

SUPREME COURT OF INDIANA

Brooks v. State

434 N.E.2d 878 (Ind. 1982) · No. No. 478S78 · Decided May 7, 1982

SUMMARY

The Indiana Supreme Court affirmed Michael Brooks's second-degree murder conviction and sentence. The court held that sufficient evidence supported rejection of Brooks's self-defense claim, that any issue concerning his wearing jail clothing during voir dire was waived, and that the trial court properly directed the jury to correct an improper sentencing portion of its verdict.

CASE DETAILS

COURT	Supreme Court of Indiana
WRITING FOR THE COURT	Pivarnik, Justice; Givan, C.J.; DeBruler, J.; Hunter, J.; Pivarnik, J.; Prentice, J.
JURISDICTION	Indiana
DECIDED	May 7, 1982
DOCKET	No. 478S78
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed his jury conviction for second-degree murder and sentence from the Marion County Criminal Court, raising challenges to the sufficiency of the evidence, his appearance in jail clothing during jury selection, and the trial court's correction of an improper verdict.
STANDARD OF REVIEW	For sufficiency of the evidence, the court neither reweighs the evidence nor judges witness credibility and determines only whether substantial evidence of probative value supports a finding of guilt beyond a reasonable doubt. Alleged trial errors not properly objected to are reviewed as waived.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Michael Brooks v. State of Indiana

TOPICS

- criminal procedure
- self defense
- jury instructions
- standard of review
- preservation of error

PRACTICE AREAS

criminal law

criminal procedure

appellate practice

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to support Brooks's second-degree murder conviction despite his claim of self-defense.
2. Whether Brooks was denied a constitutional right by appearing in alleged jail clothing during jury selection.
3. Whether the trial court properly directed the jury to correct an improper verdict stating a determinate fifteen-year sentence for second-degree murder.

HOLDINGS

1. The evidence was sufficient for the jury to find Brooks guilty of second-degree murder and to reject his claim of self-defense.
2. Any error concerning Brooks's alleged appearance in jail clothing during voir dire was waived because he did not object before or during jury selection and the record did not establish compulsion or that the clothing was identifiable as jail clothing.
3. The trial court properly directed the jury to correct its verdict because the jury clearly found Brooks guilty of second-degree murder but stated an unauthorized determinate sentence rather than the statutory sentence of fifteen to twenty-five years or life.

KEY QUOTATIONS

“In examining a claim of insufficient evidence, this Court will neither reweigh the evidence nor judge the credibility of witnesses.” (880)

“It is the settled law that it is the duty of the trial court before discharging a jury to examine the verdict and if found to be irregular, to instruct the jury further as to the proper form of verdict.” (882)

FACTUAL BACKGROUND

Brooks and Raymond Vaughn had been drinking together at the Shalimar Club in Indianapolis. After Vaughn became disruptive, Brooks escorted him outside, where the two fought; Brooks admitted stabbing Vaughn, who sustained eighteen stab wounds, including fatal wounds to the chest, organs, and throat. Brooks claimed self-defense, but the evidence showed that he had disarmed Vaughn, continued the attack, fled, and attempted to dispose of the knife and bloodstained items.

PROCEDURAL HISTORY

A jury found Brooks guilty of second-degree murder in Marion County Criminal Court on November 15, 1977. The trial court sentenced him to an indeterminate term of fifteen to twenty-five years and directed the jury to correct a verdict that improperly stated a determinate fifteen-year sentence. The Indiana Supreme Court affirmed in all respects.

DISPOSITION

affirmed

CASES CITED

- Sanders v. State, 428 N.E.2d 23, 25 (Ind. 1981)
- Love v. State, 393 N.E.2d 178, 180 (Ind. 1979)
- Pollard v. State, 388 N.E.2d 496, 501 (Ind. 1979)
- Jackson v. State, 267 Ind. 501, 371 N.E.2d 698 (1978)
- Franklin v. State, 266 Ind. 540, 364 N.E.2d 1019 (1977)
- King v. State, 249 Ind. 699, 234 N.E.2d 465 (1968)
- Williams v. State, 262 Ind. 382, 316 N.E.2d 354 (1974)
- Hester v. State, 267 Ind. 697, 373 N.E.2d 141 (1978)
- McFarland v. State, 390 N.E.2d 989 (Ind. 1979)
- Estelle v. Williams, 425 U.S. 501, 96 S. Ct. 1691, 48 L. Ed. 2d 126 (1976)
- Smith v. State, 267 Ind. 167, 368 N.E.2d 1154 (1977)
- Anderson v. State, 267 Ind. 289, 370 N.E.2d 318 (1977)
- Kirkland v. State, 235 Ind. 450, 134 N.E.2d 223 (1955)
- Moore v. State, 225 Ind. 357, 75 N.E.2d 193 (1947)
- Limeberry v. State, 223 Ind. 622, 63 N.E.2d 697 (1945)

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