

SUPREME COURT OF ARKANSAS

Joseph Faulkner Sr. v. State of Arkansas

Faulkner, 2026 Ark. 60 (Ark. 2026) · No. CR-25-166 · Decided January 29, 2026

SUMMARY

The Supreme Court of Arkansas affirmed Joseph Faulkner Sr.'s conviction for raping a minor and his life sentence. The court rejected challenges concerning the sufficiency of the evidence, denial of a continuance, authentication and admission of electronic messages, admission of other-acts testimony under the pedophile exception to Arkansas Rule of Evidence 404(b), cumulative error, and sentencing proportionality. The court held that the evidence established Faulkner's apparent authority over the victim and that the challenged evidentiary rulings and sentence were lawful.

CASE DETAILS

COURT	Supreme Court of Arkansas
WRITING FOR THE COURT	Nicholas J. Bronni, Associate Justice
JURISDICTION	Supreme Court of Arkansas
DECIDED	January 29, 2026
DOCKET	CR-25-166
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from a Garland County Circuit Court judgment convicting Faulkner of rape and sentencing him to life imprisonment.
STANDARD OF REVIEW	Sufficiency of the evidence is reviewed for substantial evidence. Evidentiary rulings and denial of a continuance are reviewed for abuse of discretion. The sentencing challenge was unpreserved and was reviewed on the arguments presented.
PRECEDENTIAL VALUE	published
PARTIES	Joseph Faulkner Sr. v. State of Arkansas

TOPICS

- criminal procedure
- evidence
- authentication
- sentencing
- cruel and unusual punishment

PRACTICE AREAS

- criminal law
- criminal procedure
- evidence
- sentencing
- constitutional law
- appellate practice

QUESTIONS PRESENTED

1. Whether substantial evidence supported the finding that Faulkner was MV1's guardian because he occupied an apparent position of authority over her by virtue of their living arrangement.
2. Whether the circuit court abused its discretion by denying Faulkner's motion for a continuance after he was charged in a separate rape case shortly before trial.
3. Whether electronic messages and screenshots were sufficiently authenticated under Arkansas Rule of Evidence 901.
4. Whether testimony concerning Faulkner's prior sexual abuse of MV3 was admissible under the pedophile exception to Arkansas Rule of Evidence 404(b) and was not excludable under Rule 403.
5. Whether cumulative error required reversal.
6. Whether Faulkner's life sentence violated the Eighth Amendment or article 2, section 9 of the Arkansas Constitution.

HOLDINGS

1. The State need only prove that Faulkner was in an apparent position of power or authority over MV1 by virtue of their living arrangement; proof of full or complete authority is unnecessary. The evidence that MV1 routinely stayed with Faulkner and his live-in girlfriend, together with Faulkner's concession that he exercised some authority over MV1, was substantial evidence supporting the conviction.
2. The circuit court did not abuse its discretion in denying a continuance where Faulkner failed to establish good cause and the court found that he remained responsive, involved, and able to assist counsel despite the new charges, inmate hostility, and claimed lack of sleep.
3. The messages and screenshots were properly admitted because testimony linking them to Faulkner's previously used accounts and telephone number, together with their consistent language, grammar, and mannerisms, was sufficient under Rule 901. Additional cellular data or testimony from someone who watched Faulkner type the messages was not required.
4. MV3's testimony was admissible under the pedophile exception to Rule 404(b) to show Faulkner's proclivity to target and abuse young girls in his household, and it was not excludable under Rule 403 because its prejudice was not unfair and was substantially connected to its high probative value.
5. Cumulative error did not require reversal because the circuit court committed no error in denying the continuance or admitting the challenged evidence.
6. Faulkner's life sentence for child rape did not violate the Eighth Amendment, and his unsupported argument under article 2, section 9 of the Arkansas Constitution failed.

KEY QUOTATIONS

“Thus, to prove this element of the offense, the State only needed to demonstrate that Faulkner was in an apparent position of authority by virtue of his living arrangement with MV1—not that he had complete or total authority over her.” (at 5)

“Instead, Rule 901 only requires evidence linking Faulkner to the messages, and Tippit’s and MV1’s testimony met that standard.” (at 8)

“So while MV3’s testimony was certainly prejudicial (indeed, highly so), it was not unfairly prejudicial.” (at 9)

FACTUAL BACKGROUND

Faulkner was the live-in boyfriend of Minor Victim 1's mother and occupied an apparent position of authority over MV1, who was fourteen years old. He sent MV1 sexually explicit messages and later raped her while she was intoxicated at his home. Years later, Faulkner sent MV1's mother messages describing sexual abuse of two other daughters, which led to disclosure of MV1's earlier assault and law-enforcement involvement. The jury convicted Faulkner of rape and the circuit court imposed a life sentence.

PROCEDURAL HISTORY

Faulkner was charged with raping Minor Victim 1. Four days before trial, he was separately arrested and charged with raping Minor Victim 3; the circuit court denied his motion for a continuance. At trial, the court admitted electronic messages and screenshots and allowed Minor Victim 3 to testify about prior abuse. A jury convicted Faulkner of rape, and the circuit court sentenced him to life imprisonment. The Arkansas Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- *McDaniels v. State*, 2014 Ark. 181, 432 S.W.3d 644
- *Thorne v. State*, 269 Ark. 556, 601 S.W.2d 886 (1980)
- *Ungar v. Sarafite*, 376 U.S. 575 (1964)
- *Davis v. State*, 350 Ark. 22, 86 S.W.3d 872 (2002)
- *Guydon v. State*, 344 Ark. 251, 39 S.W.3d 767 (2001)
- *Craig v. State*, 2012 Ark. 387, 424 S.W.3d 264 (2013)
- *Free v. State*, 293 Ark. 65, 732 S.W.2d 452 (1987)
- *Weems v. United States*, 217 U.S. 349 (1910)
- *Solem v. Helm*, 463 U.S. 277 (1983)
- *Ewing v. California*, 538 U.S. 11 (2003)
- *Kennedy v. Louisiana*, 554 U.S. 407 (2008)