

SUPREME COURT OF FLORIDA

Joel Dale Wright v. State of Florida

No. SC19-2123 · No. SC19-2123 · Decided January 7, 2021

SUMMARY

The Supreme Court of Florida affirmed the denial of Joel Dale Wright’s successive postconviction motion challenging his death sentence under Hurst v. Florida and related Florida authorities. The court held that Hurst did not create a new offense or change the elements of capital first-degree murder, and that its prior decisions foreclosed retroactive relief for defendants whose sentences became final before Ring v. Arizona.

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Per Curiam; Chief Justice Canady; Justice Polston; Justice Labarga; Justice Lawson; Justice Muñoz; Justice Curiel; Justice Grosshans
JURISDICTION	Florida
DECIDED	January 7, 2021
DOCKET	SC19-2123
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the denial of a successive postconviction motion filed under Florida Rule of Criminal Procedure 3.851 in a capital case.
STANDARD OF REVIEW	The opinion does not expressly identify a standard of review; the court reviewed the denial of the successive postconviction motion on appeal.
PRECEDENTIAL VALUE	published
PARTIES	Joel Dale Wright v. State of Florida

TOPICS

- state post-conviction relief
- successive petitions
- sentencing
- cruel and unusual punishment
- appellate procedure

PRACTICE AREAS

- capital postconviction
- criminal procedure
- death penalty sentencing
- appellate procedure

QUESTIONS PRESENTED

1. Whether *Hurst v. State* created an independent offense of capital first-degree murder whose jury sentencing determinations constitute elements of the offense.
2. Whether *Hurst v. Florida* and *Hurst v. State* announced a substantive rule requiring retroactive relief for a defendant whose death sentence was final before *Ring v. Arizona*.
3. Whether Wright was entitled to relief under his constitutional and statutory theories challenging the denial of his successive postconviction motion.

HOLDINGS

1. *Hurst v. State* did not create an independent offense called capital first-degree murder and did not change the elements of first-degree murder; the jury's *Hurst* sentencing determinations occur only after the jury unanimously convicts the defendant of capital first-degree murder.
2. Wright was not entitled to retroactive application of *Hurst* because his death sentence was final before *Ring*, and the Florida Supreme Court had consistently denied *Hurst*-based retroactive relief to defendants in that category.

KEY QUOTATIONS

“As we explained in Foster, there is no independent crime of “capital first-degree murder”; the crime of first-degree murder is, by definition, a capital crime, and Hurst v. State did not change the elements of that crime.”
(-2)

“But this Court has rejected such arguments, however styled.” (-3)

FACTUAL BACKGROUND

In 1983, Wright was convicted of first-degree murder, sexual battery, burglary of a dwelling, and second-degree grand theft and was sentenced to death. His death sentence became final in 1986, before the United States Supreme Court decided *Ring v. Arizona* in 2002. Wright's successive postconviction claims argued that *Hurst* created a new capital offense and substantive sentencing requirements that applied retroactively to his case.

PROCEDURAL HISTORY

Wright was convicted and sentenced to death in 1983. After his death sentence became final in 1986, the Florida Supreme Court affirmed the denial of his first three postconviction motions. Wright then filed a third successive postconviction motion in 2017 based on *Hurst v. Florida*, *Hurst v. State*, and chapter 2017-1, Laws of Florida; the circuit court denied the motion, and the Florida Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- *Wright v. State*, 473 So. 2d 1277 (Fla. 1985)

- Wright v. Florida, 474 U.S. 1094 (1986)
- Wright v. State, 581 So. 2d 882 (Fla. 1991)
- Wright v. State, 857 So. 2d 861 (Fla. 2003)
- Wright v. State, 995 So. 2d 324 (Fla. 2008)
- Hurst v. Florida, 577 U.S. 92 (2016)
- Hurst v. State, 202 So. 3d 40 (Fla. 2016)
- Kevin Don Foster v. State of Florida, Foster v. State, 258 So. 3d 1248, 1251-52 (Fla. 2018)
- Asay v. State, 210 So. 3d 1 (Fla. 2016)
- Hitchcock v. State, 226 So. 3d 216, 217 (Fla. 2017)
- Lambrix v. State, 227 So. 3d 112, 113 (Fla. 2017)
- Ring v. Arizona, 536 U.S. 584 (2002)
- State v. Poole, 297 So. 3d 487 (Fla. 2020)

OPINION

PER CURIAM.

