

SUPREME COURT OF MISSISSIPPI

Christopher Lee v. State of Mississippi

No. 2001-KA-01704-SCT · No. No. 2001-KA-01704-SCT · Decided October 10, 2001

SUMMARY

The Mississippi Supreme Court affirmed Christopher Lee’s murder conviction and life sentence for the stabbing death of Anice Smith. The court held that photographs of the victim and crime scene were properly admitted, the refused manslaughter instructions were repetitive or unsupported, and the prosecutor’s challenged arguments did not warrant reversal.

CASE DETAILS

COURT	Supreme Court of Mississippi
WRITING FOR THE COURT	Graves, J.; Smith, P.J.; Easley, J.; Pittman, C.J.; Waller, J.; Cobb, J.; Carlson, J.
JURISDICTION	Mississippi
DECIDED	October 10, 2001
DOCKET	No. 2001-KA-01704-SCT
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from a Wayne County Circuit Court murder conviction and life sentence.
STANDARD OF REVIEW	The admission of photographs and the form and substance of jury instructions are reviewed for abuse of discretion. Prosecutorial-argument error warrants reversal only when it affects the fairness of the trial; the court also considered whether any improper remark could have affected the verdict in light of the overwhelming evidence of guilt.
PRECEDENTIAL VALUE	Published precedential opinion
PARTIES	Christopher Lee v. State of Mississippi

TOPICS

- evidence
- jury instructions
- harmless error
- criminal procedure
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the trial court reversibly erred by admitting photographs depicting the victim, her wounds, the crime scene, and Lee's car.
2. Whether the trial court reversibly erred by refusing proposed jury instructions D-2, D-3, and D-4 concerning manslaughter.
3. Whether the prosecutor made improper 'conscience of the community' arguments or improperly commented on Lee's failure to testify.

HOLDINGS

1. The trial court did not abuse its discretion by admitting the photographs because they had probative value, including depicting different aspects of the crime scene, the victim's body, and her wounds, even though Lee did not dispute the cause of death.
2. The trial court did not reversibly err by refusing instructions D-2, D-3, and D-4 because the manslaughter theory was adequately covered by Instruction S-3, and the proposed instructions were repetitive, inaccurate, confusing, or unsupported by the evidence.
3. The prosecutor's statement that the people of Wayne County were looking to the jury to make the streets safer did not require reversal, even if interpreted as a 'conscience of the community' argument, because it was not sufficiently egregious and could not have affected the verdict in light of the overwhelming evidence of guilt. Lee's claim that the State commented on his failure to testify was meritless because he testified and the record contained no such comment.

KEY QUOTATIONS

"The exhibits in question had at the very least "some probative value," which "is the only requirement needed to buttress a trial judge's decision to allow photographs into evidence."" (§17)

"A defendant is entitled to have jury instructions given which present his theory of the case; however, this entitlement is limited in that the court may refuse an instruction which . . . is fairly covered elsewhere in the instructions, or is without foundation in the evidence." (§15)

"Considering the overwhelming evidence of Lee's guilt, it is inconceivable that this remark prompted the verdict." (§19)

FACTUAL BACKGROUND

On August 1, 2000, Christopher Lee and Anice Smith rode around Wayne County drinking beer. After an argument concerning Lee's driver's license, Lee claimed that he became enraged and repeatedly stabbed Smith with a knife; Smith died from her wounds. Lee was tried for murder, convicted by a jury, and sentenced to life imprisonment.

PROCEDURAL HISTORY

A jury convicted Christopher Lee of murder in the Circuit Court of Wayne County, Mississippi, and the trial court sentenced him to life imprisonment in the custody of the Mississippi Department of Corrections. Lee appealed, challenging the admission of photographs, the refusal of proposed manslaughter instructions, and alleged improper prosecutorial argument. The Mississippi Supreme Court affirmed the conviction and sentence.

DISPOSITION

affirmed

CASES CITED

- Jackson v. State, 672 So. 2d 468, 485 (Miss. 1996)
- Underwood v. State, 708 So. 2d 18, 33-34 (Miss. 1998)
- Parker v. State, 514 So. 2d 767, 771 (Miss. 1986)
- Williams v. State, 684 So. 2d 1179, 1199 (Miss. 1996)
- Higgins v. State, 725 So. 2d 220, 223 (Miss. 1998)
- Payton v. State, 785 So. 2d 267, 270 (Miss. 1999)
- Dancer v. State, 721 So. 2d 583, 590 (Miss. 1998)