

SUPREME COURT OF APPEALS OF WEST VIRGINIA

State of West Virginia v. Donald K. Medley

Medley · No. 14-0729 · Decided May 15, 2015

SUMMARY

The Supreme Court of Appeals of West Virginia affirmed Donald K. Medley’s convictions for first-degree murder and concealment of a deceased human body. The court rejected challenges concerning Miranda waiver and confession, sufficiency of the evidence, jury instructions on premeditation, alleged Brady violations, failure to preserve a cellular telephone, and cumulative error.

CASE DETAILS

COURT	Supreme Court of Appeals of West Virginia
WRITING FOR THE COURT	Per Curiam; Chief Justice Margaret L. Workman; Justice Robin Jean Davis; Justice Brent D. Benjamin; Justice Menis E. Ketchum; Justice Allen H. Loughry II
JURISDICTION	West Virginia
DECIDED	May 15, 2015
DOCKET	14-0729
DISPOSITION	affirmed
PROCEDURAL POSTURE	Medley appealed the Mingo County Circuit Court's sentencing order following his jury convictions for first-degree murder and concealment of a deceased human body.
STANDARD OF REVIEW	For sufficiency of the evidence, the court viewed the trial evidence in the light most favorable to the prosecution and asked whether any rational trier of fact could find the essential elements beyond a reasonable doubt. Claims concerning jury instructions, alleged Brady violations, failure to preserve evidence, and cumulative error were reviewed for prejudicial error; the opinion did not state a separate formal standard for each claim.
PRECEDENTIAL VALUE	Memorandum decision; the opinion states that disposition by memorandum decision is appropriate under West Virginia Rule of Appellate Procedure 21.
PARTIES	Donald K. Medley v. State of West Virginia

TOPICS

criminal procedure

miranda rights

evidence

appellate procedure

standard of review

PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the circuit court properly admitted Medley's police confession after he waived his Miranda rights a second time.
2. Whether sufficient evidence supported the first-degree murder conviction, including malice and premeditation.
3. Whether the circuit court gave conflicting or legally erroneous jury instructions defining premeditation.
4. Whether the State violated *Brady v. Maryland* by failing to disclose or test fingernail clippings, blood-splatter evidence, and fingerprints.
5. Whether the State's failure to preserve the victim's cellular telephone required relief under *State v. Osakalumi*.
6. Whether cumulative error denied Medley a fair trial.

HOLDINGS

1. The circuit court did not err in admitting Medley's confession because he failed to show that his second Miranda waiver was involuntary, unknowing, or unintelligent.
2. The evidence was sufficient to sustain the first-degree murder conviction because the jury could reasonably infer malice and premeditation from the relationship difficulties, the argument and strangulation described in Medley's confession, and his subsequent concealment of the body.
3. The circuit court did not err by giving the State's instruction that an intent to kill need exist for only an instant to constitute premeditated murder because the language was taken directly from *Billotti v. Dodrill* and was not inconsistent with the other premeditation instruction.
4. Medley failed to establish a Brady violation concerning the victim's fingernail clippings, blood-splatter evidence, or vehicle fingerprints because he did not show that the evidence was favorable, suppressed by the State, or material and prejudicial.
5. The State's failure to preserve the victim's cellular telephone did not require relief because the phone was not catalogued as potential evidence, was not introduced at trial, played no role in the prosecution's case, and the available testimony indicated it contained nothing relevant.
6. The cumulative-error claim failed because Medley identified no individual error and therefore did not demonstrate that the alleged errors cumulatively deprived him of a fair trial.

KEY QUOTATIONS

“The function of an appellate court when reviewing the sufficiency of the evidence to support a criminal conviction is to examine the evidence admitted at trial to determine whether such evidence, if believed, is sufficient to convince a reasonable person of the defendant's guilt beyond a reasonable doubt.” (at 2)

“Although premeditation and deliberation are not measured by any particular period of time, there must be some period between the formation of the intent to kill and the actual killing, which indicates the killing is by prior calculation and design.” (at 3)

“There are three components of a constitutional due process violation under [Brady v. Maryland] and State v. Hatfield: (1) the evidence at issue must be favorable to the defendant as exculpatory or impeachment evidence; (2) the evidence must have been suppressed by the State, either willfully or inadvertently; and (3) the evidence must have been material, i.e., it must have prejudiced the defense at trial.” (at 4)

FACTUAL BACKGROUND

Donald K. Medley and Evelyn Farnum shared a home in Mingo County. After an argument, Medley strangled Farnum, struck her in the head, and pushed her Jeep, with her body inside, into Laurel Lake; he later confessed to police. A jury convicted him of first-degree murder and concealment of a deceased human body.

PROCEDURAL HISTORY

Medley was indicted, tried before a jury in May 2014, and convicted of first-degree murder and concealment of a deceased human body. The circuit court sentenced him to life imprisonment with mercy for murder and one to five years for concealment, consecutively. He appealed, raising nine assignments of error that the Supreme Court of Appeals condensed into six issues; the court affirmed by memorandum decision.

DISPOSITION

affirmed

CASES CITED

- State v. Guthrie, 194 W. Va. 657, 461 S.E.2d 163 (1995)
- State v. Craft, 165 W. Va. 741, 272 S.E.2d 46 (1980)
- State v. Blevins, 231 W. Va. 135, 744 S.E.2d 245 (2013)
- Billotti v. Dodrill, 183 W. Va. 48, 394 S.E.2d 32 (1990)
- Brady v. Maryland, 373 U.S. 83 (1963)
- State v. Youngblood, 221 W. Va. 20, 650 S.E.2d 119 (2007)
- State v. Hatfield, 169 W. Va. 191, 286 S.E.2d 402 (1982)
- State v. Osakalumi, 194 W. Va. 758, 461 S.E.2d 504 (1995)
- State v. Smith, 156 W. Va. 385, 193 S.E.2d 550 (1972)
- State v. Schrader, 172 W. Va. 1, 302 S.E.2d 70 (1982)

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