

SUPREME COURT OF FLORIDA

Buenoano v. State

527 So. 2d 194 (Fla. 1988) · No. No. 68091 · Decided June 23, 1988

SUMMARY

The Supreme Court of Florida affirmed Buenoano's conviction for first-degree murder and her death sentence for the arsenic poisoning death of her husband, James E. Goodyear. The court held that evidence concerning the poisoning death of another associate and the attempted poisoning of her fiancé was admissible under Florida's Williams rule, and that the State established the corpus delicti through independent circumstantial and medical evidence. The court also upheld the aggravating circumstances supporting the death penalty, including pecuniary gain and that the murder was heinous, atrocious, or cruel.

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Per Curiam; Chief Justice McDonald; Justice Overton; Justice Ehrlich; Justice Shaw; Justice Barkett; Justice Grimes; Justice Kogan
JURISDICTION	Florida
DECIDED	June 23, 1988
DOCKET	No. 68091
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from a first-degree murder conviction and sentence of death.
STANDARD OF REVIEW	The court reviewed the sufficiency of the evidence supporting the conviction and aggravating circumstances, reviewed the denial of a mistrial for abuse of discretion, and assessed evidentiary rulings under the applicable evidentiary standards. The court applied harmless-error analysis to the challenged sentencing testimony.
PRECEDENTIAL VALUE	Published Florida Supreme Court opinion; precedential.
PARTIES	Judias V. Buenoano a/k/a Judy Ann Goodyear v. State of Florida

TOPICS

- criminal procedure
- evidence
- hearsay
- appellate procedure
- sentencing

PRACTICE AREAS

criminal law

criminal procedure

capital sentencing

evidence

QUESTIONS PRESENTED

1. Whether evidence concerning the arsenic poisoning of Bobby Joe Morris and the attempted poisoning of John Gentry was admissible under Florida's Williams rule.
2. Whether the State established the corpus delicti of homicide independently of Buenoano's confessions and the collateral-crimes evidence.
3. Whether a witness's unsolicited statement that Buenoano set fire to her own house required a mistrial.
4. Whether testimony concerning Buenoano's prior murder conviction was admissible during the penalty phase and, if erroneous, whether the error was harmless.
5. Whether the evidence supported the aggravating circumstances that the murder was committed for pecuniary gain and in a heinous, atrocious, or cruel manner.
6. Whether the conviction and death sentence were supported by the record.

HOLDINGS

1. Collateral-crimes evidence was admissible because the poisoning offenses shared a uniquely similar modus operandi and was relevant to material issues including motive, opportunity, identity, intent, absence of mistake, and common plan or scheme.
2. The State was not required to prove the corpus delicti beyond a reasonable doubt before admitting a confession or collateral-crimes evidence; circumstantial evidence establishing a prima facie showing was sufficient.
3. The trial court properly denied a mistrial because the unsolicited statement that Buenoano set fire to her house was not sufficiently prejudicial to deny a fair trial, particularly after the court sustained the objection and gave a curative instruction.
4. Testimony concerning the events underlying Buenoano's prior felony conviction was admissible during the penalty phase because legally obtained probative hearsay could be considered when the defendant had a fair opportunity to rebut it; any error was harmless.
5. The evidence supported the findings that the murder was committed for pecuniary gain and was heinous, atrocious, or cruel, in addition to the two unchallenged aggravating circumstances.

KEY QUOTATIONS

“the conscienceless or pitiless crime which is unnecessarily torturous to the victim.” (527 So. 2d at 199)

FACTUAL BACKGROUND

James E. Goodyear became seriously ill after returning from Vietnam and died in 1971 following symptoms consistent with arsenic poisoning. After his body was exhumed, experts found arsenic in his tissues and concluded that he died from chronic arsenic poisoning. Evidence also showed that Buenoano's other partner,

Bobby Joe Morris, died from acute arsenic poisoning and that her later fiancé, John Gentry, became ill after taking capsules supplied by Buenoano that contained paraformaldehyde. Buenoano collected or stood to receive substantial insurance and veterans' benefits connected to the deaths of Goodyear and Morris and held insurance on Gentry's life.

PROCEDURAL HISTORY

Buenoano was indicted for the 1971 death of her husband, James E. Goodyear, and was convicted of first-degree murder. The jury recommended death, and the trial court found four aggravating circumstances and no mitigating factors before imposing a death sentence. The Supreme Court of Florida reviewed the conviction and sentence and affirmed both.

DISPOSITION

affirmed

CASES CITED

- Williams v. State, 110 So. 2d 654 (Fla.), cert. denied, 361 U.S. 847, 80 S. Ct. 102, 4 L. Ed. 2d 86 (1959)
- Chandler v. State, 442 So. 2d 171 (Fla. 1983)
- Kight v. State, 512 So. 2d 922, 928 (Fla. 1987)
- Drake v. State, 400 So. 2d 1217, 1219 (Fla. 1981)
- Bassett v. State, 449 So. 2d 803 (Fla. 1984)
- State v. Allen, 335 So. 2d 823 (Fla. 1976)
- Delap v. State, 440 So. 2d 1242 (Fla. 1983), cert. denied, 467 U.S. 1264, 104 S. Ct. 3559, 82 L. Ed. 2d 860 (1984)
- Ferguson v. State, 417 So. 2d 631 (Fla. 1982)
- Elledge v. State, 346 So. 2d 998 (Fla. 1977)
- State v. Dixon, 283 So. 2d 1, 9 (Fla. 1973), cert. denied, 416 U.S. 943, 94 S. Ct. 1950, 40 L. Ed. 2d 295 (1974)