

SUPREME COURT OF GEORGIA

Schutt v. State

292 Ga. 625 (2013) · Decided March 18, 2013

SUMMARY

The Georgia Supreme Court affirmed Ashley Schutt’s convictions for malice murder and related offenses arising from the killing of her husband. The court held that the evidence supported the aggravated assault conviction and that Schutt’s police statements were admissible under Miranda, but vacated the aggravated assault sentence because that conviction merged with the malice murder conviction.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	Nahmias, Justice
JURISDICTION	Georgia
DECIDED	March 18, 2013
DISPOSITION	other
PROCEDURAL POSTURE	Direct appeal from convictions for malice murder, aggravated assault, possession of a knife during the commission of a crime, and two counts of making false statements, following denial of a motion for new trial.
STANDARD OF REVIEW	For sufficiency of the evidence, the evidence is viewed in the light most favorable to the verdict and the question is whether a rational jury could find guilt beyond a reasonable doubt. For ineffective-assistance claims, the court accepts the trial court's factual findings and credibility determinations unless clearly erroneous and applies the law to those facts independently. For suppression rulings involving disputed facts, factual findings and credibility determinations are reviewed for clear error, while the application of law to facts is reviewed independently.
PRECEDENTIAL VALUE	Published Georgia Supreme Court opinion
PARTIES	Ashley Schutt v. State

TOPICS

criminal procedure

miranda rights

suppression of evidence

ineffective assistance

appellate procedure

PRACTICE AREAS

criminal law

criminal procedure

constitutional law

appellate procedure

ineffective assistance of counsel

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to support Schutt's aggravated-assault conviction based on slitting the victim's throat.
2. Whether the aggravated-assault conviction merged with the malice-murder conviction.
3. Whether trial counsel provided ineffective assistance by allegedly failing to prepare defense witnesses adequately, failing to advocate for makeup and grooming items, and failing to present mitigating evidence at sentencing.
4. Whether statements Schutt made to an SVU officer at the hospital were obtained in violation of Miranda because she was in custody without warnings.
5. Whether Schutt knowingly and voluntarily waived her Miranda rights before making statements at the police station.

HOLDINGS

1. The evidence was sufficient to support the aggravated-assault conviction because the jury could find that the victim was still alive when Schutt slit his throat.
2. The aggravated-assault conviction merged into the malice-murder conviction, requiring vacation of the aggravated-assault sentence.
3. Schutt failed to establish ineffective assistance because she did not show deficient performance and resulting prejudice regarding witness preparation, trial presentation, or sentencing mitigation.
4. Schutt's statements to the SVU officer at the hospital were admissible because she was not in custody for Miranda purposes.
5. The police-station statements were admissible because the State proved by a preponderance of the evidence that Schutt was properly advised of her Miranda rights and knowingly and voluntarily waived them.

KEY QUOTATIONS

“When viewed in the light most favorable to the verdict, the evidence presented at trial and summarized above was sufficient to authorize a rational jury to find Appellant guilty beyond a reasonable doubt of all the crimes for which she was convicted.” (627)

“Accordingly, Appellant’s aggravated assault and malice murder convictions merged, and her sentence for aggravated assault must be vacated.” (627)

“Having reviewed the videotaped interview, we agree with the trial court that the State proved by a preponderance of the evidence that Appellant was properly advised of her Miranda rights, that she knowingly

and voluntarily waived those rights, and that her subsequent statements were voluntary.” (630)

FACTUAL BACKGROUND

Ashley Schutt attacked and killed her husband after lacing his dinner with prescription sleep medicine, beating him with a ball-peen hammer, stabbing him repeatedly, and cutting his throat and wrists. She staged a false home-invasion and rape account, but police found no forced entry, and she later confessed during a videotaped interview after receiving Miranda warnings. At trial, she acknowledged killing her husband and asserted battered person syndrome and post-traumatic stress disorder.

PROCEDURAL HISTORY

Schutt was indicted in Gwinnett County after killing her husband. The trial court directed a verdict of not guilty on the felony-murder charge, but a jury convicted her of the remaining charges and the court imposed a life sentence for malice murder plus consecutive sentences, including 20 years for aggravated assault. The trial court denied her amended motion for new trial, and she timely appealed. The Supreme Court of Georgia affirmed the judgment except that it vacated the aggravated-assault sentence because that conviction merged with the malice-murder conviction.

DISPOSITION

other

CASES CITED

- Jackson v. Virginia, 443 U.S. 307, 319 (1979)
- Vega v. State, 285 Ga. 32, 33 (673 S.E.2d 223) (2009)
- Slaughter v. State, 292 Ga. 573, 740 S.E.2d 119 (2013)
- Strickland v. Washington, 466 U.S. 668, 687, 694 (1984)
- Brown v. State, 288 Ga. 902, 909 (708 S.E.2d 294) (2011)
- Robinson v. State, 277 Ga. 75, 76 (586 S.E.2d 313) (2003)
- Thomas v. State, 246 Ga. App. 448, 450 (540 S.E.2d 662) (2000)
- Mangrum v. State, 291 Ga. 529, 531 (731 S.E.2d 761) (2012)
- Miranda v. Arizona, 384 U.S. 436 (1966)
- Tolliver v. State, 273 Ga. 785, 786 (546 S.E.2d 525) (2001)
- Petty v. State, 283 Ga. 268, 269 (658 S.E.2d 599) (2008)
- Jackson v. Denno, 378 U.S. 368 (1964)