

ARKANSAS COURT OF APPEALS

Dedrick Brigance v. State of Arkansas

2026 Ark. App. 150 (Ark. Ct. App. 2026) · No. CR-25-141 · Decided March 4, 2026

SUMMARY

The Arkansas Court of Appeals affirmed Dedrick Brigance’s conviction for second-degree murder with a firearm enhancement. The court held that substantial evidence supported the conviction and declined to reach the merits of Brigance’s stand-your-ground jury-instruction argument because he agreed to the instruction and failed to proffer an alternative instruction.

CASE DETAILS

COURT	Arkansas Court of Appeals
WRITING FOR THE COURT	Casey R. Tucker; Karen R. Klappenbach; Hixson
JURISDICTION	Arkansas Court of Appeals
DECIDED	March 4, 2026
DOCKET	CR-25-141
DISPOSITION	affirmed
PROCEDURAL POSTURE	Brigance appealed his conviction for second-degree murder with a firearm enhancement after the Pulaski County Circuit Court denied his motion for directed verdict and instructed the jury on justification using an instruction to which he agreed.
STANDARD OF REVIEW	The denial of a motion for directed verdict is reviewed as a challenge to the sufficiency of the evidence. The appellate court views the evidence in the light most favorable to the verdict and affirms if substantial evidence supports it. Jury-instruction objections are reviewed only when preserved by agreement or proffer of an alternative instruction included in the record.
PRECEDENTIAL VALUE	Published Arkansas Court of Appeals opinion
PARTIES	Dedrick Brigance v. State of Arkansas

TOPICS

- criminal procedure
- jury instructions
- preservation of error
- appellate procedure
- standard of review

PRACTICE AREAS

Criminal law

Criminal procedure

Appellate procedure

Jury instructions

Self-defense and justification

QUESTIONS PRESENTED

1. Whether substantial evidence supported Brigance's conviction for second-degree murder under Arkansas Code Annotated section 5-10-103(a)(1) or (2).
2. Whether the circuit court erred by failing to instruct the jury under Arkansas's stand-your-ground law that Brigance had no duty to retreat before using deadly force.

HOLDINGS

1. The evidence substantially supported Brigance's conviction for second-degree murder because he deliberately fired a loaded automatic handgun at Broadus, thereby engaging in conduct that culminated in Broadus's death, and Brigance also testified that he purposely shot Broadus's hand, establishing the required purpose to cause serious physical injury.
2. The stand-your-ground instruction issue was not preserved for appellate review because Brigance's counsel expressly agreed to the circuit court's proposed justification instruction and failed to proffer an alternative instruction for inclusion in the record.

KEY QUOTATIONS

“Circumstances manifesting extreme indifference to the value of human life require “deliberate conduct that culminates in the death of another person.”” (at 5)

“A party cannot agree with the circuit court’s proposed action and then raise its action as error on appeal.” (at 10)

“To preserve an objection to an instruction for appeal, the appellant must make a proffer of the proposed instruction to the judge.” (at 11)

FACTUAL BACKGROUND

Jeremiah Broadus entered a motel room where Brigance's niece and another woman were present, pulled a gun on them, and continued holding it after they returned his money. Brigance arrived with Quincy Carter, followed Carter into the room, and shot Broadus once as Broadus backed toward the stairs with his gun lowered and appeared to be leaving; the altered firearm fired five rounds, killing Broadus. Brigance testified that he shot to defend himself and his niece, but the security video contradicted his claim that Broadus was raising the gun when Brigance fired.

PROCEDURAL HISTORY

A Pulaski County jury found Brigance guilty of second-degree murder and found that he used a firearm. The circuit court imposed consecutive sentences of thirty-five years for murder and fifteen years for the firearm enhancement. Brigance timely appealed, challenging the sufficiency of the evidence and the absence of a stand-your-ground jury instruction.

DISPOSITION

affirmed

CASES CITED

- Lucas v. State, 2023 Ark. App. 306, 669 S.W.3d 266
- Kellybrew v. State, 2022 Ark. App. 266, 646 S.W.3d 391
- Woods v. State, 2025 Ark. 9, 704 S.W.3d 301
- Dulle v. State, 2019 Ark. App. 378, 582 S.W.3d 28
- Price v. State, 373 Ark. 435, 284 S.W.3d 462 (2008)
- Sullivan v. State, 2015 Ark. App. 514, 470 S.W.3d 312
- Hooks v. State, 2013 Ark. App. 728, 431 S.W.3d 333
- Williams v. State, 2020 Ark. App. 560, 613 S.W.3d 759
- Harris v. State, 2023 Ark. 64, 663 S.W.3d 355
- Robertson v. State, 2009 Ark. 430, 347 S.W.3d 460

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