

SUPREME COURT OF PENNSYLVANIA

Commonwealth v. Ragan, 592 Pa. 217

923 A.2d 1169 (2007) · Decided May 31, 2007

SUMMARY

The Supreme Court of Pennsylvania affirmed the denial of Derrick Ragan's second petition under the Post Conviction Relief Act challenging his death sentence for the murder of Darren Brown. The court held that the petition depended on unsuccessful Brady-related claims concerning Ragan's prior murder conviction and did not warrant relief.

CASE DETAILS

COURT	Supreme Court of Pennsylvania
WRITING FOR THE COURT	Justice Eakin; Chief Justice Cappy; Justice Castille; Justice Saylor; Justice Baer; Justice Baldwin; Justice Fitzgerald
JURISDICTION	Pennsylvania
DECIDED	May 31, 2007
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the denial of Ragan's second petition under the Pennsylvania Post Conviction Relief Act challenging the death sentence imposed for the murder of Darren Brown.
STANDARD OF REVIEW	Whether the PCRA court's findings are supported by the record and free of legal error.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Derrick Ragan v. Commonwealth of Pennsylvania

TOPICS

- state post-conviction relief
- successive petitions
- post-conviction relief
- sentencing
- appellate procedure

PRACTICE AREAS

- criminal law
- post-conviction relief
- capital punishment
- appellate procedure

QUESTIONS PRESENTED

1. Whether Ragan was entitled to PCRA relief from his Brown-murder death sentence based on alleged Brady violations and defects in his separate Thomas-murder conviction.
2. Whether the dismissal and final adjudication of Ragan's Thomas PCRA petition defeated the Brown PCRA petition, which depended on obtaining relief in the Thomas case.
3. Whether Ragan's second PCRA petition was timely or satisfied an exception to the PCRA's one-year time bar.

HOLDINGS

1. Because the Brown petition was wholly dependent on Ragan obtaining relief in the Thomas PCRA proceeding, and the Thomas petition had been dismissed after the alleged Brady claims were found meritless, Ragan was not entitled to PCRA relief in the Brown case.
2. On appeal from the denial of PCRA relief, the reviewing court determines whether the PCRA court's findings are supported by the record and free of legal error.
3. A second or subsequent PCRA petition ordinarily must be filed within one year after the judgment of sentence becomes final, subject to the statutory exceptions and the requirement that an exception-based petition be filed within sixty days of when the claim could have been presented.

KEY QUOTATIONS

“On appeal from the denial of PCRA relief, our standard of review is whether the findings of the PCRA court are supported by the record and free of legal error.” (923 A.2d at 1170)

“The instant petition is wholly dependent on appellant's unsuccessful PCRA challenge in the Thomas case.” (923 A.2d at 1171)

“Having found appellant is not entitled to relief, we affirm the order of the PCRA court and direct the Prothonotary of this Court to transmit the complete record of this case to the Governor of Pennsylvania.” (923 A.2d at 1171)

FACTUAL BACKGROUND

Ragan shot Darren Brown in the chest and, after Brown collapsed, fired twelve additional shots into his body. A jury convicted Ragan of first-degree murder and related offenses and imposed a death sentence based in part on the aggravating circumstance that Ragan had previously been convicted of the first-degree murder of Anthony Thomas. Ragan later relied on witness statements from the Thomas trial that he claimed had not been disclosed to his trial counsel, but the Thomas PCRA court found that the materials had in fact been disclosed before trial.

PROCEDURAL HISTORY

Ragan was convicted of first-degree murder and related offenses and sentenced to death after the jury found his prior conviction for the first-degree murder of Anthony Thomas to be an aggravating circumstance. The Pennsylvania Supreme Court affirmed the Brown-murder judgment in 1994, and later affirmed denial of Ragan's first PCRA petition in 1999. Ragan then filed a second PCRA petition arguing that alleged Brady violations and defects in the Thomas conviction invalidated the aggravating circumstance supporting his death sentence. The

PCRA court dismissed both the Thomas and Brown petitions, and the Supreme Court of Pennsylvania affirmed denial of relief in the Brown case.

DISPOSITION

affirmed

CASES CITED

- Commonwealth v. Ragan, 538 Pa. 2, 645 A.2d 811 (1994)
- Commonwealth v. Ragan, 560 Pa. 106, 743 A.2d 390 (1999)
- Commonwealth v. Abu-Jamal, 574 Pa. 724, 833 A.2d 719, 723 (2003)
- Commonwealth v. Breakiron, 566 Pa. 323, 781 A.2d 94, 97 n. 4 (2001)
- Commonwealth v. Ragan, 539 Pa. 648, 651 A.2d 536 (1994)
- Commonwealth v. Ragan, 881 A.2d 888 (Pa. Super. 2005)
- Commonwealth v. Ragan, 587 Pa. 690, 897 A.2d 455 (2006)
- Brady v. Maryland, 373 U.S. 83, 83 S.Ct. 1194, 10 L.Ed.2d 215 (1963)