

SUPREME COURT OF GEORGIA

Brinson v. State, 289 Ga. 551

713 S.E.2d 862 (2011) · No. S11A0827 · Decided July 11, 2011

SUMMARY

The Supreme Court of Georgia affirmed Ronald Brinson’s convictions for malice murder and felony murder arising from the stabbing death of his wife. The court held that the evidence was sufficient, that the trial court properly denied a mistrial and refused an involuntary-manslaughter instruction, and that Brinson waived any objection to sending a redacted indictment to the jury.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	Thompson, Justice
JURISDICTION	Georgia
DECIDED	July 11, 2011
DOCKET	S11A0827
DISPOSITION	affirmed
PROCEDURAL POSTURE	Ronald Brinson appealed his convictions for malice murder and felony murder, challenging the denial of a mistrial, the refusal to give an involuntary-manslaughter instruction, and the submission of a redacted indictment to the jury during deliberations.
STANDARD OF REVIEW	The sufficiency of the evidence is reviewed under whether a rational trier of fact could find guilt beyond a reasonable doubt. A mistrial ruling is reviewed for abuse of discretion, and the trial court's discretion will not be disturbed unless a mistrial is essential to preserve the right to a fair trial. Unrequested jury-instruction omissions and unobjected-to submission of the indictment are not reviewable on appeal under the circumstances presented.
PRECEDENTIAL VALUE	Published opinion of the Supreme Court of Georgia; binding precedent in Georgia.
PARTIES	Ronald Brinson v. State

TOPICS

criminal procedure

jury instructions

standard of review

preservation of error

lesser included offense instructions

PRACTICE AREAS

criminal law

criminal procedure

appellate procedure

jury instructions

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to support Brinson's malice-murder conviction.
2. Whether the trial court abused its discretion by denying Brinson's motion for a mistrial based on noises allegedly made by members of the victim's family during trial.
3. Whether the trial court erred by failing to give a curative instruction when Brinson did not request one or seek further action.
4. Whether Brinson was entitled to an involuntary-manslaughter instruction under OCGA § 16-5-3(b) based on an asserted theory of imperfect self-defense.
5. Whether Brinson could challenge the submission of a redacted indictment to the jury after failing to object when the trial court invited objections.

HOLDINGS

1. The evidence, viewed in the light most favorable to the verdict, was sufficient for a rational trier of fact to find Brinson guilty of malice murder beyond a reasonable doubt.
2. The trial court did not abuse its discretion by denying the motion for mistrial because Brinson failed to show that the spectators' noises affected the jury or that a mistrial was essential to preserve a fair trial.
3. Brinson could not complain on appeal about the absence of a curative instruction because he neither requested one nor sought further action from the trial court.
4. The trial court properly refused to give an involuntary-manslaughter instruction under OCGA § 16-5-3(b) because the asserted imperfect-self-defense theory did not fit Georgia's definition of voluntary manslaughter and had no application to involuntary manslaughter.
5. Brinson waived any challenge to the submission of the redacted indictment to the jury by failing to object after the trial court expressly invited objections.

KEY QUOTATIONS

"Whether to grant a mistrial is a matter within the discretion of the trial court, and that discretion will not be interfered with on appeal "unless it is apparent that a mistrial is essential to the preservation of the right to a fair trial." (864)

"It does not, however, "fit within the definition of voluntary manslaughter in this State," and moreover "has . . . no application to involuntary manslaughter." (864)

FACTUAL BACKGROUND

Brinson appeared intoxicated at a friend's business and obtained a ride home to the residence he shared with his wife, Joyce Brinson. Later, he admitted to another friend that he had stabbed his wife, claiming that she had produced the knife first. Police found Joyce Brinson dead from seven stab wounds, and after his arrest Brinson gave a statement that he had taken a steak knife from her and stabbed her multiple times.

PROCEDURAL HISTORY

A Laurens County grand jury indicted Brinson for malice murder and two counts of felony murder. One felony-murder count was nolle prossed. After trial, the jury found Brinson guilty of malice murder and the remaining felony-murder count, and the trial court sentenced him to life imprisonment for malice murder. The trial court denied his motion for new trial, and the Supreme Court of Georgia affirmed.

DISPOSITION

affirmed

CASES CITED

- Jackson v. Virginia, 443 U.S. 307, 99 S.Ct. 2781, 61 L.Ed.2d 560 (1979)
- Belton v. State, 270 Ga. 671, 672(2), 512 S.E.2d 614 (1999)
- Brown v. State, 278 Ga. 544(8), 604 S.E.2d 503 (2004)
- Scott v. State, 261 Ga. 611(2), 409 S.E.2d 511 (1991)
- Lamon v. State, 260 Ga. 119, 120, fn. 2(2), 390 S.E.2d 582 (1990)
- Smith v. State, 277 Ga. 213(2)(c), 586 S.E.2d 639 (2003)