

SUPREME COURT OF GEORGIA

Fadesire v. The State

S26A0174 (Ga. Mar. 17, 2026) · No. S26A0174 · Decided March 17, 2026

SUMMARY

The Supreme Court of Georgia affirmed Faruk Adedapo Fadesire’s convictions for murder and related offenses. The court held that trial counsel was not ineffective for failing to object to the prosecutor’s remarks concerning motive, constitutional protections, and the prosecutor’s stated belief about the killer’s identity, because reasonable strategic considerations supported declining to object.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	Pinson, Justice
JURISDICTION	Supreme Court of Georgia
DECIDED	March 17, 2026
DOCKET	S26A0174
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from the denial of an amended motion for new trial following convictions for malice murder, felony murder, aggravated assault, and possession of a firearm during the commission of a felony.
STANDARD OF REVIEW	An ineffective-assistance claim requires proof of both deficient performance and prejudice. Deficiency requires showing that counsel acted in an objectively unreasonable manner; prejudice requires a reasonable probability that the result would have been different absent counsel's deficient performance.
PRECEDENTIAL VALUE	Published opinion; precedential under Georgia law.
PARTIES	Faruk Adedapo Fadesire v. The State

TOPICS

- ineffective assistance
- right to counsel
- fifth amendment
- miranda rights
- appellate procedure

PRACTICE AREAS

- criminal procedure
- constitutional law
- appellate procedure

QUESTIONS PRESENTED

1. Whether trial counsel rendered ineffective assistance by failing to object to the prosecutor's closing-argument reference to constitutional protections and the difficulty of proving motive, allegedly commenting on Fadesire's decision not to testify.
2. Whether trial counsel rendered ineffective assistance by failing to object to the prosecutor's statement, "I know who did it," allegedly expressing the prosecutor's personal belief in Fadesire's guilt.

HOLDINGS

1. Counsel was not deficient for failing to object because, viewed in context, the prosecutor's remark was most reasonably understood as addressing the difficulty of proving motive rather than commenting impermissibly on Fadesire's silence, and a reasonable lawyer could have concluded that an objection would have been meritless or would have unnecessarily highlighted the defendant's silence.
2. Counsel was not deficient for failing to object to the prosecutor's statement, even assuming the statement was improper, because counsel could reasonably have decided that an objection would draw attention to the remark and that little would be gained from seeking a mistrial or other relief.
3. Fadesire did not establish ineffective assistance because he failed to show that counsel's performance was professionally deficient with respect to either unmade objection.

KEY QUOTATIONS

"In general, a prosecutor's remark is considered an improper comment on a defendant's right not to self-incriminate if "the prosecutor's manifest intention was to do just that" or if "the remarks were such that a jury would naturally and necessarily" understand them as such." (6-7)

"Although the remark may have been an oblique reference to the right to remain silent, the prosecutor did not refer specifically to Fadesire's decision not to testify, and he did not try to shift the burden of proof to Fadesire." (7-8)

"It is generally not objectively unreasonable for counsel to choose not to highlight an argument or piece of testimony with an objection." (9)

FACTUAL BACKGROUND

Fadesire was in a Stone Mountain motel room with Bianca Walker when Mikfeesha Dotson entered and was fatally shot. Walker testified that Fadesire was the only other person in the room, and police found Fadesire's identification and debit cards, three spent 9-millimeter cartridge casings, and a motel registration connecting him to the room. After Fadesire's arrest, police recovered a 9-millimeter pistol that was determined to have ejected the casings found at the crime scene.

PROCEDURAL HISTORY

A DeKalb County grand jury indicted Fadesire on four counts. A jury convicted him after a trial held October 17-19, 2023. The trial court sentenced him to life imprisonment for malice murder and five years for possession of a firearm during the commission of a felony; the remaining counts merged for sentencing or were vacated by

operation of law. The trial court denied Fadesire's amended motion for new trial on May 23, 2025, and the Supreme Court of Georgia affirmed.

DISPOSITION

affirmed

CASES CITED

- Strickland v. Washington, 466 U.S. 668, 687 (1984)
- Washington v. State, 313 Ga. 771, 773 (2022)
- Heyward v. State, 319 Ga. 588, 592 (2024)
- Evans v. State, 315 Ga. 607, 611 (2023)
- Glover v. State, 309 Ga. 102, 106 (2020)
- Al Amin v. State, 278 Ga. 74, 85 (2004)
- Menzies v. State, 304 Ga. 156, 163 (2018)
- Kilgore v. State, 300 Ga. 429, 432 (2017)
- Pyne v. State, 319 Ga. 776, 784-786 (2024)
- Blaine v. State, 305 Ga. 513, 519 (2019)
- Pearson v. State, 277 Ga. 813, 815 (2004)
- King v. State, 316 Ga. 611, 624-625 (2023)
- Mattox v. State, 308 Ga. 302, 304-305 (2020)
- Wyatt v. State, 267 Ga. 860, 864 (1997)
- Blalock v. State, 320 Ga. 694, 700 (2025)
- Troutman v. State, 320 Ga. 489, 498 (2024)
- Ballin v. State, 307 Ga. 494, 498-499 (2019)
- Evans v. State, 322 Ga. 652, 675-676 (2025)
- Powell v. State, 291 Ga. 743, 745, 748 (2012)