motion for mistrial because the isolated reference to police records was not sufficiently prejudicial, and any possible error was harmless.
3. The shell casing and evidence concerning the planned Sanford robbery were properly admitted as relevant; admission of gang-membership evidence was error, but the error was harmless.
4. The evidence supported the finding that the murder was committed in a cold, calculated, and premeditated manner without any pretense of moral or legal justification.
5. The evidence supported the heinous, atrocious, or cruel aggravating circumstance.
6. The trial court did not improperly weigh the aggravating and mitigating circumstances, and its findings were supported by competent substantial evidence.
7. The death sentence was proportionate under Florida law.
8. An eleven-to-one jury recommendation for death did not render Evans's death sentence unconstitutional.

KEY QUOTATIONS

“The test for whether a defendant is competent to stand trial is whether “he has sufficient present ability to consult with his lawyer with a reasonable degree of rational understanding-and whether he has a rational as well as factual understanding of the proceedings against him.”” (at 187)

“A defendant can be emotionally and mentally disturbed or suffer from a mental illness but still have the ability to experience cool and calm reflection, make a careful plan or prearranged design to commit murder, and exhibit heightened premeditation.” (at 193)

“Fear and emotional strain may be considered as contributing to the heinous nature of the murder, even where the victim's death was almost instantaneous.” (at 194)

FACTUAL BACKGROUND

Evans and several accomplices traveled to Sanford to commit a home-invasion robbery, but the plan failed when one accomplice left with the getaway car. After returning to Orlando, Evans and the others ambushed, beat, bound, and gagged that accomplice, Lewis, when he arrived at Evans's apartment. Evans organized Lewis's removal to a culvert, constructed a homemade silencer, warned the others to check for witnesses, and shot Lewis six times, including five shots to the head. At sentencing, Evans presented evidence of mental illness or impairment, childhood and family circumstances, prior head injuries, substance abuse, and other mitigation.

PROCEDURAL HISTORY

Evans was convicted of premeditated first-degree murder and sentenced to death after the jury recommended death by an eleven-to-one vote. The trial court found five aggravating circumstances and gave substantial or some weight to statutory mental-health mitigation and little or no weight to other mitigation. Evans appealed directly to the Supreme Court of Florida, which affirmed both the conviction and sentence.

DISPOSITION

affirmed

CASES CITED

- Koon v. Dugger, 619 So. 2d 246, 250 (Fla. 1993)
- Hunter v. State, 660 So. 2d 244 (Fla. 1995)
- Dusky v. United States, 362 U.S. 402 (1960)
- Muhammad v. State, 494 So. 2d 969, 973 (Fla. 1986)
- Brown v. State, 245 So. 2d 68, 70 (Fla. 1971)
- Fowler v. State, 255 So. 2d 513, 514 (Fla. 1971)
- Carter v. State, 576 So. 2d 1291, 1292 (Fla. 1989)
- Hardy v. State, 716 So. 2d 761, 763 (Fla. 1998)
- Turner v. State, 645 So. 2d 444, 446 (Fla. 1994)
- Jackson v. State, 451 So. 2d 458, 461 (Fla. 1984)
- Cole v. State, 701 So. 2d 845, 853 (Fla. 1997)
- Power v. State, 605 So. 2d 856, 861 (Fla. 1992)
- Hernandez v. State, 763 So. 2d 1144, 1145 (Fla. 4th DCA 2000)
- Peak v. State, 363 So. 2d 1166, 1168 (Fla. 3d DCA 1978)
- Castro v. State, 547 So. 2d 111, 115-16 (Fla. 1989)
- Ray v. State, 755 So. 2d 604, 610 (Fla. 2000)
- Alston v. State, 723 So. 2d 148, 156, 161 (Fla. 1998)

- Dornau v. State, 306 So. 2d 167, 170 (Fla. 2d DCA 1974)
- Foster v. State, 679 So. 2d 747, 753 (Fla. 1996)
- State v. Shaw, 730 So. 2d 312 (Fla. 4th DCA 1999)
- State v. Cohens, 701 So. 2d 362, 364 (Fla. 2d DCA 1997)
- State v. DiGuilio, 491 So. 2d 1129 (Fla. 1986)
- Rogers v. State, 511 So. 2d 526 (Fla. 1987)
- Nibert v. State, 508 So. 2d 1, 4 (Fla. 1987)
- Sexton v. State, 775 So. 2d 923 (Fla. 2000)
- Brown v. State, 721 So. 2d 274, 277 (Fla. 1998)
- Hall v. State, 614 So. 2d 473, 478 (Fla. 1993)
- Preston v. State, 607 So. 2d 404, 409-10 (Fla. 1992)
- Green v. State, 641 So. 2d 391 (Fla. 1994)
- Campbell v. State, 571 So. 2d 415, 419-20 (Fla. 1990)
- Faison v. State, 426 So. 2d 963 (Fla. 1983)
- Kent v. State, 702 So. 2d 265 (Fla. 5th DCA 1997)
- Rodriguez v. State, 681 So. 2d 728 (Fla. 2d DCA 1996)
- Urbin v. State, 714 So. 2d 411, 416-17 (Fla. 1998)
- Spencer v. State, 691 So. 2d 1062 (Fla. 1996)
- Foster v. State, 654 So. 2d 112 (Fla. 1995)
- Lawrence v. State, 698 So. 2d 1219 (Fla. 1997)
- Johnson v. State, 660 So. 2d 637 (Fla. 1995)
- Larzelere v. State, 676 So. 2d 394, 407 n. 7 (Fla. 1996)
- James v. State, 453 So. 2d 786, 792 (Fla. 1984)