

SUPREME COURT OF THE STATE OF MONTANA

State v. Johnson

2007 MT 213N (Supreme Court of the State of Montana 2007) · No. DA 06-0299 · Decided August 28, 2007

SUMMARY

The Montana Supreme Court affirmed Scott Douglas Johnson’s convictions for criminal possession of dangerous drugs and failure to comply with sexual offender registration requirements. The court held that sufficient evidence supported denial of Johnson’s directed-verdict motion and the jury’s verdicts, applying the standards for directed verdicts and sufficiency of the evidence.

CASE DETAILS

COURT	Supreme Court of the State of Montana
WRITING FOR THE COURT	Chief Justice Karla M. Gray; Karla M. Gray; James C. Nelson; John Warner; Patricia Cotter; Jim Rice
JURISDICTION	Montana
DECIDED	August 28, 2007
DOCKET	DA 06-0299
DISPOSITION	affirmed
PROCEDURAL POSTURE	Johnson appealed from a judgment and sentence entered after a jury convicted him of felony criminal possession of dangerous drugs and felony failure to comply with sexual-offender registration requirements. He challenged the denial of his directed-verdict motion and the sufficiency of the evidence.
STANDARD OF REVIEW	The Supreme Court reviewed de novo the District Court's ruling under § 46-16-403, MCA, to determine whether sufficient evidence supported a directed verdict. For sufficiency of the evidence supporting the jury verdicts, it considered whether, viewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements beyond a reasonable doubt.
PRECEDENTIAL VALUE	Nonprecedential; expressly designated nonciteable under Section I, Paragraph 3(c), Montana Supreme Court 1996 Internal Operating Rules.
PARTIES	Scott Douglas Johnson v. State of Montana

TOPICS

criminal procedure

standard of review

appellate procedure

evidence

statutory interpretation

PRACTICE AREAS

criminal law

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QUESTIONS PRESENTED

1. Whether the District Court erred in denying Johnson's motion for a directed verdict on the charge of failure to comply with sexual-offender registration requirements.
2. Whether sufficient evidence supported the jury's verdicts for failure to register and criminal possession of dangerous drugs.

HOLDINGS

1. The District Court properly denied Johnson's directed-verdict motion because, viewing the evidence in the light most favorable to the prosecution, a reasonable person could conclude that Johnson changed residences and failed to keep his registration current, with guilt proven beyond a reasonable doubt.
2. The evidence was sufficient to support the jury's failure-to-register verdict because, viewing the evidence in the light most favorable to the prosecution, a rational trier of fact could find the essential elements beyond a reasonable doubt.
3. The evidence was sufficient to support the drug-possession conviction because a rational trier of fact could find Johnson guilty beyond a reasonable doubt when the evidence was viewed in the light most favorable to the prosecution.

KEY QUOTATIONS

“A criminal defendant is entitled to a directed verdict only if reasonable people could not conclude from the evidence, taken in a light most favorable to the prosecution, that guilt has been proved beyond a reasonable doubt.” (¶ 8)

“Thus, we review the sufficiency of the evidence to support a jury verdict of guilty to determine whether, 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 beyond a reasonable doubt.” (¶ 9)

“Determinations of the credibility and weight of testimony are within the exclusive province of the jury, and conflicting testimony does not render the evidence insufficient to support a guilty verdict.” (¶ 20)

FACTUAL BACKGROUND

Johnson was required to register as a sexual offender and had last registered his address at the Missoula Poverello Center after his release from prison. The Poverello Center's records showed that he stayed there only from January 30 through February 12, 2005, while its policy limited stays to 30 days; he was later arrested in July 2005 at a different street address supplied by his probation officer. Officers also discovered a baggie

containing methamphetamine in Johnson's possession. At trial, Johnson and other witnesses testified that he was homeless and had stayed at various locations.

PROCEDURAL HISTORY

The State charged Johnson by information in the Fourth Judicial District Court, Missoula County. Johnson pleaded guilty to a misdemeanor charge and pleaded not guilty to the two felony charges. After a jury trial, the District Court denied his directed-verdict motions, the jury returned guilty verdicts on both felony charges, and the court entered judgment and sentence. The Montana Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Swann, 2007 MT 126, ¶¶ 18-19, 337 Mont. 326, ¶¶ 18-19, 160 P.3d 511, ¶¶ 18-19
- State v. Struble, 2004 MT 107, ¶ 26, 321 Mont. 89, ¶ 26, 90 P.3d 971, ¶ 26
- State v. Weigand, 2005 MT 201, ¶ 7, 328 Mont. 198, ¶ 7, 119 P.3d 74, ¶ 7
- State v. Borsberry, 2006 MT 126, ¶ 20, 332 Mont. 271, ¶ 20, 136 P.3d 993, ¶ 20