

SUPREME COURT OF GEORGIA

Young v. State

294 Ga. 780 (2014) · No. S14A0241 · Decided March 10, 2014

SUMMARY

The Georgia Supreme Court affirmed Karmbi Young’s convictions for malice murder and related offenses arising from a home-invasion shooting. The court held that Young waived appellate review of the admissibility of a witness’s showup and in-court identifications because the trial court had not ruled on his suppression motion and no trial objection was made.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	Thompson, Chief Justice
JURISDICTION	Georgia
DECIDED	March 10, 2014
DOCKET	S14A0241
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the denial of a motion for new trial following convictions for malice murder and related offenses.
STANDARD OF REVIEW	The court reviewed the sufficiency of the evidence under whether a rational trier of fact could find the defendant guilty beyond a reasonable doubt. The identification-admissibility claim was treated as waived because Young obtained no ruling on his suppression motion and made no trial objection.
PRECEDENTIAL VALUE	Published opinion
PARTIES	Karmbi Young v. State

TOPICS

- criminal procedure
- evidence
- preservation of error
- appellate procedure
- standard of review

PRACTICE AREAS

- criminal law
- criminal procedure
- evidence
- appellate procedure

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to support Young's convictions.
2. Whether the trial court erred by admitting Yates's police-showup identification and permitting her in-court identification when Young claimed the showup was impermissibly suggestive.

HOLDINGS

1. The evidence was sufficient to enable a rational trier of fact to find Young guilty beyond a reasonable doubt of the crimes for which he was convicted.
2. A defendant waives appellate review of the admissibility of identification evidence when the trial court made no ruling on the pretrial suppression motion and the defendant did not object when the evidence was offered at trial.

KEY QUOTATIONS

“In the absence of a ruling on the pretrial motion and of an objection when the evidence was offered at trial, appellant waived his right to contest the admissibility of the evidence on appeal.” (784)

FACTUAL BACKGROUND

In the early morning hours of September 4, 2008, Young and several others went to Rickey Gibson's home intending to rob him, broke into the home, and began shooting and demanding money. Gibson died from multiple gunshot wounds, and police stopped a red Camaro near the scene containing Young and physical evidence linked to the crimes. A surviving witness, Alexis Yates, separately viewed four individuals at the police department and identified Young as one of the intruders who had possessed a handgun.

PROCEDURAL HISTORY

Young was convicted by a jury in the Columbia Superior Court of malice murder and related crimes arising from the shooting death of Rickey Gibson. The trial court entered judgment and sentenced him, and later denied his amended motion for new trial. Young appealed, arguing that the trial court improperly admitted a witness's police-showup and in-court identifications.

DISPOSITION

affirmed

CASES CITED

- Jackson v. Virginia, 443 U.S. 307 (1979)
- Butler v. State, 290 Ga. 412 (721 S.E.2d 876) (2012)
- Castillo v. State, 281 Ga. 579, 581 (642 S.E.2d 8) (2007)