

DISTRICT OF COLUMBIA COURT OF APPEALS

Wilson v. United States

Wilson v. United States · No. 19-CF-464 · Decided January 6, 2022

SUMMARY

The District of Columbia Court of Appeals reviewed Steven Wilson’s convictions for conspiracy to commit burglary, unarmed kidnapping, unarmed first-degree burglary, assault with a dangerous weapon, threat to kidnap or injure, and unlawful entry. Wilson challenged the sufficiency of the evidence, the denial of a claim-of-right jury instruction, the admission of prior consistent statements and text messages, and the merger of his unlawful-entry conviction with burglary. The court affirmed in part and vacated in part.

CASE DETAILS

COURT	District of Columbia Court of Appeals
WRITING FOR THE COURT	Greene, Senior Judge; Glickman, Associate Judge; Thompson, Associate Judge; Greene, Senior Judge, Superior Court of the District of Columbia
JURISDICTION	District of Columbia
DECIDED	January 6, 2022
DOCKET	19-CF-464
PROCEDURAL POSTURE	Wilson appealed his jury convictions in the Superior Court of the District of Columbia for conspiracy to commit burglary, unarmed kidnapping, unarmed first-degree burglary, assault with a dangerous weapon, threat to kidnap or injure, and unlawful entry. He challenged the sufficiency of the evidence, denial of a claim-of-right jury instruction, admission of prior consistent statements and text messages, and merger of unlawful entry with burglary.
STANDARD OF REVIEW	Sufficiency of the evidence is reviewed under whether, viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements beyond a reasonable doubt. Jury-instruction claims are reviewed for legal error, with instructional error assessed for harmlessness. Evidentiary rulings are reviewed for abuse of discretion, including whether the trial court employed an incorrect legal standard. Nonconstitutional evidentiary error is harmless if the court has fair assurance that the judgment was

not substantially swayed by the error. Merger is reviewed as a matter of law.

PARTIES

Steven Wilson v. United States

QUESTIONS PRESENTED

1. Whether sufficient evidence supported Wilson's convictions for conspiracy to commit burglary and first-degree burglary.
2. Whether the trial court erred by refusing to give a claim-of-right jury instruction on the burglary charge.
3. Whether the trial court abused its discretion by admitting Henderson's prior consistent statements to police and Ahmed's text message to Henderson.
4. Whether Wilson's unlawful-entry conviction merged with his burglary conviction.

HOLDINGS

1. The evidence was sufficient to support Wilson's conspiracy conviction because a rational jury could infer an agreement to enter Henderson's apartment with intent to assault or steal.
2. The evidence was sufficient to support Wilson's burglary conviction because the jury could find that he intended to assault or steal when he entered Henderson's apartment.
3. The court assumed without deciding that the requested claim-of-right instruction could be legally available to a defendant assisting a third party, but held that any failure to give the instruction was harmless.
4. The trial court did not abuse its discretion by admitting Henderson's statements to police and medical personnel because they were admissible to rebut an alleged recent fabrication or improper motive and to clarify purported inconsistencies raised on cross-examination.
5. The trial court did not abuse its discretion by admitting Ahmed's December 17, 2016, text message because it was relevant contextual evidence of the deteriorating relationship between Ahmed and Henderson and was not unfairly prejudicial.

FACTUAL BACKGROUND

Henderson lived in a Washington, D.C., apartment where Ahmed and others had been selling drugs and storing belongings without Henderson's continued permission. After police removed Ahmed and others from the apartment pursuant to a search warrant, Ahmed contacted Wilson and asked him to assist her in retrieving property. Wilson arrived with Frazier and Kimbrugh, entered Henderson's apartment, and, while armed with a handgun, assaulted and restrained Henderson as the group removed property, including items that belonged to Henderson. The group then left, and Henderson reported that he had been pistol-whipped and assaulted.

PROCEDURAL HISTORY

A jury found Wilson guilty on September 26, 2018, of six offenses and not guilty of armed kidnapping, armed first-degree burglary, armed robbery, obstruction of justice, and three firearm counts. The Superior Court

sentenced him to 120 months' imprisonment. On appeal, the District of Columbia Court of Appeals affirmed the challenged convictions in substance but vacated the unlawful-entry conviction because it merged with the burglary conviction.

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