

SUPREME COURT OF ARKANSAS

State v. Coble

2016 Ark. 114 (2016) · No. CR-15-779 · Decided March 17, 2016

SUMMARY

The Arkansas Supreme Court affirmed the circuit court’s directed verdict in favor of Billy Gene Coble on a charge of sexual indecency with a child. The court held that, under Arkansas Code Annotated section 5-14-110(a)(4)(C), the phrase “another person” requires the minor’s exposure to someone other than the defendant, who was the minor’s guardian. The court concluded that the State’s appeal presented a proper narrow question of statutory interpretation.

CASE DETAILS

COURT	Supreme Court of Arkansas
WRITING FOR THE COURT	Josephine Linker Hart; Jim Hannah; Robert L. Brown; Paul E. Danielson; Karen R. Baker; Robin F. Wynne; Rhonda K. Wood
JURISDICTION	Arkansas
DECIDED	March 17, 2016
DOCKET	CR-15-779
DISPOSITION	affirmed
PROCEDURAL POSTURE	The State appealed a directed verdict entered in favor of Coble at the close of the State’s evidence in a criminal jury trial. The State sought review under Arkansas Rule of Appellate Procedure–Criminal 3(b), (c), and (d) of a pure question of statutory interpretation.
STANDARD OF REVIEW	Statutory interpretation is reviewed de novo.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	State of Arkansas v. Billy Gene Coble

TOPICS

- statutory interpretation
- criminal procedure
- appellate procedure
- absurdity doctrine
- standard of review

PRACTICE AREAS

- criminal law
- criminal procedure
- statutory interpretation
- appellate procedure

QUESTIONS PRESENTED

1. Whether the State's appeal was authorized under Arkansas Rule of Appellate Procedure—Criminal 3 because it presented a narrow legal issue of statutory interpretation with widespread ramifications.
2. Whether the phrase "another person" in Arkansas Code Annotated section 5-14-110(a)(4)(C) excludes the defendant-guardian or requires exposure to a person other than the actor and the minor victim.

HOLDINGS

1. The State's appeal was proper because it presented a narrow issue of statutory interpretation, did not turn on particular facts, had widespread application, and implicated the correct and uniform administration of the criminal law.
2. Under section 5-14-110(a)(4)(C), the phrase "another person" means a person other than the defendant-actor and the minor victim; therefore, the exposure must be made to someone other than the guardian who caused or coerced it.

KEY QUOTATIONS

"Given that the statute specifically delineates between the actor and "another person," that same distinction must be carried forward throughout the statute, and thus the exposure must be to "another person."" (at 3)

"The doctrine of absurdity is meant to correct obviously unintended dispositions, not to revise purposeful dispositions that, in light of other provisions of the applicable code, make little if any sense." (at 4)

FACTUAL BACKGROUND

Coble, a guardian of a fourteen-year-old minor, was charged with sexual indecency with a child based on allegations that he caused or coerced the minor to expose her sex organs to him. The circuit court directed a verdict for Coble after the State's case, concluding that the statutory phrase "another person" meant someone other than the defendant. The majority deemed a detailed recitation of the trial facts unnecessary because the appeal presented a pure question of statutory interpretation.

PROCEDURAL HISTORY

Coble was charged in the Jefferson County Circuit Court with sexual indecency with a child under Arkansas Code Annotated section 5-14-110(a)(4)(C). After the State presented its case, the circuit court directed a verdict for Coble, interpreting "another person" to exclude the defendant-guardian. The Supreme Court of Arkansas accepted the State's appeal as a proper State appeal and affirmed the circuit court's decision.

DISPOSITION

affirmed

CASES CITED

- State v. Thomas, 2014 Ark. 362, 439 S.W.3d 690
- First Ark. Bail Bonds, Inc. v. State, 373 Ark. 463, 284 S.W.3d 525 (2008)

- Rounsaville v. State, 374 Ark. 356, 288 S.W.3d 213 (2008)
- Hart v. State, 2014 Ark. 250
- State v. Colvin, 2013 Ark. 203, 427 S.W.3d 635

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