

SUPREME COURT OF MISSISSIPPI

Joseph Robert Reith v. State of Mississippi

No. 2011-CT-01591-SCT · No. 2011-CT-01591-SCT · Decided September 22, 2011

SUMMARY

The Supreme Court of Mississippi held that a jury instruction allowing deliberate design to be presumed from the unlawful and deliberate use of a deadly weapon violated the presumption of innocence and relieved the State of proving intent beyond a reasonable doubt. The court overruled conflicting prior cases, found the error was not harmless, and reversed and remanded for a new trial.

CASE DETAILS

COURT	Supreme Court of Mississippi
WRITING FOR THE COURT	Randolph, Presiding Justice; Waller, C.J.; Dickinson, P.J.; Lamar, J.; Kitchens, J.; Chandler, J.; Pierce, J.; King, J.; Coleman, J.
JURISDICTION	Mississippi
DECIDED	September 22, 2011
DOCKET	2011-CT-01591-SCT
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Reith sought certiorari review after the Mississippi Court of Appeals affirmed his murder conviction and life sentence. The Mississippi Supreme Court granted the petition and reviewed whether jury instruction S-5 constituted reversible error.
STANDARD OF REVIEW	Jury instructions are reviewed for abuse of discretion. Whether an instructional error was harmless was assessed under the beyond-a-reasonable-doubt standard.
PRECEDENTIAL VALUE	Published, en banc Mississippi Supreme Court opinion; binding statewide precedent.
PARTIES	Joseph Robert Reith a/k/a Joseph R. Reith a/k/a Joseph Reith v. State of Mississippi

TOPICS

jury instructions

burden of proof instructions

criminal procedure

due process

constitutional law

PRACTICE AREAS

criminal law

criminal procedure

constitutional law

QUESTIONS PRESENTED

1. Whether the trial court erred by instructing the jury that deliberate design may be presumed from the unlawful and deliberate use of a deadly weapon.
2. Whether the instructional error was harmless beyond a reasonable doubt.

HOLDINGS

1. A jury may never be instructed that it may presume deliberate design or intent from the unlawful and deliberate use of a deadly weapon because the instruction conflicts with the presumption of innocence and relieves the State of proving an essential element beyond a reasonable doubt.
2. The error was not harmless beyond a reasonable doubt.

KEY QUOTATIONS

“Today, we clarify and foreclose its future use, for “due process requires that the State prove each element of the offense beyond a reasonable doubt” and instructions which allow the jury to presume guilt on an essential element of an offense run counter to our most basic tenet of criminal law.” (§6)

“However, we must depart from our prior cases and hold that a jury may never be instructed that it may presume deliberate design from the unlawful and deliberate use of a deadly weapon, even “where the testimony has failed to establish the circumstances of the use of the weapon.”” (§10)

“Deliberate design may not be presumed, and we overrule our prior cases to the extent that they conflict with this principle.” (§16)

FACTUAL BACKGROUND

Reith and Tammy divorced in 2007 and shared custody of their child. After Tammy stated that she intended to move to Alaska with the child, Reith sought injunctive relief to prevent the move. During an argument at Reith's apartment, Reith killed Tammy as she attempted to leave; he admitted the killing but claimed that he had blacked out before doing so.

PROCEDURAL HISTORY

Following a jury trial in the Madison County Circuit Court, Reith was convicted of deliberate-design murder and sentenced to life imprisonment. The Mississippi Court of Appeals affirmed the conviction and sentence. After rehearing was denied, Reith petitioned for certiorari; the Mississippi Supreme Court granted review, reversed, and remanded for a new trial.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The conviction and sentence and the Court of Appeals' judgment were reversed, and the case was remanded to the Madison County Circuit Court for a new trial consistent with the opinion.

CASES CITED

- Reith v. State, __ So. 3d __, 2013 WL 1122311 (Miss. Ct. App. Mar. 19, 2013)
- Williams v. State, 111 So. 3d 620, 623-26 (Miss. 2013)
- Bailey v. State, 78 So. 3d 308, 315 (Miss. 2012)
- Young v. State, 891 So. 2d 813, 819 (Miss. 2005)
- Newell v. State, 49 So. 3d 66, 73 (Miss. 2010)
- Tran v. State, 681 So. 2d 514, 517-18 (Miss. 1996)
- Neal v. State, 451 So. 2d 743, 757 (Miss. 1984)
- In re Winship, 397 U.S. 358, 363 (1970)
- Coffin v. United States, 156 U.S. 432, 453 (1895)
- Morissette v. United States, 342 U.S. 246, 274-75 (1952)
- Brown v. State, 965 So. 2d 1023, 1030 (Miss. 2007)
- Blanks v. State, 542 So. 2d 222, 227 (Miss. 1989)
- Stewart v. State, 226 So. 2d 911, 912 (Miss. 1969)
- Francis v. Franklin, 471 U.S. 307, 319-20 (1985)