

SUPREME COURT OF ARKANSAS

State of Arkansas v. Wendi Carol Williams

348 Ark. 585 (Ark. 2002) · No. CR 01-1195 · Decided May 16, 2002

SUMMARY

The Supreme Court of Arkansas dismissed the State's appeal from an order dismissing a state theft charge on double-jeopardy grounds after the defendant pleaded guilty to federal bank fraud based on the same conduct. The court held that the appeal did not qualify for review under Arkansas Rule of Appellate Procedure—Criminal 3(c) because it involved application of law to case-specific facts rather than an issue requiring interpretation for the correct and uniform administration of criminal law. Three justices dissented, concluding that the appeal presented a recurring statutory-interpretation issue under Arkansas Code section 5-1-114.

CASE DETAILS

COURT	Supreme Court of Arkansas
WRITING FOR THE COURT	W. H. "Dub" Arnold, Chief Justice
JURISDICTION	Arkansas
DECIDED	May 16, 2002
DOCKET	CR 01-1195
DISPOSITION	dismissed
PROCEDURAL POSTURE	The State appealed a circuit-court order dismissing a state theft charge on double-jeopardy grounds after the defendant had pleaded guilty to federal bank fraud arising from the same conduct. The Supreme Court of Arkansas first considered whether the State's appeal was permissible under Ark. R. App. P.—Crim. 3(c).
STANDARD OF REVIEW	For a State criminal appeal under Ark. R. App. P.—Crim. 3(c), the Supreme Court determines whether review is required for the correct and uniform administration of the criminal law. The court does not accept appeals presenting only the application of law to case-specific facts, including mixed questions of law and fact or application of a statutory provision rather than interpretation.
PRECEDENTIAL VALUE	Published precedential opinion
PARTIES	State of Arkansas v. Wendi Carol Williams

TOPICS

appellate procedure

appellate jurisdiction

double jeopardy

statutory interpretation

criminal procedure

PRACTICE AREAS

criminal procedure

appellate procedure

double jeopardy

statutory interpretation

QUESTIONS PRESENTED

1. Whether the Supreme Court of Arkansas had authority under Ark. R. App. P.—Crim. 3(c) to hear the State's appeal from dismissal of the theft charge.
2. Whether the State's challenge presented an issue of statutory interpretation with widespread ramifications, rather than merely an application of law to the facts of this case.

HOLDINGS

1. The State's appeal was not properly reviewable because it presented only the application of the law to the facts of this case and did not require interpretation of criminal law with widespread ramifications for the correct and uniform administration of justice.

KEY QUOTATIONS

“We accept appeals by the State when our holding would be important to the correct and uniform administration of the criminal law.” (75 S.W.3d at 686)

“Thus, where the resolution of the issue on appeal turns on the facts unique to the case, the appeal is not one requiring interpretation of our criminal rules with widespread ramification, and the matter is not appealable by the State.” (75 S.W.3d at 687)

“Here, the State's argument is based entirely on the application of the law to the facts and in no way raises an issue of statutory interpretation and, therefore, does not require interpretation of criminal statutes with widespread ramifications.” (75 S.W.3d at 688)

FACTUAL BACKGROUND

Williams obtained a \$17,500 loan from City National Bank using a fraudulent loan application. The State charged her with theft by deception, while federal authorities charged her with bank fraud under 18 U.S.C. § 1344 based on the same conduct. Williams pleaded guilty to the federal charge, received a twelve-month prison sentence, and was ordered to pay restitution to the bank. The Arkansas circuit court dismissed the state charge under Ark. Code Ann. § 5-1-114 because the two offenses did not protect against substantially different harms or evils.

PROCEDURAL HISTORY

The State charged Williams with theft by deception in Arkansas. Williams pleaded guilty in federal court to bank fraud based on her use of a fraudulent loan application to obtain a \$17,500 loan from City National Bank. She moved to dismiss the state charge under Ark. Code Ann. § 5-1-114, and the circuit court granted the motion,

finding that the state and federal offenses did not prevent substantially different harms or evils. The State appealed, but the Supreme Court of Arkansas dismissed the appeal as outside the limited category of State appeals permitted under Rule 3(c).

DISPOSITION

dismissed

CASES CITED

- State v. Ashley, 347 Ark. 523, 66 S.W.3d 563 (2002)
- State v. Guthrie, 341 Ark. 624, 19 S.W.3d 10 (2000)
- State v. McCormack, 343 Ark. 285, 34 S.W.3d 735 (2000)
- State v. Gray, 330 Ark. 364, 955 S.W.2d 502 (1997)
- State v. Banks, 322 Ark. 344, 909 S.W.2d 634 (1995)
- State v. Harris, 315 Ark. 595, 868 S.W.2d 488 (1994)
- State v. Stephenson, 330 Ark. 594, 955 S.W.2d 518 (1997)
- State v. Spear and Boyce, 123 Ark. 449, 185 S.W. 788 (1916)
- State v. Howard, 341 Ark. 640, 19 S.W.3d 4 (2000)
- State v. Edwards, 310 Ark. 516, 838 S.W.2d 356 (1992)
- State v. Hart, 329 Ark. 582, 952 S.W.2d 138 (1997)
- State v. Jones, 321 Ark. 451, 903 S.W.2d 170 (1995)
- State v. Mazur, 312 Ark. 121, 847 S.W.2d 715 (1993)
- State v. Thompson, 343 Ark. 135, 34 S.W.3d 33 (2000)
- State v. McMullen, 302 Ark. 252, 789 S.W.2d 715 (1990)