

SUPREME COURT OF KANSAS

State v. Miles

300 Kan. 1065 (2014) · No. No. 110,128 · Decided November 26, 2014

SUMMARY

The Kansas Supreme Court affirmed the denial of Tracie Miles' postsentencing motion to withdraw no-contest pleas to premeditated first-degree murder, aggravated robbery, and forgery. The court held that any prejudice from counsel's alleged misinformation about the charges and possible penalties was cured by the trial judge's thorough plea colloquy. Because Miles failed to establish manifest injustice, the district court did not abuse its discretion.

CASE DETAILS

COURT	Supreme Court of Kansas
WRITING FOR THE COURT	Beier, J.; Michael J. Malone, Senior Judge, assigned
JURISDICTION	Kansas
DECIDED	November 26, 2014
DOCKET	No. 110,128
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from the denial of a postsentencing motion to withdraw no-contest pleas.
STANDARD OF REVIEW	A postsentencing motion to withdraw a plea is reviewed under the manifest-injustice standard, and the district court's ruling is reviewed for abuse of discretion. Abuse of discretion may arise from an unreasonable judicial action, an error of law, or an error of fact.
PRECEDENTIAL VALUE	Published Kansas Supreme Court opinion; precedential.
PARTIES	Tracie Miles v. State of Kansas

TOPICS

- plea bargaining
- ineffective assistance
- criminal procedure
- appellate procedure
- standard of review

PRACTICE AREAS

- criminal procedure
- plea bargaining
- ineffective assistance of counsel
- appellate procedure

QUESTIONS PRESENTED

1. Whether Miles established manifest injustice warranting withdrawal of her no-contest pleas after sentencing.
2. Whether alleged misinformation or inadequate advice from counsel required plea withdrawal when the district court fully corrected or clarified the information before accepting the pleas.
3. Whether the district court abused its discretion in denying the postsentencing motion to withdraw pleas.

HOLDINGS

1. A criminal defendant is not entitled to withdraw a no-contest plea after sentencing for manifest injustice when the alleged deficiency in counsel's performance was fully corrected by the court before the plea was entered.
2. The denial of a postsentencing motion to withdraw a plea is reviewed for abuse of discretion, and reversal is warranted when the district court acts unreasonably, applies an erroneous legal conclusion, or relies on a factual finding unsupported by substantial competent evidence.

KEY QUOTATIONS

“A criminal defendant is not entitled to withdraw pleas of no contest after sentencing for manifest injustice, when the deficiency in counsel's performance she alleges was fully corrected by the court before the pleas were entered.” (300 Kan. at 1065)

“In short, even if Miles' attorney had previously misinformed or failed to fully inform Miles of the charges and possible penalties, any prejudice from that error was eliminated by the judge's thoroughness at the plea hearing.” (300 Kan. at 1067)

FACTUAL BACKGROUND

Miles entered no-contest pleas to premeditated first-degree murder, aggravated robbery, and forgery. She later alleged that counsel told her she had no chance of acquittal and would receive the death penalty or a hard 40 life sentence if she went to trial, and that she did not understand the possible sentence resulting from her pleas. At the plea hearing, however, the district judge reviewed the charges, plea agreement, plea-negotiation results, and possible sentences, and Miles stated that she understood the information.

PROCEDURAL HISTORY

Miles pleaded no contest to premeditated first-degree murder, aggravated robbery, and forgery and was sentenced to life imprisonment with no parole eligibility for 25 years, followed by consecutive 51-month and 9-month sentences. Nearly 11 years after sentencing, she moved to withdraw her pleas, alleging ineffective assistance and misunderstanding of the charges and potential sentences. After an evidentiary hearing, the Reno District Court denied the motion, and the Kansas Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Szczygiel, 294 Kan. 642, 643, 279 P.3d 700 (2012)
- State v. Bricker, 292 Kan. 239, 244, 252 P.3d 118 (2011)
- State v. Ward, 292 Kan. 541, 550, 256 P.3d 801 (2011), cert. denied, 132 S. Ct. 1594 (2012)
- State v. Green, 283 Kan. 531, 545-46, 153 P.3d 1216 (2007)
- State v. Edgar, 281 Kan. 30, 38, 127 P.3d 986 (2006)

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