

SUPREME COURT OF MISSISSIPPI

Christopher K. Taylor a/k/a Christopher Taylor a/k/a Chris Taylor a/k/a Chain v. State of Mississippi

No. 2011-KA-01911-SCT · No. 2011-KA-01911-SCT · Decided November 15, 2011

SUMMARY

The Supreme Court of Mississippi affirmed Christopher K. Taylor’s convictions for burglary of a dwelling and grand larceny. The court held that Taylor waived his challenge to the State’s impeachment of its own witness and that any error in admitting related testimony was harmless. The court also concluded that the evidence was legally sufficient and that the verdict was not against the overwhelming weight of the evidence.

CASE DETAILS

COURT	Supreme Court of Mississippi
WRITING FOR THE COURT	King, Justice, for the Court; Waller, C.J.; Dickinson, P.J.; Randolph, P.J.; Lamar, J.; Kitchens, J.; Chandler, J.; Pierce, J.; Coleman, J.; King, J.
JURISDICTION	Mississippi
DECIDED	November 15, 2011
DOCKET	2011-KA-01911-SCT
DISPOSITION	affirmed
PROCEDURAL POSTURE	Taylor appealed his convictions and sentences for burglary and grand larceny after the DeSoto County Circuit Court denied his motion for a judgment notwithstanding the verdict and motion for a new trial.
STANDARD OF REVIEW	A JNOV motion challenges the legal sufficiency of the evidence. The evidence is viewed in the light most favorable to the State, and the conviction is affirmed if any rational trier of fact could find the essential elements beyond a reasonable doubt. A new-trial motion challenges the weight of the evidence and is denied unless the verdict is so contrary to the overwhelming weight of the evidence that allowing it to stand would sanction an unconscionable injustice. Evidentiary error is reviewed for harmlessness when the defendant's substantive rights are not affected.
PRECEDENTIAL VALUE	published

PARTIES

Christopher K. Taylor a/k/a Christopher Taylor a/k/a Chris Taylor a/k/a Chain v. State of Mississippi

TOPICS

criminal procedure

evidence

impeachment

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criminal law

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appellate litigation

QUESTIONS PRESENTED

1. Whether the trial court erred by allowing the State to impeach its own witness with prior inconsistent statements without proving surprise or hostility and without giving a limiting instruction.
2. Whether the evidence was legally sufficient to support Taylor's burglary and grand-larceny convictions.
3. Whether the verdict was against the overwhelming weight of the evidence.

HOLDINGS

1. The State's impeachment of its own witness without proving surprise or hostility was error, but Taylor waived appellate review by failing to object during the witness's direct examination and by failing to raise plain error. Any additional error in admitting the detective's testimony was harmless because the witness had already admitted making the statements and the defense failed to request a limiting instruction.
2. The evidence was legally sufficient for a rational juror to find beyond a reasonable doubt that Taylor committed burglary.
3. The evidence was legally sufficient for a rational trier of fact to find Taylor guilty of grand larceny and to find that the stolen property exceeded the statutory \$500 value threshold.
4. The verdict was not against the overwhelming weight of the evidence, so the trial court properly denied Taylor's motion for a new trial.

KEY QUOTATIONS

"In order to impeach its own witness with a prior inconsistent statement, a party must prove it was surprised by the witness's testimony or that the witness is hostile." (§14)

"Thus, the Court must determine whether, after viewing the evidence in the light most favorable to the State, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt." (§19)

"The Court will not disturb the trial court's denial of a motion for a new trial unless "[the verdict] is so contrary to the overwhelming weight of the evidence that to allow it to stand would sanction an unconscionable injustice." " (§28)

FACTUAL BACKGROUND

The Wallaces' home in Hernando, Mississippi, was burglarized, and a television, laptop, jewelry, change, backpack, hair clippers, and flat irons were taken. Investigators followed muddy footprints toward a neighboring home and learned that Taylor had been associated with Derrick Alexander, whom evidence suggested had participated in the burglary. Taylor's girlfriend possessed or had received several stolen items from Taylor, and Taylor admitted possessing the laptop, clippers, flat irons, and backpack, although he claimed Alexander committed the burglary. The State also impeached the girlfriend with prior statements attributed to her concerning Taylor's presence at the burglary scene and disposal of his shoes.

PROCEDURAL HISTORY

Following a jury trial, Taylor was convicted of one count of burglary and one count of grand larceny and received concurrent sentences, including incarceration, post-release supervision, fines, costs, and restitution. The trial court denied his JNOV and new-trial motions. Taylor timely appealed to the Supreme Court of Mississippi, which affirmed.

DISPOSITION

affirmed

CASES CITED

- Wilkins v. State, 603 So. 2d 309, 322 (Miss. 1992)
- Tate v. State, 20 So. 3d 623, 635 (Miss. 2009)
- Bove v. State, 185 Miss. 547, 188 So. 557, 558 (Miss. 1939)
- Morgan v. State, 793 So. 2d 615, 616 (¶6) (Miss. 2001)
- King v. State, 994 So. 2d 890 (Miss. Ct. App. 2008)
- Russell v. State, 607 So. 2d 1107, 1117 (Miss. 1992)
- Knight v. State, 72 So. 3d 1056, 1063-64 (¶¶24, 31-32) (Miss. 2011)
- Bush v. State, 895 So. 2d 836, 843-44 (¶¶16, 18) (Miss. 2005)
- Shields v. State, 702 So. 2d 380, 383 (Miss. 1997)
- Seales v. State, 90 So. 3d 37, 41-43 (¶¶20-30) (Miss. 2012)
- Davis v. State, 40 So. 3d 525, 527 (¶6) n.6 (Miss. 2010)
- Miranda v. Arizona, 384 U.S. 436, 86 S. Ct. 1602, 16 L. Ed. 2d 694 (1966)