Supreme Court of Florida _____ No. SC19-2123 _____ JOEL DALE WRIGHT, Appellant, vs. STATE OF FLORIDA, Appellee. January 7, 2021 PER CURIAM. Joel Dale Wright appeals an order of the circuit court denying his successive postconviction motion filed pursuant to Florida Rule of Criminal Procedure 3.851.

We have jurisdiction. See art. V, § 3(b)(1), Fla. Const. BACKGROUND In 1983, Wright was convicted of first-degree murder, sexual battery, burglary of a dwelling, and second-degree grand theft. He was sentenced to death. Wright v. State, 473 So. 2d 1277 (Fla. 1985). His death sentence became final when the United States Supreme Court denied certiorari review on January 21, 1986.

Wright v. Florida, 474 U.S. 1094 (1986). This Court subsequently affirmed the denial of Wright’s first three postconviction motions. Wright v. State, 581 So. 2d 882 (Fla. 1991); Wright v. State, 857 So. 2d 861 (Fla. 2003); Wright v. State, 995 So. 2d 324 (Fla. 2008).

In 2017, Wright filed a third successive postconviction motion raising claims based on the retroactivity of Hurst v. Florida, 577 U.S. 92 (2016), Hurst v. State, 202 So. 3d 40 (Fla. 2016), and chapter 2017-1, Laws of Fla. 1 He now appeals the denial of his most recent postconviction claims. ANALYSIS The crux of Wright’s argument on appeal is that this Court’s decision in Hurst v. State established a new offense—capital first-degree murder—and that the jury sentencing determinations described in Hurst are “elements” of that new offense.

From that assertion, Wright insists that Hurst created a substantive rule of law that dates back to Florida’s original capital sentencing statute, thereby requiring Wright’s death sentence to be vacated on the ground that certain elements of his crime were never found by a jury.

We rejected a similar argument in *Foster v. State*, 258 So. 3d 1248, 1251 (Fla. 2018). As we explained in *Foster*, there is no independent crime of “capital first-degree murder”; the crime of first-degree murder is, by definition, a capital crime, and *Hurst v. State* did not change the elements of that crime. *Id.* at 1251-52 1. Chapter 2017-1, Laws of Florida was a legislative enactment by which Florida’s capital sentencing statute was amended to require jury sentencing determinations of the kind described in *Hurst v. State*. -2- (holding that when a jury makes *Hurst* determinations, “it only does so after a jury has unanimously convicted the defendant of the capital crime of first-degree murder”).

Moreover, “[w]e have consistently applied our decision in *Asay [v. State]*, 210 So. 3d 1 (Fla. 2016)], denying the retroactive application of *Hurst v. Florida* as interpreted in *Hurst v. State* to defendants whose death sentences were final when the Supreme Court decided *Ring v. Arizona*, 536 U.S. 584 (2002).” *Hitchcock v. State*, 226 So. 3d 216, 217 (Fla. 2017).

Wright echoes other pre-*Ring* defendants who have advanced myriad legal theories that, in the end, turn on pleas for a retroactive application of *Hurst*. But this Court has rejected such arguments, however styled. See, e.g., *Lambrix v. State*, 227 So. 3d 112, 113 (Fla. 2017) (rejecting arguments based on “the Eighth Amendment,” “denial of due process and equal protection,” and “a substantive right based on the legislative passage of chapter 2017-1, Laws of Florida”).

Finally, Wright offers an extensive critique of this Court’s decision in *State v. Poole*, 297 So. 3d 487 (Fla. 2020), where we partially receded from *Hurst*. We need not address *Poole* here, however, because Wright’s claims fail even under our pre-*Poole* jurisprudence on *Hurst* and retroactivity.

For these reasons, we affirm the trial court’s denial of postconviction relief. It is so ordered. -3-
POLSTON, LABARGA, LAWSON, MUÑIZ, COURIEL, and GROSSHANS, JJ., concur.
CANADY, C.J., concurs in result. NOT FINAL UNTIL TIME EXPIRES TO FILE REHEARING
MOTION AND, IF FILED, DETERMINED. An Appeal from the Circuit Court in and for Putnam
County, Raul A. Zambrano, Judge - Case No. 541983CF000376CFAXMX Neal Dupree, Capital
Collateral Regional Counsel, Vincent M. D’Agostino, Staff Attorney, and Martin J. McClain,
Special Assistant Capital Collateral Regional Counsel, Southern Region, Fort Lauderdale, Florida,
for Appellant Ashley Moody, Attorney General, Tallahassee, Florida, and Doris Meacham,
Assistant Attorney General, Daytona Beach, Florida, for Appellee -4-