

SUPREME COURT OF GEORGIA

Williams v. State, 286 Ga. 62

685 S.E.2d 282 (2009) · No. S09A0814 · Decided November 2, 2009

SUMMARY

The Supreme Court of Georgia reviewed Alfred Williams's convictions arising from the shooting death of BaKarry Bailey. The court held that the evidence was sufficient to support the convictions, affirmed the malice-murder conviction and life sentence, and vacated the firearm-related sentences because of confusion over the verdict and indictment count numbering. The case was remanded for resentencing on the two firearm-possession convictions.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	Nahmias, Justice
JURISDICTION	Georgia
DECIDED	November 2, 2009
DOCKET	S09A0814
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Williams appealed his convictions and sentences following a Fulton County jury trial, challenging the sufficiency of the evidence and the trial court's sentencing on a charge for which the jury acquitted him.
STANDARD OF REVIEW	Whether trial evidence is sufficient is reviewed under the Jackson v. Virginia standard, viewing the evidence in the light most favorable to the verdict and asking whether a rational trier of fact could find guilt beyond a reasonable doubt.
PRECEDENTIAL VALUE	Published precedential opinion of the Supreme Court of Georgia
PARTIES	Alfred Williams v. State

TOPICS

- sentencing
- criminal procedure
- appellate procedure
- conspiracy
- evidence

PRACTICE AREAS

- Criminal law
- Criminal procedure
- Appellate practice

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to support Williams's convictions under the beyond-a-reasonable-doubt standard.
2. Whether the trial court erred by imposing a sentence for conspiracy after the jury acquitted Williams of that charge and by entering ambiguous sentences on the two firearm-possession convictions.

HOLDINGS

1. The evidence was more than sufficient for a rational jury to find Williams guilty beyond a reasonable doubt of the offenses for which he was convicted.
2. The trial court could not sentence Williams for conspiracy after the jury acquitted him of that charge, and the ambiguity concerning the two firearm-possession counts required vacatur of the two five-year sentences and resentencing on those firearm convictions only.

KEY QUOTATIONS

“We conclude that the evidence was more than sufficient to support Williams's convictions but that the trial court did err in sentencing him.” (283)

“Accordingly, while we affirm the malice murder conviction and the life sentence for malice murder, we vacate the two five-year sentences and remand for resentencing on the two convictions for possession of a firearm during commission of a felony.” (285)

FACTUAL BACKGROUND

On October 31, 2006, Williams and an accomplice entered an apartment complex where rival drug dealer BaKarry Bailey lived and shot Bailey, killing him. Witnesses connected Williams to the crime through recognition, statements made before and after the shooting, recorded telephone calls, and forensic matches between shell casings and firearms associated with Williams. Police also recovered a loaded handgun and related firearm and drug paraphernalia when Williams was arrested.

PROCEDURAL HISTORY

A Fulton County jury convicted Williams of malice murder, felony murder, aggravated assault with a deadly weapon, and two counts of possessing a firearm during the commission of a felony, while acquitting him of several other charges, including conspiracy. The felony murder conviction was vacated by operation of law and the aggravated-assault conviction merged into the malice-murder conviction. The trial court denied Williams's motion for new trial and imposed a life sentence plus two five-year firearm sentences; the Supreme Court of Georgia affirmed the convictions and life sentence but vacated the firearm sentences and remanded for resentencing.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Vacate the two five-year sentences and resentence Williams on the two convictions for possession of a firearm during the commission of a felony only. The malice-murder conviction and life sentence remain affirmed.

CASES CITED

- Jackson v. Virginia, 443 U.S. 307, 309, 99 S. Ct. 2781, 61 L. Ed. 2d 560 (1979)
- Harrison v. State, 283 Ga. 518, 519 n. 1, 661 S.E.2d 536 (2008)

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