

SUPREME COURT OF GEORGIA

Denson v. The State

No. S26A0448 (Ga. June 16, 2026) · No. S26A0448 · Decided June 16, 2026

SUMMARY

The Supreme Court of Georgia affirmed Travis Denson’s convictions for felony murder predicated on possession of a firearm by a first-offender probationer and related offenses arising from the shooting death of Horace Gene Fendley. The court held that trial counsel was not ineffective for failing to object to the prosecutor’s closing arguments because the proposed objections would have been meritless. The court also held that the Edge rule did not require sentencing Denson for involuntary manslaughter rather than the firearm-possession-based felony murder.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	Colvin, Justice
JURISDICTION	Supreme Court of Georgia
DECIDED	June 16, 2026
DOCKET	S26A0448
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from convictions for felony murder and related offenses following the denial of a motion for new trial.
STANDARD OF REVIEW	An ineffective-assistance claim requires proof of deficient performance and prejudice under Strickland. Counsel's performance is evaluated under an objective-reasonableness standard with a strong presumption of reasonable professional assistance, and the court need not address both Strickland prongs if either is not established. Whether to object to a prosecutor's closing argument is a tactical decision, and failure to object must be patently unreasonable to constitute deficient performance.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Travis Denson v. The State

TOPICS

ineffective assistance

criminal procedure

sentencing

appellate procedure

evidence

PRACTICE AREAS

criminal law

criminal procedure

appellate practice

evidence

QUESTIONS PRESENTED

1. Whether trial counsel was constitutionally ineffective for failing to object to three statements made by the prosecutor during closing argument.
2. Whether the trial court was required under *Edge v. State* to sentence Denson for involuntary manslaughter rather than felony murder predicated on possession of a firearm by a first-offender probationer.

HOLDINGS

1. Counsel was not ineffective because the prosecutor's statements, viewed in context, were permissible arguments that the defense theory was unpersuasive and inconsistent with the evidence.
2. The comment was permissible and did not argue that Denson would pose a future danger if acquitted.
3. Denson failed to show that objections to those comments would have been sustained because the comments were supported by the evidence or did not make the asserted improper argument.
4. *Edge* did not require sentencing Denson for involuntary manslaughter. The rule does not apply when the jury returns verdicts for felony murder and involuntary manslaughter or when felony murder is predicated on possession of a firearm by a first-offender probationer.

KEY QUOTATIONS

“a closing argument is to be judged in the context in which it is made.” (5)

“We have, however, declined to extend *Edge* any further than that.” (11)

FACTUAL BACKGROUND

On January 13, 2017, Denson, his partner, Janice Rainwater, and Horace Gene Fendley had been drinking and spending the day together. After Fendley returned to Denson's home and repeatedly knocked on and pulled the front door, Denson retrieved a pistol and fired through the closed door, striking and killing Fendley. Denson told law enforcement that he had fired to scare Fendley away and that the shooting was accidental; police did not locate the firearm. Denson was a first-offender probationer who was prohibited from possessing a firearm.

PROCEDURAL HISTORY

A Fulton County grand jury indicted Denson for malice murder, two counts of felony murder, aggravated assault, possession of a firearm during the commission of a felony, and possession of a firearm by a first-offender probationer. After a 2018 jury trial, he was found guilty of involuntary manslaughter as a lesser offense of malice murder and guilty of the remaining counts. The trial court sentenced him to life imprisonment for felony murder predicated on possession of a firearm by a first-offender probationer, with concurrent and consecutive sentences

on other counts, and merged one firearm-possession count. The trial court denied Denson's amended motion for new trial, and he timely appealed to the Supreme Court of Georgia.

DISPOSITION

affirmed

CASES CITED

- Strickland v. Washington, 466 U.S. 668, 687 (1984)
- Washington v. State, 320 Ga. 839, 851 (2025)
- Lee v. State, 317 Ga. 880, 887-888 (2023)
- Robinson v. State, 323 Ga. 7, 19 (2025)
- Thompson v. State, 318 Ga. 760, 768 (2024)
- Stryker v. State, 318 Ga. 769, 779-780 (2024)
- Moody v. State, 316 Ga. 490, 538 (2023)
- Smith v. State, 323 Ga. 246, 254-255 (2026)
- Edge v. State, 261 Ga. 865 (1992)
- Anthony v. State, 303 Ga. 399, 402 (2018)
- Kipp v. State, 296 Ga. 250, 252 (2014)
- Owens v. State, 317 Ga. 125, 125, 127 (2023)