

SUPREME COURT OF GEORGIA

Rease v. State

Rease · No. S26A0001 · Decided June 16, 2026

SUMMARY

The Supreme Court of Georgia affirms Shanard Deshun Rease’s convictions for felony murder and aggravated assault arising from the strangulation death of his neighbor, Mimi Perry. The court rejects claims concerning the exclusion of alibi and rebuttal evidence, DNA evidence and prosecutorial argument, alleged judicial comments on guilt, and ineffective assistance of counsel. It concludes that any assumed evidentiary error was harmless and that the remaining claims were waived, lacked error, or did not satisfy the applicable plain-error standard.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	Land, Justice; all other participating Justices
JURISDICTION	Supreme Court of Georgia
DECIDED	June 16, 2026
DOCKET	S26A0001
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the denial of a motion for new trial following convictions for felony murder and aggravated assault.
STANDARD OF REVIEW	Evidentiary rulings are reviewed for abuse of discretion, and an erroneous exclusion of evidence warrants reversal only if harmful. Nonconstitutional error is harmful only if it is highly probable that the error contributed to the verdict. Unpreserved claims concerning prosecutorial comments, trial-court comments, and evidentiary testimony are reviewed for plain error where applicable. Ineffective-assistance claims are governed by Strickland's deficient-performance and prejudice requirements.
PRECEDENTIAL VALUE	published
PARTIES	Shanard Deshun Rease v. The State

TOPICS

criminal procedure

evidence

appellate procedure

harmless error

ineffective assistance

PRACTICE AREAS

criminal law

criminal procedure

appellate litigation

evidence

QUESTIONS PRESENTED

1. Whether the trial court reversibly erred by excluding two receipts and a GPS map offered in support of Rease's alibi or rebuttal evidence.
2. Whether the State's DNA expert's testimony and the prosecutor's comments concerning the statistical significance of the DNA evidence constituted reversible error.
3. Whether the trial court violated OCGA § 17-8-57 by commenting on the jury's deliberations, scheduling, and partial verdict.
4. Whether trial counsel rendered constitutionally ineffective assistance through deficient preparation, failure to timely disclose evidence, failure to object to prosecutorial comments, and other alleged deficiencies.
5. Whether the cumulative effect of assumed trial errors and presumed counsel deficiency required a new trial.

HOLDINGS

1. Even assuming that the trial court abused its discretion by excluding the GPS map and receipts, any error was harmless because the evidence did not establish an alibi or materially rebut the State's evidence, and the evidence of guilt was strong.
2. The challenges to the prosecutor's opening and closing comments were waived because Rease did not object, and the DNA expert's testimony did not constitute plain error because it accurately distinguished the frequency of the foreign DNA profile from the frequency of Rease's personal DNA profile.
3. The trial court did not violate OCGA § 17-8-57 because its scheduling comments and instructions concerning the jury's partial verdict neither expressed an opinion about Rease's guilt nor intimated what the evidence showed.
4. Rease failed to establish ineffective assistance because he did not show deficient performance and, for the evidence-disclosure claim, did not show resulting prejudice.
5. The assumed evidentiary error and presumed counsel deficiency did not cumulatively prejudice Rease or deny him a fundamentally fair trial.

KEY QUOTATIONS

"Thus, it is highly probable that the exclusion of this evidence, even if it was the product of error, did not contribute to the verdict, and this claim fails." (8)

"Because none of the court's remarks or responses to the jury's note expressed any opinion as to Rease's guilt (or that the jury was required to reach a unanimous verdict on any count), Rease has failed to show error, let

alone plain error.” (15)

“Even considering the combined effect of these presumed errors, we see no basis for reversal.” (22)

FACTUAL BACKGROUND

Mimi Perry was found dead behind her Fayette County townhome on May 24, 2019, with blunt-force injuries and signs of manual strangulation. Rease, her neighbor, told investigators that he was home during much of the relevant period and had briefly gone to a gas station, but surveillance did not show him there, and his supervisor disputed his explanation for fresh injuries on his arms. A DNA expert testified that a foreign DNA profile found in a substantial quantity beneath Perry's right fingernails matched Rease's DNA and had an extremely low population frequency. Rease was convicted of felony murder and aggravated assault and challenged evidentiary rulings, prosecutorial and judicial comments, ineffective assistance of counsel, and cumulative error.

PROCEDURAL HISTORY

A Fayette County grand jury indicted Rease for malice murder, felony murder, and aggravated assault. Following a January 2020 jury trial, he was convicted of felony murder and aggravated assault; the jury did not reach a unanimous verdict on malice murder, which was later nolle prossed, and aggravated assault merged for sentencing. The Superior Court of Fayette County denied Rease's amended motion for new trial on June 5, 2024. The Supreme Court of Georgia affirmed.

DISPOSITION

affirmed

CASES CITED

- Tarver v. State, 319 Ga. 165, 169 (2024)
- Mbungu v. State, 322 Ga. 564, 567 (2025)
- Palmer v. State, 310 Ga. 668, 676-78 (2021)
- Graves v. State, 303 Ga. 305, 308-09 (2018)
- De La Cruz v. State, 303 Ga. 24, 27 (2018)
- Huff v. State, 315 Ga. 558, 564 (2023)
- Callaway v. State, 321 Ga. 186, 193 (2025)
- Samuels v. State, 323 Ga. 629, 638 (2026)
- Carter v. State, 317 Ga. 689, 693 (2023)
- Nundra v. State, Nundra v. State, 316 Ga. 1, 14 (2023)
- Sturkey v. State, 319 Ga. 156, 158-59 (2024)
- Smart v. State, 299 Ga. 414, 423 (2016)
- Lowery v. State, 282 Ga. 68, 76 (2007)
- Suggs v. State, 310 Ga. 762 (2021)
- Ingram v. State, 290 Ga. 500, 504 (2012)

- Strickland v. Washington, 466 U.S. 668, 687-89, 694 (1984)
- Wells v. State, 295 Ga. 161, 164 (2014)
- Harrington v. Richter, 562 U.S. 86, 104-05 (2011)
- Palmer v. State, 303 Ga. 810, 816 (2018)
- Riley v. State, 321 Ga. 112, 120-21 (2025)
- Anthony v. State, Anthony v. State, 311 Ga. 293, 298 (2021)
- Padgett v. State, 322 Ga. 121, 123-24 (2025)
- Tarpley v. State, 298 Ga. 442, 447-48 (2016)
- Menefee v. State, 301 Ga. 505, 510-11, 515 (2017)
- Fadesire v. State, ___ Ga. ___, S26A0174, slip op. at 2-3 (Ga. Mar. 17, 2026), 2026 WL 739095
- Henderson v. State, 304 Ga. 733, 739 (2018)
- Sauder v. State, 318 Ga. 791, 816 n.21 (2024)
- State v. Lane, 308 Ga. 10, 17, 21 (2020)
- Dickerson v. State, 323 Ga. 389, 402 (2026)
- Jackson v. State, 317 Ga. 95, 106-07 (2023)
- Gines v. State, ___ Ga. ___, S25A1305, S25A1306, S25A1307, slip op. at 34-35 (Ga. Mar. 12, 2026)