

SUPREME COURT OF MISSISSIPPI

Samuel Lee Miley v. State of Mississippi

935 So.2d 998 · No. No. 2005-KA-01135-SCT · Decided June 9, 2005

SUMMARY

The Supreme Court of Mississippi affirmed Samuel Lee Miley’s conviction for statutory rape and his five-year sentence. The court held that the victim’s testimony, considered with the surrounding circumstances, was sufficient to prove penetration and sustain the conviction. It also held that evidence of prior sexual acts between Miley and the victim was properly admitted under Mississippi Rules of Evidence 403, 404(b), and 105.

CASE DETAILS

COURT	Supreme Court of Mississippi
WRITING FOR THE COURT	Waller, Presiding Justice; Smith, Chief Justice; Dickinson, Justice; Cobb, Presiding Justice; Diaz, Justice; Carlson, Justice; Randolph, Justice; Easley, Justice; Graves, Justice
JURISDICTION	Mississippi
DECIDED	June 9, 2005
DOCKET	No. 2005-KA-01135-SCT
DISPOSITION	affirmed
PROCEDURAL POSTURE	Miley appealed his conviction for statutory rape and five-year sentence after the Scott County Circuit Court denied his motions for a directed verdict, a peremptory instruction, and a new trial or judgment notwithstanding the verdict.
STANDARD OF REVIEW	For directed-verdict, judgment-notwithstanding-the-verdict, and peremptory-instruction challenges, the court viewed the evidence in the light most favorable to the prosecution and asked whether any rational trier of fact could have found the essential elements proven beyond a reasonable doubt. A denial of a new-trial motion based on the weight of the evidence is disturbed only when the verdict is so contrary to the overwhelming weight of the evidence that allowing it to stand would sanction an unconscionable injustice. Evidentiary rulings under Mississippi Rules of Evidence 105, 403, and 404(b) are reviewed for abuse of discretion.

PRECEDENTIAL VALUE	Published Mississippi Supreme Court opinion; precedential value is not otherwise specified in the source.
PARTIES	Samuel Lee Miley v. State of Mississippi

TOPICS

criminal procedure evidence standard of review appellate procedure relevance

PRACTICE AREAS

criminal law criminal procedure evidence appellate review

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to support Miley's statutory-rape conviction and to deny his motions for a directed verdict, judgment notwithstanding the verdict, new trial, and peremptory instruction.
2. Whether the verdict was against the overwhelming weight of the evidence and resulted in an unconscionable injustice.
3. Whether the circuit court erred by admitting evidence of prior acts of intercourse between Miley and K.S., including evidence concerning Miley's prior instruction that K.S. wear a white tee shirt.

HOLDINGS

1. The evidence was sufficient for a rational juror to find beyond a reasonable doubt that Miley committed statutory rape. The victim's testimony that Miley's penis penetrated her vagina, together with the surrounding circumstances, was sufficient to establish the disputed sexual-intercourse element.
2. The verdict was not so contrary to the overwhelming weight of the evidence that allowing it to stand would sanction an unconscionable injustice; therefore, denial of the motion for a new trial was proper.
3. The circuit court properly admitted evidence concerning prior sexual acts between Miley and K.S. and prior instructions that she wear a white tee shirt, subject to the limitation that the State not explore the details of the prior incidents and subject to a limiting instruction.

KEY QUOTATIONS

“Instead, the relevant question is whether, after viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime proven beyond a reasonable doubt.” (¶ 7)

“However, the unsupported word of the victim of a sex crime is sufficient to support a guilty verdict where that testimony is not discredited or contradicted by other credible evidence.” (¶ 10)

“Actual medical evidence of penetration . . . is not necessary.” (¶ 17)

FACTUAL BACKGROUND

Miley lived with his girlfriend and her fifteen-year-old daughter, K.S. On a day when K.S. was home from school and alone with Miley, he instructed her to wear only a white tee shirt, and K.S. testified that he then penetrated her vagina. She disclosed the incident several days later after hearing rape discussed on a talk show; her mother testified that the brand of lubricant K.S. identified matched the brand Miley used during sexual encounters with the mother. No medical evidence was introduced, and Miley did not testify or call defense witnesses.

PROCEDURAL HISTORY

A jury in the Circuit Court of Scott County convicted Miley of statutory rape under Mississippi Code section 97-3-65(1)(a) and the court sentenced him to five years in the custody of the Mississippi Department of Corrections. The circuit court denied his post-verdict motions and request for a peremptory instruction. The Mississippi Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- Bush v. State, 895 So. 2d 836, 843 (Miss. 2005)
- Jackson v. Virginia, 443 U.S. 307, 315, 99 S. Ct. 2781, 61 L. Ed. 2d 560 (1979)
- Edwards v. State, 469 So. 2d 68, 70 (Miss. 1985)
- Collier v. State, 711 So. 2d 458, 462 (Miss. 1998)
- Christian v. State, 456 So. 2d 729, 734 (Miss. 1984)
- Inman v. State, 515 So. 2d 1150, 1152 (Miss. 1987)
- Doby v. State, 532 So. 2d 584, 591 (Miss. 1988)
- Ragland v. State, 403 So. 2d 146, 147 (Miss. 1981)
- Williams v. State, 512 So. 2d 666 (Miss. 1987)
- Herring v. State, 691 So. 2d 948, 957 (Miss. 1997)
- Amiker v. Drugs For Less, Inc., 796 So. 2d 942, 947 (Miss. 2000)
- McQueen v. State, 423 So. 2d 800, 803 (Miss. 1982)
- Lang v. State, 230 Miss. 147, 87 So. 2d 265 (1956)
- Gray v. State, 728 So. 2d 36, 61 (Miss. 1998)
- Wilson v. State, 606 So. 2d 598, 599 (Miss. 1992)
- Carter v. State, 450 So. 2d 67, 69 (Miss. 1984)
- Brooks v. State, 242 So. 2d 865, 869 (Miss. 1971)
- Hicks v. State, 441 So. 2d 1359, 1360 (Miss. 1983)
- Speagle v. State, 390 So. 2d 990, 992 (Miss. 1980)
- Kolb v. State, 129 Miss. 834, 93 So. 358, 360 (1922)

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