

SUPREME COURT OF GEORGIA

Collett v. State, 305 Ga. 853

828 S.E.2d 362 (2019) · Decided May 20, 2019

SUMMARY

The Georgia Supreme Court affirmed Shane Collett’s convictions for malice murder and concealing the death of another in connection with the death of nine-year-old Skylar Dials. The court held that the circumstantial evidence was sufficient to support the convictions and that the trial court properly declined to instruct the jury on reckless conduct or mistake of fact because those instructions were not supported by the evidence.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	Peterson, Justice; All Justices
JURISDICTION	Georgia
DECIDED	May 20, 2019
DISPOSITION	affirmed
PROCEDURAL POSTURE	Collett appealed his convictions for malice murder and concealing the death of another, challenging the sufficiency of the evidence and the trial court's refusal to give requested jury instructions on reckless conduct and mistake of fact.
STANDARD OF REVIEW	The evidence is viewed in the light most favorable to the verdict, and the convictions are upheld if a rational trier of fact could find guilt beyond a reasonable doubt. In a circumstantial-evidence case, the jury determines the reasonableness of alternative hypotheses, and the Supreme Court will not disturb that determination unless it is insupportable as a matter of law. A requested jury instruction must be legal, apt, precisely adjusted to an issue in the case, and authorized by the evidence.
PRECEDENTIAL VALUE	Published, precedential opinion of the Supreme Court of Georgia
PARTIES	Shane Collett v. State

TOPICS

criminal procedure

jury instructions

lesser included offense instructions

mens rea

burden of proof

PRACTICE AREAS

criminal law

criminal procedure

evidence

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to support Collett's convictions for malice murder and concealing the death of another.
2. Whether the trial court erred by refusing to instruct the jury on the lesser-included offense of reckless conduct.
3. Whether the trial court erred by refusing to instruct the jury on mistake of fact.

HOLDINGS

1. The evidence was sufficient for a rational trier of fact to exclude every other reasonable hypothesis and find beyond a reasonable doubt that Collett murdered Dials and concealed her death.
2. The trial court properly refused to instruct the jury on reckless conduct because the evidence did not show that dropping or placing Dials's body in the brush pile caused her death or constituted the charged culpable conduct.
3. The trial court properly refused to instruct the jury on mistake of fact because Collett's asserted ignorance of the precise moment of Dials's death did not negate the mental state associated with the lethal act.

KEY QUOTATIONS

"In cases like this one where convictions are based on circumstantial evidence, the evidence must be 'consistent with the hypothesis of guilt' and 'exclude every other reasonable hypothesis save that of the guilt of the accused.'" (855)

"A requested jury charge must be 'legal, apt, and precisely adjusted to some principle involved in the case and be authorized by the evidence.'" (856)

"Reckless conduct is an act of criminal negligence, rather than an intentional act, that causes bodily harm or endangers the bodily safety of another." (856)

FACTUAL BACKGROUND

Nine-year-old Skylar Dials disappeared after leaving home to play next door at the residence where Collett lived. Her body was found in a brush pile behind her home, with injuries indicating prolonged neck compression and asphyxiation; fibers from Collett's room, including fibers from his bed blanket, were found on her sweater. Collett repeatedly changed his account, denied seeing Dials, failed to disclose her location, and ultimately claimed that she had been accidentally knocked unconscious and was still breathing when he moved her. The medical examiner concluded that the fatal injury was prolonged neck compression that would have taken several minutes to cause unconsciousness and death and was not accidental.

PROCEDURAL HISTORY

A Spalding County grand jury indicted Collett on April 30, 2013. Following a January 2015 jury trial, he was convicted on all counts and sentenced to life without parole for malice murder and ten years concurrent for concealing the death of another; the remaining counts were merged or vacated by operation of law. The trial court denied Collett's amended motion for new trial on August 17, 2017, and Collett timely appealed. The Supreme Court of Georgia affirmed.

DISPOSITION

affirmed

CASES CITED

- Akhimie v. State, 297 Ga. 801, 804 (1), 777 S.E.2d 683 (2015)
- Jackson v. Virginia, 443 U.S. 307, 319, 99 S.Ct. 2781, 61 L.Ed.2d 560 (1979)
- Stokes v. State, 281 Ga. 875, 877-878 (3), 644 S.E.2d 116 (2007)
- Bryson v. Jackson, 299 Ga. 751, 755 (2)(d), 791 S.E.2d 43 (2016)
- Salyers v. State, 276 Ga. 568, 569 (2), 580 S.E.2d 240 (2003)
- Allen v. State, 290 Ga. 743, 747 (5), 723 S.E.2d 684 (2012)
- Dixon v. State, 302 Ga. 691, 697-698 (4), 808 S.E.2d 696 (2017)
- White v. State, 287 Ga. 713, 714-715 (1)(a), 699 S.E.2d 291 (2010)