

SUPREME COURT OF THE STATE OF DELAWARE

McLaughlin v. State

McLaughlin · No. No. 401, 2014 · Decided March 23, 2015

SUMMARY

The Delaware Supreme Court affirmed the Superior Court’s denial of Edward McLaughlin’s postconviction-relief application. The Court held that McLaughlin had presented and fully litigated his ineffective-assistance claim concerning trial counsel’s cross-examination of the alleged victim, and that the claim lacked merit under Strickland v. Washington.

CASE DETAILS

COURT	Supreme Court of the State of Delaware
WRITING FOR THE COURT	Per Curiam; Holland; Valihura; Vaughn
JURISDICTION	Delaware
DECIDED	March 23, 2015
DOCKET	No. 401, 2014
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the Superior Court of Delaware's denial of the appellant's first motion for postconviction relief under Superior Court Criminal Rule 61 and its grant of appointed postconviction counsel's motion to withdraw.
STANDARD OF REVIEW	The Supreme Court reviewed the Superior Court's denial of postconviction relief after consideration of the parties' briefs and the Superior Court record, and reviewed the ineffective-assistance claim under Strickland v. Washington.
PRECEDENTIAL VALUE	published
PARTIES	Edward McLaughlin v. State of Delaware

TOPICS

- state post-conviction relief
- post-conviction relief
- ineffective assistance
- right to counsel
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the Superior Court improperly denied postconviction relief without notifying McLaughlin that it would treat his submission as a Rule 61 motion or giving him an opportunity to add other claims.
2. Whether trial counsel rendered ineffective assistance by making a strategic decision not to directly challenge the alleged victim's account through more aggressive cross-examination.
3. Whether an error in the Superior Court's memorandum opinion demonstrated that the court failed to review the record and required relief.

HOLDINGS

1. The Superior Court did not err by considering and deciding the postconviction claim presented in McLaughlin's submission without additional notice or an opportunity to present further claims.
2. McLaughlin failed to establish ineffective assistance of counsel because counsel's cross-examination strategy was objectively reasonable and McLaughlin was not prejudiced by the challenged conduct.
3. The erroneous statement that McLaughlin filed a postconviction motion on March 14, 2013, was harmless and did not establish that the Superior Court failed to review the record.

KEY QUOTATIONS

“Under these circumstances, the Court concludes that the Superior Court did not err when it considered and decided McLaughlin’s claim for postconviction relief as presented in McLaughlin’s submission.” (at 5)

“Because this was a reasonable strategic decision in line with professional norms, Trial Counsel did not make an unprofessional error.” (at 6)

FACTUAL BACKGROUND

McLaughlin was tried in 2011 and retried in 2012 on five counts of second-degree rape involving his ten-year-old stepdaughter. The first trial ended in a mistrial because the jury could not reach a unanimous verdict; the second trial resulted in convictions on four counts. His postconviction claim alleged that trial counsel was ineffective for failing to cross-examine the alleged victim more aggressively, although counsel instead relied on McLaughlin's testimony and the defense theory that the allegations were motivated by an ulterior motive.

PROCEDURAL HISTORY

McLaughlin was convicted after a retrial on four counts of second-degree rape and sentenced to 100 years of Level V incarceration followed by probation. The Delaware Supreme Court affirmed on direct appeal. The Superior Court appointed counsel for a Rule 61 proceeding; counsel moved to withdraw after concluding that McLaughlin's ineffective-assistance claim lacked merit and that no other substantial grounds for relief existed. The Superior Court granted withdrawal and denied postconviction relief, denied reargument, and the Delaware Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- McLaughlan v. State, 2012 WL 6645727 (Del. Dec. 19, 2012)
- Castro v. United States, 540 U.S. 375 (2003)
- Boyer v. State, 2007 WL 452300, at *1 (Del. Feb. 13, 2007)
- Preform Bldg. Components, Inc. v. Edwards, 280 A.2d 697, 698 (Del. 1971)
- Samuel v. State, 2010 WL 3245109 (Del. Aug. 17, 2010)
- McDaniel v. DaimlerChrysler Corp., 860 A.2d 321, 323 (Del. 2004)
- Strickland v. Washington, 466 U.S. 668, 687-88, 692, 694 (1984)
- United States v. Cronin, 466 U.S. 648, 659 (1984)
- Murphy v. State, 632 A.2d 1150, 1152 (Del. 1993)