

SUPREME COURT OF PENNSYLVANIA

Commonwealth of Pennsylvania v. Charles Ray Hicks

Commonwealth v. Hicks · No. No. 718 CAP · Decided March 28, 2017

SUMMARY

Justice Baer concurs in the Pennsylvania Supreme Court's affirmance of Charles Ray Hicks's judgment of sentence in a capital case involving homicide and abuse of a corpse. The concurrence concludes that, even if admitting prior-bad-acts evidence under Pa.R.E. 404(b) was erroneous, the error was harmless because overwhelming and essentially uncontradicted evidence established that the victim's death was a homicide and that Hicks was responsible. It also addresses the court's authority to invoke harmless error sua sponte.

CASE DETAILS

COURT	Supreme Court of Pennsylvania
WRITING FOR THE COURT	Justice Baer
JURISDICTION	Pennsylvania
DECIDED	March 28, 2017
DOCKET	No. 718 CAP
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the judgment of sentence entered by the Court of Common Pleas of Monroe County after Appellant's convictions arising from the homicide and abuse of a corpse prosecution.
STANDARD OF REVIEW	Harmless-error review; an appellate court determines independently whether an evidentiary error was harmless beyond a reasonable doubt.
PRECEDENTIAL VALUE	Concurring opinion; the author's reasoning is not independently binding, although it joins the majority's affirmance.
PARTIES	Charles Ray Hicks v. Commonwealth of Pennsylvania

TOPICS

[harmless error](#) [evidence](#) [appellate procedure](#) [criminal procedure](#) [interlocutory appeal](#)

PRACTICE AREAS

[criminal procedure](#) [evidence](#) [appellate procedure](#)

QUESTIONS PRESENTED

1. Whether admission of prior-bad-acts evidence under Pennsylvania Rule of Evidence 404(b) required a new trial.
2. Whether any error in admitting the Rule 404(b) evidence was harmless beyond a reasonable doubt.
3. Whether the appellate court could invoke harmless error sua sponte when the Commonwealth did not raise harmless error on appeal.

HOLDINGS

1. No. Even assuming the trial court erred in admitting the prior-bad-acts evidence, the error did not require a new trial because it was harmless.
2. The concurrence concludes that an appellate court may independently invoke harmless error and affirm a valid judgment on that basis even when the Commonwealth did not raise harmless error or expressly disclaimed reliance on it.

KEY QUOTATIONS

“It is well-established that an erroneous evidentiary ruling by a trial court does not require us to grant relief where the error was harmless.” (1-2)

“Its purpose is premised on the well-settled proposition that a defendant is entitled to a fair trial but not a perfect one.” (2)

“Thus, regardless of the Commonwealth’s position, I do not believe we are precluded from sua sponte deeming an error to be harmless based upon our independent review of the record before us.” (3)

FACTUAL BACKGROUND

Hicks acknowledged being with the victim near the time of her death and admitted dismembering and disposing of her body, while asserting that she had died from a drug overdose. The victim's dismembered body parts were found near Hicks's home, matching garbage bags were found in his home, and her severed hands were found inside the wall of his bedroom closet. Expert testimony, including testimony from Hicks's own experts, indicated that the victim suffered extensive injuries while alive and died from homicide rather than a drug overdose.

PROCEDURAL HISTORY

The Commonwealth previously filed an interlocutory appeal from a pretrial ruling concerning the admissibility of prior-bad-acts evidence under Pennsylvania Rule of Evidence 404(b). Following trial and the entry of judgment of sentence on January 6, 2015, Hicks appealed to the Supreme Court of Pennsylvania, arguing that the trial court improperly admitted the Rule 404(b) evidence. This concurring opinion agrees with affirmance, reasoning that any error was harmless.

DISPOSITION

affirmed

CASES CITED

- Commonwealth v. Young, 748 A.2d 166, 193 (Pa. 1999)
- Commonwealth v. Allshouse, 36 A.3d 163, 182 (Pa. 2012)
- Commonwealth v. Mayhue, 639 A.2d 421, 433 (Pa. 1994)
- Commonwealth v. Moore, 937 A.2d 1062, 1073 (Pa. 2007)
- Commonwealth v. Enimpah, 106 A.3d 695, 704 (Pa. 2014)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/pennsylvania-supreme-court-of-pennsylvania/2017/commonwealth-of-pennsylvania-v-charles-ray-hicks-6ifaapc0>