

SUPREME COURT OF FLORIDA

Lightbourne v. State

841 So. 2d 431 (Fla. 2003) · No. SC01-553 · Decided January 16, 2003

SUMMARY

The Supreme Court of Florida affirmed the denial of Ian Deco Lightbourne's successive motion for postconviction relief under Florida Rule of Criminal Procedure 3.850. The court rejected claims involving Brady, Giglio, and Henry violations, concluding that the jailhouse informants were not acting as state agents, that the alleged recantations and related evidence were not credible, and that no material prejudice was shown. The court also held that the newly discovered evidence would not probably result in a life sentence or otherwise warrant relief.

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Per Curiam; Chief Justice Anstead; Justice Wells; Justice Pariente; Justice Lewis; Justice Quince; Justice Cantero; Senior Justice Shaw
JURISDICTION	Florida
DECIDED	January 16, 2003
DOCKET	SC01-553
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from an order of the circuit court denying a successive motion for postconviction relief under Florida Rule of Criminal Procedure 3.850 in a capital case.
STANDARD OF REVIEW	The court deferred to the trial court's factual findings, including credibility determinations, when supported by competent, substantial evidence, but reviewed de novo the application of those facts to the law in evaluating the Brady claim. The newly discovered evidence determination was reviewed for legal error while giving deference to supported factual findings.
PRECEDENTIAL VALUE	Published precedential opinion of the Supreme Court of Florida; the per curiam majority opinion is binding under Florida law.
PARTIES	Ian Deco Lightbourne v. State of Florida

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QUESTIONS PRESENTED

1. Whether the cumulative post-trial evidence established a Brady violation based on alleged suppression of evidence concerning jailhouse informants and alleged Giglio or Henry violations.
2. Whether the informants' recantations and related testimony constituted newly discovered evidence warranting a new penalty-phase proceeding.
3. Whether Lightbourne's claim concerning the prior representation of Larry Emanuel by an assistant state attorney was procedurally barred because Lightbourne failed to seek rehearing when the Florida Supreme Court previously did not address it.
4. Whether the trial court erred in denying collateral counsel's motion to withdraw based on an alleged conflict of interest.

HOLDINGS

1. Lightbourne failed to establish a Brady violation because the evidence offered to show that the informants were solicited by the State or testified falsely was not credible, and the cumulative evidence did not establish that Chavers and Carson acted as state agents or were untruthful at trial.
2. Lightbourne failed to satisfy the newly discovered evidence standard because, considering all admissible newly discovered evidence cumulatively and weighing its credibility and materiality, the evidence would not probably produce a life sentence at a new penalty-phase proceeding.
3. The claim was procedurally barred because Lightbourne abandoned it by failing to seek rehearing when the court previously failed to address it.
4. Lightbourne was not entitled to relief on the conflict-of-interest claim, and the trial court did not err in denying collateral counsel's motion to withdraw.

KEY QUOTATIONS

"In order to establish a Brady violation, a defendant must prove:" (841 So. 2d at 437)

"The trial court cannot consider each piece of evidence in a vacuum, but must look at the total picture of all the evidence when making its decision." (841 So. 2d at 439)

"In assessing recanted testimony, we have stressed caution, noting that it may be unreliable and trial judges must "examine all of the circumstances in the case."" (841 So. 2d at 441)

FACTUAL BACKGROUND

Lightbourne was convicted of first-degree murder and sentenced to death after jailhouse informants Theodore Chavers and Theophilus Carson testified that he made incriminating statements concerning the murder. In

successive postconviction proceedings, the informants and other inmates offered affidavits or testimony recanting or impeaching that evidence and alleging that law enforcement had solicited informants to obtain statements. After an evidentiary hearing, the circuit court found the informants' testimony inconsistent and not credible, determined that they were acting for their own benefit rather than as state agents, and concluded that the post-trial evidence would not probably produce a life sentence.

PROCEDURAL HISTORY

Lightbourne was convicted of first-degree murder and sentenced to death for the 1981 murder of Nancy O'Farrell. After multiple postconviction proceedings involving alleged Brady, Giglio, and Sixth Amendment violations and recanted jailhouse-informant testimony, the Florida Supreme Court remanded in 1999 for an evidentiary hearing addressing Larry Emanuel's testimony and the cumulative effect of the post-trial evidence. On remand, the circuit court held an evidentiary hearing, found the informants not credible, and denied relief; the Florida Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- Lightbourne v. State, 742 So. 2d 238 (Fla. 1999)
- Lightbourne v. Dugger, 829 F.2d 1012, 1016, 1021 (11th Cir. 1987)
- Lightbourne v. Dugger, 549 So. 2d 1364, 1365, 1367 (Fla. 1989)
- Lightbourne v. State, 644 So. 2d 54, 56-57 (Fla. 1994)
- Lightbourne v. State, 438 So. 2d 380, 386 (Fla. 1983)
- Lightbourne v. State, 471 So. 2d 27, 29 (Fla. 1985)
- Way v. State, 760 So. 2d 903, 910, 913-15 (Fla. 2000)
- Strickler v. Greene, 527 U.S. 263, 281-82 (1999)
- Jones v. State, 709 So. 2d 512, 519, 521-22 (Fla. 1998)
- United States v. Bagley, 473 U.S. 667, 682 (1985)
- Kyles v. Whitley, 514 U.S. 419, 435-36 & n.10 (1995)
- Giglio v. United States, 405 U.S. 150, 154-55 (1972)
- State v. Spaziano, 692 So. 2d 174, 176 (Fla. 1997)
- Armstrong v. State, 642 So. 2d 730, 735 (Fla. 1994)
- Jones v. State, 591 So. 2d 911, 915 (Fla. 1991)
- Mills v. State, 786 So. 2d 547, 549-50 (Fla. 2001)
- Kight v. State, 784 So. 2d 396, 399, 401-03 (Fla. 2001)
- Robinson v. State, 707 So. 2d 688, 691 (Fla. 1998)
- Garcia v. State, 816 So. 2d 554, 569 (Fla. 2002)
- Sweet v. State, 810 So. 2d 854, 870 (Fla. 2002)

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