

SUPREME COURT OF MISSOURI

State ex rel. Reginald Griffin v. Larry Denney

347 S.W.3d 73 (Mo. banc 2011) · No. SC 91112 · Decided August 2, 2011

SUMMARY

The Supreme Court of Missouri granted Reginald Griffin habeas corpus relief, holding that the State violated *Brady v. Maryland* by failing to disclose that inmate Jeffrey Smith possessed a sharpened screwdriver shortly after the murder. Considering that evidence together with post-trial developments, including witness recantations and alternate-perpetrator testimony, the majority concluded that Griffin's conviction was no longer worthy of confidence. The conviction was vacated, and the State was ordered either to retry Griffin or discharge him from custody.

CASE DETAILS

COURT	Supreme Court of Missouri
WRITING FOR THE COURT	Richard B. Teitelman, Chief Justice; Wolff, Judge; Breckenridge, Judge; Stith, Judge; Russell, Judge; Fischer, Judge; Price, Judge
JURISDICTION	Missouri
DECIDED	August 2, 2011
DOCKET	SC 91112
DISPOSITION	vacated
PROCEDURAL POSTURE	Griffin sought an original writ of habeas corpus from the Supreme Court of Missouri after the circuit court denied his 2005 habeas petition alleging that the State violated <i>Brady v. Maryland</i> by failing to disclose evidence that inmate Jeffrey Smith possessed a sharpened screwdriver shortly after the murder.
STANDARD OF REVIEW	Habeas proceedings determine the facial validity of confinement, and the petitioner bears the burden of proving entitlement to relief. For a procedurally defaulted <i>Brady</i> claim, the petitioner must establish cause and prejudice, manifest injustice, or a jurisdictional defect.
PRECEDENTIAL VALUE	published, precedential, en banc
PARTIES	Reginald Griffin v. Larry Denney, Superintendent

TOPICS

state post-conviction relief

habeas corpus

due process

prosecutorial misconduct

evidence

PRACTICE AREAS

criminal procedure

post-conviction relief

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evidence

QUESTIONS PRESENTED

1. Whether the State's failure to disclose evidence that inmate Jeffrey Smith possessed a sharpened screwdriver shortly after the murder violated *Brady v. Maryland*.
2. Whether the undisclosed evidence established cause and prejudice sufficient to overcome the procedural bar applicable to Griffin's habeas claim.
3. Whether the totality of the undisclosed evidence and subsequent developments rendered Griffin's murder conviction no longer worthy of confidence.

HOLDINGS

1. Evidence that inmate Smith possessed a sharpened screwdriver shortly after the murder was favorable to Griffin because it tended to support an alternative-perpetrator defense and further impeach the State's principal witnesses.
2. The State suppressed the evidence concerning Smith's possession of the sharpened screwdriver, and the State's disclosure duty extended to material evidence known to prison guards acting on the government's behalf.
3. Griffin established prejudice because the nondisclosure, considered with the totality of the evidence and subsequent developments, rendered the conviction no longer worthy of confidence; the State's nondisclosure also supplied cause for the procedural default.
4. The murder conviction was vacated, and Griffin was ordered discharged from custody unless the State elected to retry him within 60 days after the mandate issued.

KEY QUOTATIONS

"To establish prejudice, Griffin does not have to prove definitively that he would have received a different verdict if the Smith evidence had been disclosed." (77)

"The question is 'whether in its absence he received a fair trial, understood as a trial resulting in a verdict worthy of confidence.'" (77)

"In light of these circumstances, Griffin's conviction is no longer 'worthy of confidence.'" (79)

FACTUAL BACKGROUND

James Bausley was fatally stabbed on July 12, 1983, at the Missouri Training Center for Men in Moberly. Shortly after the stabbing, prison guards confiscated a sharpened screwdriver from inmate Jeffrey Smith as Smith attempted to leave the area, but the State did not disclose that evidence to Griffin. Griffin's conviction rested primarily on testimony from Paul Curtis and Wyvonne Mozee, while later proceedings produced

recantation, confession, and alternate-perpetrator evidence undermining the trial testimony and connecting Smith and others to the murder.

PROCEDURAL HISTORY

Griffin was convicted of murder and initially sentenced to death. His case was remanded for a new penalty phase after the State introduced the conviction record of another person with the same name, and he was resentenced to life imprisonment without the possibility of parole. After the circuit court denied Griffin's 2005 habeas petition, the Supreme Court of Missouri granted habeas relief, vacated the murder conviction, and ordered Griffin discharged unless the State elected to retry him within 60 days after issuance of the mandate.

DISPOSITION

vacated

REMAND INSTRUCTIONS

Griffin was to be discharged from State custody for the murder 60 days after the mandate issued unless the State filed an election in the circuit court to retry him. If the State elected retrial, the trial was to commence as soon as practicable.

CASES CITED

- Brady v. Maryland, 373 U.S. 83 (1963)
- State ex rel. Engel v. Dormire, 304 S.W.3d 120 (Mo. banc 2010)
- State ex rel. Amrine v. Roper, 102 S.W.3d 541 (Mo. banc 2003)
- Strickler v. Greene, 527 U.S. 263 (1999)
- Kyles v. Whitley, 514 U.S. 419 (1995)
- Berger v. United States, 295 U.S. 78 (1935)
- State v. Griffin, 848 S.W.2d 464, 471 (Mo. banc 1993)
- State v. Bowman, 337 S.W.3d 679, 687 (Mo. banc 2011)
- State v. Butler, 951 S.W.2d 600, 606 (Mo. banc 1997)
- Wood v. Bartholomew, 516 U.S. 1, 8 (1995)
- Storey v. State, 175 S.W.3d 116, 141 (Mo. banc 2005)