

SUPREME COURT OF GEORGIA

Danforth, Warden v. Chapman

297 Ga. 29 (2015) · No. S15A0147; S15X0148 · Decided April 20, 2015

SUMMARY

The Georgia Supreme Court affirmed the grant of habeas corpus relief to Justin W. Chapman, who had been convicted of arson and felony murder. The court held that the State’s suppression of impeachment and exculpatory evidence concerning its principal witness violated Brady and Giglio, making a new trial appropriate, and dismissed Chapman’s cross-appeal as moot.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	Benham, Justice
JURISDICTION	Georgia
DECIDED	April 20, 2015
DOCKET	S15A0147; S15X0148
DISPOSITION	affirmed
PROCEDURAL POSTURE	The Warden appealed the Telfair Superior Court's grant of state habeas relief to Chapman, and Chapman filed a cross-appeal concerning additional habeas claims that the habeas court did not reach.
STANDARD OF REVIEW	The Supreme Court reviewed the habeas court's legal determinations and application of the Brady standard; the opinion does not state a separate formal standard-of-review formulation.
PRECEDENTIAL VALUE	published precedential opinion of the Supreme Court of Georgia
PARTIES	Danforth, Warden v. Justin W. Chapman

TOPICS

- state post-conviction relief
- habeas corpus
- prosecutorial misconduct
- impeachment
- due process

PRACTICE AREAS

- criminal law
- habeas corpus
- post-conviction relief
- constitutional criminal procedure

QUESTIONS PRESENTED

1. Whether the habeas court erred by denying the Warden's request to file a post-hearing brief.
2. Whether the prosecution's failure to disclose impeachment and other favorable evidence concerning the State's primary confession witness violated *Brady v. Maryland* and *Giglio v. United States* and entitled Chapman to a new trial.
3. Whether Chapman's cross-appeal presented any live issue after the grant of habeas relief was affirmed.

HOLDINGS

1. The Warden failed to identify authority requiring the habeas court to permit post-hearing briefs, so the claim of error was without merit.
2. The undisclosed videotape, William Liner's statements, and the missing page from Joseph White's letter constituted favorable evidence that could have been used to impeach White and created a reasonable probability of a different trial outcome; therefore, the habeas court properly granted relief under *Brady* and *Giglio*.
3. The Warden's remaining allegations of error were moot because Chapman was entitled to a new trial, and Chapman's cross-appeal was dismissed as moot after the grant of habeas relief was affirmed.

KEY QUOTATIONS

"[T]he suppression by the prosecution of evidence favorable to an accused upon request violates due process where the evidence is material either to guilt or to punishment, irrespective of the good faith or bad faith of the prosecution." (297 Ga. at 30)

"To prevail on a Brady claim, Chapman was required to show that (1) the State possessed evidence favorable to his defense; (2) he did not possess the favorable evidence and could not obtain it himself with any reasonable diligence; (3) the State suppressed the favorable evidence; and (4) had the evidence been disclosed to the defense, a reasonable probability exists that the outcome of the trial would have been different." (297 Ga. at 31)

FACTUAL BACKGROUND

Chapman was convicted of arson and felony murder arising from an intentionally set fire outside the front door of his duplex that killed a resident on the other side of the duplex. At trial, Joseph White was the only State witness who testified that Chapman confessed to setting the fire. Before and during trial, the prosecution failed to disclose evidence bearing on White's credibility, including a video suggesting White sought assistance on his own charges, statements from William Liner contradicting White's account, and a missing page from White's letter indicating that White delayed reporting his information while assessing what would happen with his own case.

PROCEDURAL HISTORY

Chapman was convicted of arson and felony murder, and the Supreme Court of Georgia affirmed his convictions in *Chapman v. State*, 290 Ga. 631 (724 SE2d 391) (2012). Chapman then sought habeas relief on multiple grounds. The Telfair Superior Court granted relief based on three *Brady/Giglio* violations and a *Crawford* violation, as well as ineffective assistance of appellate counsel. The Supreme Court affirmed the grant of habeas

relief on the Brady/Giglio claim, held the Warden's remaining arguments moot, and dismissed Chapman's cross-appeal as moot.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

No specific remand instructions were stated. The grant of habeas relief and a new trial was affirmed.

CASES CITED

- Chapman v. State, 290 Ga. 631 (724 SE2d 391) (2012)
- Brady v. Maryland, 373 U.S. 83, 87 (1963)
- Giglio v. United States, 405 U.S. 150, 154-155 (1972)
- Crawford v. Washington, 541 U.S. 36 (2004)
- Schofield v. Palmer, 279 Ga. 848, 853 (621 SE2d 726) (2005)
- Walker v. Johnson, 282 Ga. 168, 172 (646 SE2d 44) (2007)
- Gonella v. State, 286 Ga. 211, 216 (686 SE2d 644) (2009)
- Jackson v. State, 309 Ga. App. 796, (714 SE2d 584) (2011)