

SUPREME JUDICIAL COURT OF MAINE

State v. Lakin

899 A.2d 777 (Me. 2006) · Decided June 6, 2006

SUMMARY

The Maine Supreme Judicial Court affirmed the murder and kidnapping convictions of David Lakin and Shaun Tuttle following their joint jury trial. The court held that mutually antagonistic defenses, without a specific showing of prejudice such as a Bruton confrontation violation, did not require severance under Maine Rule of Criminal Procedure 8(d).

CASE DETAILS

COURT	Supreme Judicial Court of Maine
WRITING FOR THE COURT	Clifford, J.; Alexander; Calkins; Clifford; Dana; Levy; Saufley; Silver
JURISDICTION	Maine
DECIDED	June 6, 2006
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeals by both defendants from judgments of conviction for murder and kidnapping following a joint jury trial in the Maine Superior Court.
STANDARD OF REVIEW	A trial court's ruling on a motion to sever is reviewed for an improper exercise of discretion and resulting prejudice. The moving party bears the burden of showing before trial that a joint trial would result in prejudice.
PRECEDENTIAL VALUE	Published, precedential Maine Supreme Judicial Court opinion.
PARTIES	David R. Latón, Shaun M. Tuttle v. State of Maine

TOPICS

- criminal procedure
- sixth amendment
- jury selection

PRACTICE AREAS

- criminal procedure
- constitutional law
- evidence

QUESTIONS PRESENTED

1. Whether the Superior Court abused its discretion by denying the defendants' motions to sever their joint trial.
2. Whether mutually antagonistic defenses, in which each codefendant accused the other of the killing, created prejudice requiring severance as a matter of law.

HOLDINGS

1. Mutually antagonistic defenses are not prejudicial per se and do not, standing alone, require severance of a joint trial.
2. The Superior Court did not abuse its discretion in denying severance because the State excluded the defendants' inculpatory statements, the defendants showed no specific prejudice, and the jury was instructed to consider the evidence against each defendant separately.

KEY QUOTATIONS

“Mutually antagonistic defenses are not prejudicial per se,” and that, despite the existence of some prejudice, the trial court may fashion relief tailored to the specific prejudice at issue, such as a cautionary jury instruction.” (899 A.2d at 779)

“Severance should therefore be granted “only if there is a serious risk that a joint trial would compromise a specific trial right of one of the defendants, or prevent the jury from making a reliable judgment about guilt or innocence.”” (899 A.2d at 779)

“An allegation that two codefendants will present antagonistic defenses and point the finger at each other is not sufficient to require severance of a joint trial.” (899 A.2d at 780)

FACTUAL BACKGROUND

Late on March 9, 2004, David Lakin and Shaun Tuttle went to the home of eighty-one-year-old James McManus and demanded the keys to his car. They restrained McManus, drove him to a secluded road, strangled him with a rope, and ran over him with the car, causing his death. At trial, each defendant testified that the other was primarily responsible for McManus's death.

PROCEDURAL HISTORY

A grand jury indicted Latón and Tuttle on murder and kidnapping charges. The Superior Court initially granted their motions to sever but later vacated that order after the State agreed not to introduce either defendant's inculpatory statements and elected to proceed with a single jury. Both defendants were convicted, sentenced, and appealed the denial of severance; the Maine Supreme Judicial Court affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Turner, 2001 ME 44, 766 A.2d 1025

- State v. Parsons, 2005 ME 69, 874 A.2d 875
- Bruton v. United States, 391 U.S. 123, 88 S. Ct. 1620, 20 L. Ed. 2d 476 (1968)
- State v. Boucher, 1998 ME 209, 718 A.2d 1092
- Zafiro v. United States, 506 U.S. 534, 113 S. Ct. 933, 122 L. Ed. 2d 317 (1993)
- State v. Chesnel, 1999 ME 120, 734 A.2d 1131
- State v. Lakin, No. SRP-05-411 (Me. Sent. Rev. Panel, Dec. 19, 2005)
- State v. Tuttle, No. SRP-05-387 (Me. Sent. Rev. Panel, Dec. 19, 2005)

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