

SUPREME COURT OF IDAHO

State v. Adamcik, 152 Idaho 445

272 P.3d 417 (2012) · No. No. 34639 · Decided January 25, 2012

SUMMARY

The Idaho Supreme Court reviewed Torey Michael Adamcik’s convictions for first-degree murder and conspiracy to commit first-degree murder arising from the killing of Cassie Jo Stoddart. Adamcik challenged the sufficiency of the evidence, admission of custodial statements, jury instructions, prosecutorial argument, cumulative error, sentencing, and denial of his Idaho Criminal Rule 35 motion. The court affirmed the convictions, sentences, and denial of sentence reduction.

CASE DETAILS

COURT	Supreme Court of Idaho
WRITING FOR THE COURT	J. Jones, Justice; Burdick; Eismann; Horton; J. Jones
JURISDICTION	Idaho
DECIDED	January 25, 2012
DOCKET	No. 34639
DISPOSITION	affirmed
PROCEDURAL POSTURE	Adamcik appealed convictions for first-degree murder and conspiracy to commit first-degree murder, challenging the sufficiency of the evidence, denial of suppression, jury instructions, closing argument, cumulative error, sentencing, and denial of an Idaho Criminal Rule 35 sentence-reduction motion.
STANDARD OF REVIEW	Sufficiency of the evidence is reviewed under the Jackson v. Virginia standard, viewing the evidence in the light most favorable to the prosecution and asking whether any rational trier of fact could find the essential elements beyond a reasonable doubt. Suppression factual findings are accepted unless clearly erroneous, while constitutional questions are reviewed freely. Jury instructions are reviewed freely as a whole; unobjected-to instructional claims are reviewed for fundamental error. Sentences are reviewed for abuse of discretion, with independent review of the record and the entire sentence.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Torey Michael Adamcik v. State of Idaho

TOPICS

criminal procedure

miranda rights

right to counsel

jury instructions

sentencing

PRACTICE AREAS

criminal law

criminal procedure

appellate practice

constitutional law

evidence

jury instructions

sentencing

QUESTIONS PRESENTED

1. Whether substantial evidence supported Adamcik's first-degree murder conviction when the State did not prove that he personally inflicted the fatal wound.
2. Whether Adamcik's statements after his parents allegedly invoked his right to counsel were obtained in violation of the Fifth and Sixth Amendments.
3. Whether the jury instructions adequately described murder, aiding and abetting, unanimity, malice, and first-degree murder by lying in wait.
4. Whether the prosecutor's closing argument constituted fundamental error.
5. Whether cumulative error required reversal.
6. Whether the district court abused its discretion in imposing fixed life and unified life sentences.
7. Whether the district court abused its discretion in denying Adamcik's Idaho Criminal Rule 35 motion.

HOLDINGS

1. A defendant charged with murder as a principal may be convicted on an aiding-and-abetting theory because Idaho abolishes the distinction between principals and aiders and abettors. The State therefore need not prove that Adamcik personally inflicted the fatal wound, and substantial evidence supported his murder conviction.
2. A parent may invoke a minor child's right to counsel, but the request must be clear and unambiguous.
3. Even assuming Adamcik's parents invoked his right to counsel, the detectives did not violate Miranda because the parents voluntarily agreed to permit questioning and Adamcik himself had executed a waiver; the totality of the circumstances did not show coercion sufficient to overbear the parents' will.
4. Adamcik's verbal and nonverbal responses after he requested counsel were not the product of custodial interrogation or its functional equivalent by a state agent because he responded to questions from his father, not to police questioning.
5. The murder instructions, considered together, fairly and adequately informed the jury that Adamcik could be convicted if he personally committed or aided and abetted the killing; the instructions did not permit conviction merely for purchasing knives.
6. The trial court was not required to give a specific unanimity instruction identifying the particular act that caused the victim's death because Adamcik was charged with a single murder and there was no evidence of multiple separate murder incidents.

7. The malice instructions did not misstate the law or reduce the State's burden of proof. The phrase 'extreme indifference to the value of human life' was functionally equivalent to conscious disregard for human life.
8. Any error in retaining a lying-in-wait alternative in the first-degree murder instruction was harmless and therefore was not fundamental error.
9. The prosecutor's appeal to sympathy for the victim's family was improper but harmless; the remaining challenged remarks did not constitute reversible fundamental error. Cumulative error did not require reversal because Adamcik failed to establish more than one error.
10. The district court did not abuse its discretion by imposing fixed life for first-degree murder, unified life with thirty years fixed for conspiracy, or by denying Adamcik's Rule 35 motion.

KEY QUOTATIONS

"To be found guilty of murder, it was not necessary for Adamcik to have inflicted the fatal wound. It was only necessary to show that he aided and abetted in its commission." (at 434)

"An information charging a defendant with a crime also charges the defendant with aiding and abetting the commission of that crime." (at 438)

"Where a parent has invoked the right to counsel on behalf of a minor child, and the police continue to request that the parent waive that right, there is no violation—as the child is not being questioned by the police." (at 442)

"The phrase 'extreme indifference to the value of human life' is functionally equivalent to the phrase 'reckless indifference to human life.'" (at 450)

FACTUAL BACKGROUND

Adamcik and Brian Draper planned and carried out the murder of sixteen-year-old Cassie Jo Stoddart at the Whispering Cliffs residence in September 2006. A videotape depicted their planning before the killing and their statements afterward, and police later recovered knives, clothing, masks, and other evidence from a burial site. Forensic testimony established that Stoddart died from multiple stab wounds, including potentially fatal wounds from serrated and non-serrated knives. Adamcik was a minor when the crimes occurred and made statements during two police interviews, including a post-Miranda interview in which he later requested counsel.

PROCEDURAL HISTORY

A jury convicted Adamcik on June 8, 2007. The district court imposed a fixed life sentence for first-degree murder and an indeterminate life sentence with thirty years fixed for conspiracy to commit first-degree murder. Adamcik appealed, and the Idaho Supreme Court affirmed all convictions, sentences, and the denial of the Rule 35 motion. The opinion was substituted for a prior opinion dated November 29, 2011; rehearing was denied February 8, 2012.

DISPOSITION

affirmed

CASES CITED

- Jackson v. Virginia, 443 U.S. 307 (1979)
- State v. Johnson, 145 Idaho 970, 188 P.3d 912 (2008)
- State v. Doe, 137 Idaho 519, 50 P.3d 1014 (2002)
- Davis v. United States, 512 U.S. 452 (1994)
- Edwards v. Arizona, 451 U.S. 477 (1981)
- Rhode Island v. Innis, 446 U.S. 291 (1980)
- State v. Butcher, 137 Idaho 125, 44 P.3d 1180 (Ct. App. 2002)
- State v. Severson, 147 Idaho 694, 215 P.3d 414 (2009)
- State v. Perry, 150 Idaho 209, 245 P.3d 961 (2010)
- State v. Stevens, 146 Idaho 139, 191 P.3d 217 (2008)
- State v. Broadhead, 120 Idaho 141, 814 P.2d 401 (1991)
- State v. Brown, 121 Idaho 385, 825 P.2d 482 (1992)
- McCormick v. United States, 500 U.S. 257 (1991)
- Dunn v. United States, 442 U.S. 100 (1979)
- State v. Randles, 117 Idaho 344, 787 P.2d 1152 (1990)