

SUPREME COURT OF ALABAMA

Ex parte Woods

957 So. 2d 533 (Ala. 2006) · No. 1040143 · Decided August 25, 2006

SUMMARY

The Supreme Court of Alabama held that the circuit court exceeded its discretion by striking Fredrick D. Woods's second amended Rule 32 post-conviction petition. Applying Ex parte Rhone, the court concluded that the amendment did not establish actual prejudice to the State or undue delay. The judgment of the Court of Criminal Appeals was reversed, and the cause was remanded.

CASE DETAILS

COURT	Supreme Court of Alabama
WRITING FOR THE COURT	Stuart, Justice; Nabers, C.J.; See, J.; Lyons, J.; Harwood, J.; Woodall, J.; Smith, J.; Bolin, J.; Parker, J.; Stuart, J.
JURISDICTION	Alabama
DECIDED	August 25, 2006
DOCKET	1040143
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Woods sought review by certiorari of the Alabama Court of Criminal Appeals' affirmance of the summary dismissal of his Rule 32 petition for postconviction relief. The Supreme Court of Alabama granted the writ, reversed, and remanded.
STANDARD OF REVIEW	A circuit court's ruling on a Rule 32 petition is reviewed for whether the court exceeded the scope of its discretion. When the facts are undisputed and the appellate court confronts pure questions of law, review is de novo.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Fredrick D. Woods v. State of Alabama

TOPICS

- state post-conviction relief
- post-conviction relief
- appellate procedure
- standard of review
- criminal procedure

PRACTICE AREAS

criminal postconviction

capital litigation

appellate procedure

QUESTIONS PRESENTED

1. Whether the circuit court exceeded the scope of its discretion by striking Woods's second amended Rule 32 petition.
2. Whether the absence of actual prejudice to the State or undue delay required reconsideration of the amendment under *Ex parte Rhone*.

HOLDINGS

1. The circuit court exceeded the scope of its discretion in striking Woods's second amended petition because the record did not establish that considering the amendment would cause actual prejudice to the State or undue delay.
2. A circuit court's judgment denying a Rule 32 petition is reviewed to determine whether the court exceeded the scope of its discretion, while pure legal questions based on undisputed facts are reviewed *de novo*.

KEY QUOTATIONS

“only grounds such as actual prejudice or undue delay will support a trial court's refusal to allow, or to consider, an amendment to a Rule 32 petition.” (957 So. 2d at 536)

“The right to amend is limited by the trial court's discretion to refuse an amendment based upon factors such as undue delay or undue prejudice to the opposing party.” (957 So. 2d at 536)

FACTUAL BACKGROUND

Woods was convicted of capital murder based on a murder committed during a first-degree robbery and was sentenced to death. During his Rule 32 postconviction proceedings, he filed a second amended petition after a status conference had narrowed the issues and shortly before the State filed its proposed order. The circuit court struck the second amendment and summarily dismissed the petition, and the Court of Criminal Appeals affirmed.

PROCEDURAL HISTORY

Woods was convicted of capital murder and sentenced to death, and his conviction and sentence were affirmed on direct appeal. He filed a Rule 32 petition, later amended it, and then filed a second amended petition after a status conference and shortly before the State submitted its proposed order. The circuit court struck the second amended petition and summarily dismissed the original petition. The Court of Criminal Appeals affirmed, but the Alabama Supreme Court concluded that subsequent precedent required reconsideration of whether the amendment should have been stricken.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The cause was remanded to the Alabama Court of Criminal Appeals for proceedings consistent with the opinion, including allowing the circuit court to consider Woods's second amended Rule 32 petition.

CASES CITED

- Woods v. State, 789 So. 2d 896 (Ala. Crim. App. 1999)
- Woods v. State, 789 So. 2d 941 (Ala. 2001)
- Coral v. State, 900 So. 2d 1274 (Ala. Crim. App. 2004)
- McWilliams v. State, 897 So. 2d 437 (Ala. Crim. App. 2004)
- Rhone v. State, 900 So. 2d 443 (Ala. Crim. App. 2004)
- Woods v. State, 957 So. 2d 492 (Ala. Crim. App. 2004)
- Strickland v. State, 771 So. 2d 1123, 1125 (Ala. Crim. App. 1999)
- Ex parte White, 792 So. 2d 1097, 1098 (Ala. 2001)
- Ex parte Rhone, 900 So. 2d 455 (Ala. 2004)
- Ex parte Allen, 825 So. 2d 271, 273 (Ala. 2002)
- Ex parte Jenkins, Ms. 1031313, April 8, 2005, ___ So. 2d ___ (Ala. 2005)
- Wilson v. State, 911 So. 2d 40 (Ala. Crim. App. 2005)