

SUPREME COURT OF GEORGIA

Alexander v. State, 259 Ga. 440

383 S.E.2d 877 (1989) · No. S89A0009 · Decided September 28, 1989

SUMMARY

The Supreme Court of Georgia affirmed Joe Alexander's felony-murder conviction and life sentence for shooting and killing Jeffrey Clowers. The court held that the evidence was sufficient under Jackson v. Virginia and that the trial court's justification instruction adequately informed the jury that self-defense could apply to the aggravated-assault underlying felony.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	Weltner, Justice; All other Justices
JURISDICTION	Georgia
DECIDED	September 28, 1989
DOCKET	S89A0009
DISPOSITION	affirmed
PROCEDURAL POSTURE	Alexander appealed his conviction for felony murder and life sentence following a jury trial.
STANDARD OF REVIEW	The evidence is viewed in the light most favorable to the verdict; the conviction is upheld if a rational trier of fact could have found the defendant guilty beyond a reasonable doubt.
PRECEDENTIAL VALUE	Published precedential opinion of the Supreme Court of Georgia
PARTIES	Joe Alexander, Jr. v. The State

TOPICS

- criminal procedure
- jury instructions
- self defense
- standard of review
- appellate procedure

PRACTICE AREAS

- Criminal law
- Homicide
- Jury instructions
- Appellate review

QUESTIONS PRESENTED

1. Whether the evidence was sufficient for a rational trier of fact to find Alexander guilty of felony murder beyond a reasonable doubt.
2. Whether the trial court erred by failing to expressly instruct the jury that justification was a defense to aggravated assault, the underlying felony for the felony-murder conviction.

HOLDINGS

1. The evidence, viewed in the light most favorable to the verdict, was sufficient for a rational trier of fact to find Alexander guilty of felony murder beyond a reasonable doubt.
2. The trial court's justification instruction was legally sufficient because a reasonable juror would understand that the justification defense applied not only to the homicide charge but also to the underlying aggravated-assault felony.

KEY QUOTATIONS

“We find, however, that a fair reading of the trial court's charge clearly indicates that the court charged that the defendant's defense of self-defense could apply to the underlying felony.” (441)

FACTUAL BACKGROUND

Alexander, Jeffrey Clowers, and Bertha Alexander lived together. Alexander and Clowers engaged in altercations on the morning of the killing, and Alexander fled when police arrived. After returning later, Alexander fatally shot Clowers with a handgun; no weapon was found on or near Clowers's body.

PROCEDURAL HISTORY

Alexander was indicted for malice murder, convicted by a jury of felony murder, and sentenced to life imprisonment on May 4, 1988. His motion for new trial was overruled, and he appealed to the Supreme Court of Georgia. The appeal was submitted without oral argument.

DISPOSITION

affirmed

CASES CITED

- Jackson v. Virginia, 443 U.S. 307 (1979)
- Jolley v. State, 254 Ga. 624, 628, 331 S.E.2d 516 (1985)