

SUPREME COURT OF DELAWARE

Runyon v. State

968 A.2d 492 (Del. 2009) · No. No. 369, 2008 · Decided March 4, 2009

SUMMARY

The Delaware Supreme Court affirmed the Superior Court’s denial of James Runyon’s first motion for postconviction relief. The Court rejected his claims concerning ineffective assistance of counsel, an alleged conflict of interest, involuntariness of his guilty plea, habitual-offender sentencing, breach of a plea agreement, and denial of a motion to stay proceedings.

CASE DETAILS

COURT	Supreme Court of Delaware
WRITING FOR THE COURT	Jack B. Jacobs; Berger; Jacobs; Ridgely
JURISDICTION	Delaware
DECIDED	March 4, 2009
DOCKET	No. 369, 2008
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the Superior Court of Delaware's denial of Runyon's first motion for postconviction relief following his guilty pleas and sentencing.
STANDARD OF REVIEW	The denial of postconviction relief is reviewed for abuse of discretion. Claims of ineffective assistance in connection with a guilty plea require proof of objectively unreasonable representation and a reasonable probability that, absent counsel's errors, the defendant would have rejected the plea and proceeded to trial. Unpreserved claims are reviewed only for plain error.
PRECEDENTIAL VALUE	Published Delaware Supreme Court opinion
PARTIES	James Runyon v. State of Delaware

TOPICS

- state post-conviction relief
- ineffective assistance
- plea bargaining
- appellate procedure
- sentencing

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Runyon's guilty plea was involuntary because his counsel had an actual conflict of interest arising from counsel's marriage to Runyon's former attorney.
2. Whether counsel was ineffective for failing to investigate, prepare a defense, communicate with Runyon, or advise him about the State's evidence.
3. Whether Runyon could raise for the first time on appeal claims concerning his habitual-offender status, an alleged breach of an earlier plea agreement, and the constitutionality of his habitual-offender sentence.
4. Whether the Superior Court abused its discretion by denying Runyon's motion to stay the postconviction proceedings.

HOLDINGS

1. A defendant seeking to overturn a conviction based on a conflict of interest must establish both an actual conflict and that the conflict adversely affected counsel's representation. Runyon failed to make that showing, and counsel's marriage to Runyon's former attorney did not create a per se bar to representation.
2. A defendant challenging a guilty plea based on counsel's alleged failures must identify attorney error and establish actual prejudice, including a reasonable probability that the defendant would have rejected the plea and gone to trial. Runyon's generalized allegations and failure to show prejudice were insufficient.
3. Claims not presented to the Superior Court will not be reviewed for the first time on appeal absent plain error. Runyon's unpreserved claims did not constitute plain error.
4. The Superior Court did not abuse its discretion by denying a motion to stay postconviction proceedings where the movant did not identify the additional claims he wished to raise or show prejudice from denial of additional time.

KEY QUOTATIONS

“To prevail on a claim of ineffective assistance of counsel in entering a guilty plea, a defendant must establish that (a) his trial counsel's representation fell below an objective standard of reasonableness; and (b) but for counsel's unprofessional errors, he would not have pled guilty but would have insisted on going to trial.” (¶ 5)

“To overturn his conviction based on a conflict of interest, Runyon was required to prove not only that counsel had an actual conflict, but also that the conflict actually affected his counsel's representation.” (¶ 6)

FACTUAL BACKGROUND

Runyon was charged with attempted first-degree robbery, possession of a deadly weapon during the commission of a felony, second-degree assault, and wearing a disguise during the commission of a felony. He pleaded guilty to second-degree assault and attempted first-degree robbery in exchange for dismissal of the remaining charges and a recommended eleven-year sentence, and acknowledged in the plea agreement that he was eligible for

habitual-offender sentencing. The Superior Court imposed the challenged sentences, after which Runyon filed a first postconviction motion asserting involuntary plea, ineffective-assistance, competency, habitual-offender, and related claims.

PROCEDURAL HISTORY

Runyon pleaded guilty to second-degree assault and attempted first-degree robbery. The Superior Court sentenced him, including as an habitual offender on the assault charge. He did not take a direct appeal, but filed a first motion for postconviction relief in March 2008. The Superior Court rejected his claims on the merits and denied his motion to stay the postconviction proceedings; the Supreme Court of Delaware affirmed.

DISPOSITION

affirmed

CASES CITED

- Murphy v. State, 632 A.2d 1150, 1152 (Del. 1993)
- Dawson v. State, 673 A.2d 1186, 1190 (Del. 1996)
- Albury v. State, 551 A.2d 53, 58-59 (Del. 1988)
- Hill v. Lockhart, 474 U.S. 52 (1985)
- Strickland v. Washington, 466 U.S. 668, 687-89, 694 (1984)
- Younger v. State, 580 A.2d 552, 556 (Del. 1990)
- Cuyler v. Sullivan, 446 U.S. 335, 348 (1980)
- Somerville v. State, 703 A.2d 629, 631 (Del. 1997)
- Guinn v. State, 882 A.2d 178, 181 (Del. 2005)

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