

SUPREME COURT OF APPEALS OF WEST VIRGINIA

State of West Virginia v. Jaymason Robinson

No. 12-0368 (Wood County 10-F-56) (W. Va. June 24, 2013) · No. No. 12-0368 · Decided June 24, 2013

SUMMARY

The Supreme Court of Appeals of West Virginia affirmed Jaymason Robinson’s convictions and sentences for two counts of voluntary manslaughter and two counts of concealment of a deceased human body. The court rejected challenges concerning the sufficiency of the evidence, evidentiary rulings, a flight instruction, juror removal under Batson, jury instructions concerning malice, and special interrogatories. The court declined to address ineffective assistance of counsel on direct appeal, noting that the issue was more appropriately pursued in a habeas corpus proceeding.

CASE DETAILS

COURT	Supreme Court of Appeals of West Virginia
WRITING FOR THE COURT	Chief Justice Brent D. Benjamin; Justice Robin Jean Davis; Justice Margaret L. Workman; Justice Menis E. Ketchum; Justice Allen H. Loughry II
JURISDICTION	West Virginia
DECIDED	June 24, 2013
DOCKET	No. 12-0368
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from the Circuit Court of Wood County's sentencing order following convictions for two counts of voluntary manslaughter and two counts of concealment of a deceased human body.
STANDARD OF REVIEW	A challenge to the sufficiency of the evidence is reviewed by examining all evidence and reasonable inferences in the light most favorable to the prosecution, with the verdict set aside only when the record contains no evidence from which the jury could find guilt beyond a reasonable doubt. Jury instructions are reviewed for abuse of discretion, and the instructions are considered as a whole for accuracy and fairness. Unobjected-to jury instructions or responses are generally waived, subject to applicable plain-error principles. Ineffective-assistance claims are ordinarily not adjudicated on direct appeal because the record is usually undeveloped.

PRECEDENTIAL VALUE	Published memorandum decision; the opinion states that it is issued under Rule 21 as a memorandum decision.
PARTIES	Jaymason Robinson v. State of West Virginia

TOPICS

criminal procedure appellate procedure standard of review harmless error ineffective assistance

PRACTICE AREAS

criminal procedure criminal appeals evidence post-conviction relief

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to support Robinson's convictions for voluntary manslaughter.
2. Whether the circuit court erred in its evidentiary rulings and in giving a jury instruction on flight.
3. Whether striking an African-American juror for cause violated Batson v. Kentucky.
4. Whether the Supreme Court of Appeals should overrule State v. Dilliner and permit special interrogatories in criminal cases.
5. Whether the circuit court's response to the jury's questions concerning malice and events before and after the shootings was erroneous and prejudicial.
6. Whether ineffective assistance of trial counsel warranted relief on direct appeal.

HOLDINGS

1. The evidence was sufficient to establish a prima facie case of voluntary manslaughter and to support the jury's verdict; the denial of judgment of acquittal was proper.
2. The circuit court did not err in giving the jury an instruction on flight.
3. The court did not err in permitting the African-American juror to be struck for cause because Robinson provided no factual or legal support for a Batson violation, and the State identified cause based on untruthful responses and lack of understanding of the legal system.
4. The court declined to overrule State v. Dilliner and rejected Robinson's request to permit special interrogatories in criminal cases.
5. Robinson could not obtain appellate review of his challenge to the court's response to the jury's malice questions because he affirmatively stated that he had no objection; in any event, any error concerning malice was harmless because the jury convicted him of voluntary manslaughter, which does not require malice.
6. The court declined to decide Robinson's ineffective-assistance claim on direct appeal and stated that the issue would be more appropriately addressed in a petition for post-conviction habeas corpus.

KEY QUOTATIONS

“A criminal defendant challenging the sufficiency of the evidence to support a conviction takes on a heavy burden.” (at 1)

“It is the extremely rare case when this Court will find ineffective assistance of counsel when such a charge is raised as an assignment of error on a direct appeal.” (at 3)

FACTUAL BACKGROUND

On September 4, 2009, Lester Wratchford and Eric Sprouse went to Robinson's residence with James Denton. Robinson shot both victims in a bedroom, asserting that one victim reached for a gun and that he fired because he believed his life was in danger. Robinson and James Walters Jr. then wrapped the bodies, transported them in the victims' vehicle, and dumped them along a logging road, where they covered them with brush and logs.

PROCEDURAL HISTORY

Robinson was convicted on March 18, 2011, after a jury found him guilty of two counts of voluntary manslaughter as lesser included offenses of murder and two counts of concealment of a deceased human body. The circuit court denied his post-trial motion for judgment of acquittal or a new trial, sentenced him to fifteen years for each manslaughter conviction and one to five years for each concealment conviction, and entered a sentencing order on February 13, 2012. Robinson appealed, challenging the sufficiency of the evidence, evidentiary rulings, jury instructions, juror removal, special interrogatories, and counsel's effectiveness; the Supreme Court of Appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Houston, 197 W. Va. 215, 229, 475 S.E.2d 307, 321 (1996)
- State v. Guthrie, 194 W. Va. 657, 461 S.E.2d 163 (1995)
- State v. Broughton, 196 W. Va. 281, 470 S.E.2d 413 (1996)
- State v. McGuire, 200 W. Va. 823, 833-34 n.25, 490 S.E.2d 912, 922-23 n.25 (1997)
- State v. LaRock, 196 W. Va. 294, 305, 470 S.E.2d 613, 624 (1996)
- Tennant v. Marion Health Care Foundation, Inc., 194 W. Va. 97, 459 S.E.2d 374 (1995)
- State v. Payne, 167 W. Va. 252, 267-68, 280 S.E.2d 72, 81 (1981)
- Batson v. Kentucky, 476 U.S. 79, 106 S. Ct. 1712 (1986)
- State v. Dilliner, 212 W. Va. 135, 569 S.E.2d 211 (2002)
- State v. Mason, 162 W. Va. 297, 307, 249 S.E.2d 793, 799 (1978)
- State v. Triplett, 187 W. Va. 760, 421 S.E.2d 511 (1992)
- State v. Hutchinson, 215 W. Va. 313, 599 S.E.2d 736 (2004)

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