

SUPREME COURT OF MISSISSIPPI

Sands v. State

62 So. 3d 374 (Miss. 2011) · No. No. 2009-KA-01186-SCT · Decided March 3, 2011

SUMMARY

The Supreme Court of Mississippi reviewed convictions arising from a shooting outside a Church of Christ in Jefferson County. The court held that the evidence was insufficient to support Rodney Sands's convictions for two counts of manslaughter and aggravated assault, reversing and rendering those convictions. It affirmed Aqui Demetrius Rhodes's convictions for two counts of murder and aggravated assault.

CASE DETAILS

COURT	Supreme Court of Mississippi
WRITING FOR THE COURT	Presiding Justice Dickinson; Waller, C.J.; Carlson, P.J.; Dickinson, P.J.; Randolph, J.; Lamar, J.; Kitchens, J.; Chandler, J.; Pierce, J.; King, J. (not participating)
JURISDICTION	Mississippi
DECIDED	March 3, 2011
DOCKET	No. 2009-KA-01186-SCT
DISPOSITION	other
PROCEDURAL POSTURE	Sands and Rhodes were convicted in the Circuit Court of Jefferson County. Sands appealed his convictions for two counts of manslaughter and one count of aggravated assault, while Rhodes appealed his convictions for two counts of murder and one count of aggravated assault, challenging the sufficiency of the evidence.
STANDARD OF REVIEW	The court reviewed the sufficiency of the evidence by viewing the evidence in the light most favorable to the prosecution and asking whether any rational trier of fact could have found the essential elements of the offenses beyond a reasonable doubt.
PRECEDENTIAL VALUE	Published Mississippi Supreme Court opinion; precedential.
PARTIES	Rodney Sands, Aqui Demetrius Rhodes v. State of Mississippi

TOPICS

criminal procedure

evidence

appellate procedure

standard of review

harmless error

PRACTICE AREAS

Criminal law

Criminal procedure

Appellate practice

QUESTIONS PRESENTED

1. Whether sufficient evidence established that Rodney Sands shot any victim and therefore supported his convictions for two counts of manslaughter and aggravated assault.
2. Whether sufficient evidence established the deliberate-design or malice-aforethought element required for Aquí Rhodes's two murder convictions.
3. Whether the evidence was sufficient to support Rhodes's aggravated-assault conviction.

HOLDINGS

1. The evidence was insufficient to establish beyond a reasonable doubt that Rodney Sands shot any victim; therefore, his convictions had to be reversed and rendered.
2. The evidence was sufficient for a rational jury to find that Rhodes acted with deliberate design, or malice aforethought, when he shot the victims; his murder convictions were affirmed.
3. The evidence was sufficient to support Rhodes's aggravated-assault conviction.

KEY QUOTATIONS

"The reviewing Court is not required to decide whether it thinks the State proved the defendant's guilt. Rather, 'the relevant question is whether, after viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.'" (62 So. 3d at 377)

"This is wholly insufficient, and particularly so in light of the following evidence: All of the bullet fragments and shell casings found by law enforcement were either .40 or .45 caliber; all of the .40 caliber casings were traced to a single gun; McInnis was armed with a .40 caliber Kel-Tec pistol; all of the .45 caliber casings were traced to a single gun; Rhodes was armed with a .45 caliber gun; both McInnis and Rhodes had fired their guns." (62 So. 3d at 378)

FACTUAL BACKGROUND

Rodney Sands confronted Randolph Sands, Jason McNair, and Roberto McInnis in a church parking area regarding a suspected break-in. Aquí Rhodes arrived armed with a .45-caliber pistol, and the confrontation became heated after Rhodes accused the men of burglarizing his home. Rhodes admitted firing five or six shots, and physical evidence linked .45-caliber projectiles and casings to his weapon, while the evidence did not establish that Rodney Sands fired his smaller gun. Randolph and McInnis were killed, and McNair was injured.

PROCEDURAL HISTORY

Following a jury trial, Rodney Sands was convicted of two counts of manslaughter and one count of aggravated assault, and Aquil Rhodes was convicted of two counts of murder and one count of aggravated assault. The trial court denied the defendants' motions for a new trial. On appeal, the Mississippi Supreme Court reversed and rendered Sands's convictions for insufficient evidence but affirmed all of Rhodes's convictions and sentences.

DISPOSITION

other

REMAND INSTRUCTIONS

No remand was ordered. Sands's convictions were reversed and rendered; Rhodes's convictions and sentences were affirmed.

CASES CITED

- Bush v. State, 895 So. 2d 836, 843 (Miss. 2005)
- Carr v. State, 208 So. 2d 886, 889 (Miss. 1968)
- Jackson v. Virginia, 443 U.S. 307, 315 (1979)
- Edwards v. State, 469 So. 2d 68, 70 (Miss. 1983)
- Wilson v. State, 936 So. 2d 357, 363-64 (Miss. 2006)