

SUPREME COURT OF ARKANSAS

Thornton v. State

2014 Ark. 157 (2014) · No. CR-13-807 · Decided April 10, 2014

SUMMARY

The Arkansas Supreme Court reversed and dismissed Justin Jamaille Thornton’s capital-murder conviction, holding that the circumstantial evidence was insufficient to establish premeditation and deliberation beyond speculation and conjecture. The court also concluded that the circuit court improperly shifted the burden of proof to Thornton. Two justices dissented, concluding that substantial evidence supported the conviction.

CASE DETAILS

COURT	Supreme Court of Arkansas
WRITING FOR THE COURT	Per Curiam
JURISDICTION	Arkansas
DECIDED	April 10, 2014
DOCKET	CR-13-807
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Thornton appealed his bench-trial conviction for capital murder and sentence of life imprisonment without parole, arguing that the circuit court erred by denying his motions challenging the sufficiency of the evidence.
STANDARD OF REVIEW	The court reviewed the sufficiency of the evidence to determine whether the verdict was supported by substantial evidence, viewing the evidence in the light most favorable to the verdict and considering only evidence supporting it. Circumstantial evidence had to exclude every other reasonable hypothesis consistent with innocence, and the court could not permit speculation or conjecture to supply an essential element.
PRECEDENTIAL VALUE	Published Arkansas Supreme Court opinion
PARTIES	Justin Jamaille Thornton v. State of Arkansas

TOPICS

criminal procedure

evidence

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether substantial evidence established that Thornton acted with the premeditated and deliberated purpose required for capital murder.
2. Whether the circuit court improperly relied on speculation and conjecture and shifted the burden of proof when finding premeditation and deliberation.

HOLDINGS

1. The evidence was insufficient to establish beyond a reasonable doubt that Thornton acted with a premeditated and deliberated purpose to cause Turner's death.
2. The circuit court improperly shifted the burden of proof to Thornton by treating the absence of evidence supporting an alternative explanation as evidence that he acted deliberately.

KEY QUOTATIONS

"Clearly, the foregoing evidence establishes that Turner was shot and killed inside Thornton's house; however, this evidence is insufficient to support a conclusion that Thornton killed Turner with a premeditated and deliberate intent." (11)

"The problem that arises in this instance is that the circuit court, in weighing the evidence, improperly shifted the burden of proof to Thornton." (14)

"Accordingly, because the circuit court engaged in speculation in determining that Thornton acted with premeditation and deliberation and improperly shifted the burden of proof when weighing the evidence, we must reverse Thornton's conviction for capital murder." (14)

FACTUAL BACKGROUND

Kwame Turner was found dead from a .45-caliber gunshot wound, and evidence indicated that his body had been moved and his vehicle taken to Thornton's residence. Investigators found Turner's blood in and around Thornton's home and vehicle, and forensic evidence linked the bullet and shell casings to a .45-caliber High Point firearm. Witnesses placed Turner's vehicle and Thornton at or near the residence, and testimony described Thornton making statements about a gun discharging and later threatening potential witnesses. The medical examiner could not determine the distance of the shot or identify a single scenario explaining the bullet's trajectory.

PROCEDURAL HISTORY

Thornton was charged by felony information with capital murder and related offenses. After waiving a jury trial, he was tried to the Lincoln County Circuit Court, which found him guilty of capital murder, possession of a

firearm, abuse of a corpse, and unauthorized use of a vehicle, and imposed consecutive and concurrent sentences including life without parole. The Arkansas Supreme Court reversed the capital-murder conviction and dismissed the charge.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The capital-murder conviction was reversed and the capital-murder charge was dismissed. The court expressed no opinion on whether the evidence would support a lesser offense.

CASES CITED

- Stewart v. State, 362 Ark. 400, 208 S.W.3d 768 (2005)
- Stevenson v. State, 2013 Ark. 100, ____ S.W.3d ____
- Wallace v. State, 2009 Ark. 90, 302 S.W.3d 580
- Ridling v. State, 360 Ark. 424, 203 S.W.3d 63 (2005)
- Williams v. State, 2011 Ark. 432, 385 S.W.3d 157
- Ward v. State, 298 Ark. 448, 770 S.W.2d 109 (1989)
- O'Neal v. State, 356 Ark. 674, 158 S.W.3d 175 (2004)
- Ford v. State, 334 Ark. 385, 976 S.W.2d 915 (1998)
- Carmichael v. State, 340 Ark. 598, 12 S.W.3d 225 (2000)
- Pearcy v. State, 2010 Ark. 454, 375 S.W.3d 622
- Coggin v. State, 356 Ark. 424, 156 S.W.3d 712 (2004)
- Farris v. State, 308 Ark. 561, 826 S.W.2d 241 (1992)
- Morgan v. State, 2009 Ark. 257, 308 S.W.3d 147
- Marks v. State, 375 Ark. 265, 289 S.W.3d 923 (2008)
- Acuff v. State, 253 Ark. 85, 484 S.W.2d 698 (1972)
- Witcher v. State, 2010 Ark. 197, 362 S.W.3d 321
- Sharp v. State, 350 Ark. 529, 88 S.W.3d (2002)
- Jordan v. State, 356 Ark. 248, 253-54, 147 S.W.3d 691, 694 (2004)
- Isbell v. State, 326 Ark. 17, 931 S.W.2d 74 (1996)
- McAdams v. State, 25 Ark. 405, 415 (1869)
- Howard v. State, 348 Ark. 471, 485, 79 S.W.3d 273, 282 (2002)
- Sanders v. State, 340 Ark. 163, 168, 8 S.W.3d 520, 524 (2000)
- Shaw v. State, 299 Ark. 474, 482, 773 S.W.2d 827, 831 (1989)
- Stout v. State, 263 Ark. 355, 565 S.W.2d 23 (1978)
- Anderson v. State, 353 Ark. 384, 108 S.W.3d 592 (2003)

- Rounsaville v. State, 2011 Ark. 236
- Jefferson v. State, 372 Ark. 307, 276 S.W.3d 214 (2008)
- Wells v. State, 2013 Ark. 389, ____ S.W.3d ____
- Norris v. State, 2010 Ark. 174, 368 S.W.3d 52
- Dixon v. State, 2011 Ark. 450, 385 S.W.3d 164
- Fernandez v. State, 2010 Ark. 148, 362 S.W.3d 905, 907

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