

SUPREME COURT OF GEORGIA

Rivers v. The State

S25A1133 · No. S25A1133 · Decided February 17, 2026

SUMMARY

The Supreme Court of Georgia affirmed Karre Rivers’s convictions for malice murder and related offenses arising from the shooting death of Oshane Scott. The court held that the trial court did not commit plain error by instructing the jury on excessive force in connection with Rivers’s justification and self-defense theory because slight evidence supported the instruction.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	McMillian, Justice
JURISDICTION	Supreme Court of Georgia
DECIDED	February 17, 2026
DOCKET	S25A1133
DISPOSITION	affirmed
PROCEDURAL POSTURE	Rivers appealed his convictions for malice murder and related crimes, challenging the trial court's jury instruction on excessive force in connection with his justification defense. Because he did not object to the charge as given, the Supreme Court of Georgia reviewed the claim for plain error.
STANDARD OF REVIEW	Plain-error review. When a defendant objects at the charge conference but does not object to the charge as actually given, appellate review is precluded unless the challenged portion constitutes plain error affecting substantial rights. Plain error requires that the error was not affirmatively waived, was obvious beyond reasonable dispute, likely affected the outcome, and seriously affected the fairness, integrity, or public reputation of the proceedings.
PRECEDENTIAL VALUE	Published opinion; precedential
PARTIES	Karre Rivers v. The State

TOPICS

jury instructions

self defense

appellate procedure

preservation of error

criminal procedure

PRACTICE AREAS

criminal law

criminal procedure

appellate practice

QUESTIONS PRESENTED

1. Whether the trial court plainly erred by instructing the jury that a defendant is not justified in using excessive force while acting in self-defense when the evidence allegedly did not support the instruction.

HOLDINGS

1. The trial court did not err in giving the excessive-force instruction because at least slight evidence supported it, including evidence that Rivers fired multiple shots and that Scott was shot at least twice after he was on the ground.
2. Rivers failed to establish plain error because he did not show that giving the excessive-force instruction was error that was obvious beyond reasonable dispute.

KEY QUOTATIONS

“All that is required for the giving of a jury instruction is slight evidence.” (9)

“Thus, there was at least slight evidence to support the giving of this charge, and the trial court did not err, much less commit plain error, in giving the excessive force pattern jury charge.” (10)

FACTUAL BACKGROUND

Rivers went to Oshane Scott's apartment after text-message communications concerning drugs. Shortly after Rivers and Scott entered the apartment, Scott was shot multiple times; eyewitness and forensic evidence indicated that Rivers was present and that at least some shots were fired after Scott was on the ground. Rivers gave investigators changing accounts before eventually admitting that he shot Scott with his own firearm. At trial, Rivers claimed the shooting was justified as self-defense.

PROCEDURAL HISTORY

A Gwinnett County grand jury indicted Rivers for malice murder, felony murder, aggravated assault, possession of a firearm during the commission of a felony, and possession of a firearm by a convicted felon. After a 2024 trial, the jury found him guilty on Counts 1 through 4; Count 5 was later nolle prossed. The trial court imposed life without parole for malice murder and a consecutive five-year sentence for firearm possession, and denied Rivers's amended motion for new trial on April 29, 2025. Rivers timely appealed, and the Supreme Court of Georgia affirmed.

DISPOSITION

affirmed

CASES CITED

- *Miranda v. Arizona*, 384 U.S. 436 (1966)
- *White v. State*, 291 Ga. 7, 8 (2012)
- *DeMuro v. State*, 317 Ga. 155, 163 (2023)
- *Baker v. State*, 319 Ga. 456, 462 (2024)
- *Bowman v. State*, 317 Ga. 457, 463 (2023)
- *Gold v. State*, 319 Ga. 149, 151–52 (2024)
- *Welbon v. State*, 278 Ga. 312, 312–13 (2004)

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