

SUPREME COURT OF NORTH CAROLINA

State v. Augustine

No. 130A03-2 (N.C. Sept. 25, 2020) · No. No. 130A03-2 · Decided September 25, 2020

SUMMARY

The Supreme Court of North Carolina held that double jeopardy barred further review of the judgment resentencing Quintel Martinez Augustine to life imprisonment without parole under the Racial Justice Act. The court also concluded that retroactive application of the Racial Justice Act repeal violated federal and state prohibitions against ex post facto laws. It vacated the trial court’s order and remanded for reinstatement of the life-imprisonment sentence.

CASE DETAILS

COURT	Supreme Court of North Carolina
WRITING FOR THE COURT	Justice Hudson
JURISDICTION	North Carolina
DECIDED	September 25, 2020
DOCKET	No. 130A03-2
DISPOSITION	vacated
PROCEDURAL POSTURE	On defendant's petition for a writ of certiorari to review the Superior Court of Cumberland County's order dismissing his motion for appropriate relief asserting claims under the Racial Justice Act.
STANDARD OF REVIEW	De novo review of the legal issues concerning double jeopardy and the retroactive application of the Racial Justice Act repeal.
PRECEDENTIAL VALUE	Published North Carolina Supreme Court opinion; precedential.
PARTIES	Quintel Martinez Augustine v. State of North Carolina

TOPICS

- post-conviction relief
- double jeopardy
- ex post facto
- appellate procedure
- sentencing

PRACTICE AREAS

- criminal law
- constitutional law
- post-conviction relief
- appellate procedure
- capital sentencing

QUESTIONS PRESENTED

1. Whether double jeopardy bars appellate review of the final judgment resentencing defendant to life imprisonment without parole.
2. Whether retroactive application of the 2013 repeal of the Racial Justice Act violates the ex post facto prohibitions of the United States Constitution and the North Carolina Constitution.

HOLDINGS

1. Double jeopardy bars further review of the final judgment sentencing defendant to life imprisonment without parole.
2. Retroactive application of the Racial Justice Act repeal violates the ex post facto prohibitions of both the United States Constitution and the North Carolina Constitution.

KEY QUOTATIONS

“Accordingly, we vacate the trial court’s order ruling that the repeal of the RJA voided defendant’s MAR and remand to the Superior Court, Cumberland County, for the reinstatement of defendant’s sentence of life imprisonment without parole.” (at -13-)

“VACATED AND REMANDED.” (at -14-)

FACTUAL BACKGROUND

A jury convicted Augustine of first-degree murder in 2002 and the trial court sentenced him to death. In 2012, after an evidentiary hearing concerning racial disparities in jury selection, the trial court found that race was a significant factor in decisions to seek or impose the death penalty and resentenced Augustine to life imprisonment without parole under the Racial Justice Act. The General Assembly later repealed the Act retroactively, and after remand the trial court dismissed Augustine’s motion for appropriate relief as voided by the repeal.

PROCEDURAL HISTORY

Defendant was convicted of first-degree murder and sentenced to death in 2002, and this Court affirmed. He later sought relief under the Racial Justice Act, and the trial court vacated his death sentence and resentenced him to life imprisonment without parole. This Court subsequently vacated the trial court’s order and remanded for reconsideration. After the General Assembly repealed the Racial Justice Act, the trial court dismissed defendant’s motion for appropriate relief as voided by the repeal. The Supreme Court of North Carolina granted certiorari, vacated the dismissal order, and remanded for reinstatement of the life-without-parole sentence.

DISPOSITION

vacated

REMAND INSTRUCTIONS

Vacate the trial court’s order ruling that the repeal of the Racial Justice Act voided defendant’s motion for appropriate relief and remand to the Superior Court, Cumberland County, for reinstatement of defendant’s

sentence of life imprisonment without parole.

CASES CITED

- State v. Robinson (Robinson II), No. 411A94-6, 2020 WL 4726680 (N.C. Aug. 14, 2020)
- State v. Ramseur, 374 N.C. 658, 843 S.E.2d 106 (2020)
- State v. Keith, 63 N.C. 140 (1869)
- State v. Augustine (Augustine I), 359 N.C. 709, 740, 616 S.E.2d 515, 537 (2005)
- State v. Robinson (Robinson I), 368 N.C. 596, 597, 780 S.E.2d 151, 152 (2015)
- State v. Augustine (Augustine II), 368 N.C. 594, 780 S.E.2d 552 (2015)
- State v. Golphin, No. 441A98-4 (N.C. Sept. 25, 2020)
- State v. Walters, No. 548A00-2 (N.C. Sept. 25, 2020)