

SUPREME COURT OF GEORGIA

Willis v. State, 274 Ga. 699

558 S.E.2d 393 (2002) · No. S01A1810 · Decided January 14, 2002

SUMMARY

The Supreme Court of Georgia affirmed Quentin Willis's convictions for malice murder and possession of a firearm during the commission of a felony. The court held that the trial court erred in admitting the victim's hearsay statements about prior acts of violence under the necessity exception because direct evidence of comparable acts was available, but found the error harmless; it also upheld admission of the medical examiner's homicide classification testimony.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	Fletcher, Chief Justice
JURISDICTION	Georgia
DECIDED	January 14, 2002
DOCKET	S01A1810
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from convictions for malice murder and possession of a firearm during the commission of a felony.
STANDARD OF REVIEW	The sufficiency of the evidence was reviewed under whether a rational trier of fact could have found the defendant guilty after viewing the evidence in the light most favorable to the verdict. Evidentiary error was reviewed for harmless error, requiring a determination whether it was highly probable that the error did not contribute to the verdict.
PRECEDENTIAL VALUE	Published precedential opinion of the Supreme Court of Georgia
PARTIES	Quentin Willis v. The State

TOPICS

- hearsay
- evidence
- harmless error
- standard of review
- appellate procedure

PRACTICE AREAS

- criminal law
- evidence
- criminal procedure
- appellate law

QUESTIONS PRESENTED

1. Whether the trial court erred by admitting Donovan's hearsay statements about prior acts of violence under the necessity exception when the State presented direct evidence of comparable acts.
2. Whether the erroneous admission of the hearsay evidence was harmless.
3. Whether the trial court erred by allowing the medical examiner to testify that she classified Donovan's death as a homicide.
4. Whether the evidence was sufficient to support Willis's convictions.

HOLDINGS

1. The hearsay statements were not admissible under the necessity exception because the State had direct evidence from witnesses who personally observed comparable acts of violence.
2. The evidentiary error was harmless because it was highly probable that the error did not contribute to the verdict.
3. The trial court did not err in allowing the medical examiner to explain her homicide classification.
4. The evidence was sufficient for a rational trier of fact to find Willis guilty of the crimes charged.

KEY QUOTATIONS

“Since the state presented two witnesses who had personally observed Willis threaten and hit Donovan during their fights, the victim's hearsay statements about comparable acts of violence were not more probative than the direct evidence.” (558 S.E.2d at 395)

“Having reviewed the record, however, we conclude that it is highly probable that the error did not contribute to the verdict.” (558 S.E.2d at 395)

FACTUAL BACKGROUND

Willis was convicted of murdering his 18-year-old girlfriend, Tiffany Donovan, who was shot in the head with Willis's gun. Willis initially told a 911 operator that Donovan had shot herself, but at trial asserted that the gun discharged accidentally while he struggled to take it from her. Physical evidence, including the muzzle-contact wound, blood stains, and evidence that Donovan's body had been moved, undermined the accident and suicide explanations. The State also introduced evidence of prior violence and hearsay statements by Donovan concerning prior difficulties with Willis.

PROCEDURAL HISTORY

A jury found Willis guilty on June 10, 1999, and the trial court imposed a life sentence for malice murder and a five-year sentence for possession of a firearm during the commission of a felony. The trial court denied his motion for a new trial, and Willis appealed to the Supreme Court of Georgia. The case was submitted without oral argument, and the court affirmed.

DISPOSITION

affirmed

CASES CITED

- Jackson v. Virginia, 443 U.S. 307, 99 S. Ct. 2781, 61 L. Ed. 2d 560 (1979)
- Chapel v. State, 270 Ga. 151, 155, 510 S.E.2d 802 (1998)
- Lee v. State, 270 Ga. 626, 627, 513 S.E.2d 225 (1999)
- Weems v. State, 269 Ga. 577, 579, 501 S.E.2d 806 (1998)
- Suits v. State, 270 Ga. 362, 365, 507 S.E.2d 751 (1998)
- Medlock v. State, 263 Ga. 246, 248, 430 S.E.2d 754 (1993)
- Maxwell v. State, 262 Ga. 73, 76, 414 S.E.2d 470 (1992)