

SUPREME COURT OF GEORGIA

Jones v. State

302 Ga. 892 (2018) · Decided February 5, 2018

SUMMARY

The Supreme Court of Georgia affirmed Hiram Jones's convictions for felony murder and armed robbery arising from the stabbing death of a taxi driver. The court rejected Jones's ineffective-assistance claim concerning the admission of his jail disciplinary history, concluding that the strong evidence of guilt defeated any showing of prejudice. The court also held that any error in the jury instruction concerning inconsistent statements was harmless.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	Blackwell, Justice
JURISDICTION	Georgia
DECIDED	February 5, 2018
DISPOSITION	affirmed
PROCEDURAL POSTURE	Jones appealed his convictions for felony murder and armed robbery, challenging the effectiveness of trial counsel and the trial court's jury instruction concerning the consistency of his statements.
STANDARD OF REVIEW	Ineffective-assistance claims require proof of both deficient performance and prejudice under Strickland v. Washington. Jury-instruction error is harmless when it is highly probable that the instruction did not contribute to the verdict. The sufficiency of the evidence is reviewed under whether a rational trier of fact could find guilt beyond a reasonable doubt.
PRECEDENTIAL VALUE	Published opinion of the Supreme Court of Georgia; precedential.
PARTIES	Hiram Jones v. State

TOPICS

- ineffective assistance
- jury instructions
- harmless error
- evidence
- appellate procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Jones received ineffective assistance when trial counsel elicited testimony about Jones's jail disciplinary history, allowing the prosecution to introduce additional evidence of his misconduct.
2. Whether the trial court's instruction that the jury could reject a defendant's statements when they were inconsistent with other evidence was erroneous or misleading in context.
3. Whether the evidence was legally sufficient to support Jones's felony-murder and armed-robbery convictions.

HOLDINGS

1. Even assuming counsel performed deficiently by eliciting testimony about Jones's jail disciplinary history without knowing the details, Jones failed to establish prejudice because there was no reasonable probability that the verdict would have been different absent the testimony.
2. Any error in the instruction was harmless because it was highly improbable that the instruction contributed to the verdict.
3. The evidence was sufficient to authorize a rational trier of fact to find beyond a reasonable doubt that Jones was guilty of felony murder and armed robbery.

KEY QUOTATIONS

“Considering the whole record, we find no reasonable probability that the jury would have acquitted Jones if only it had not heard about his disciplinary history at the jail, some of which may suggest a propensity for violence, but much of which merely concerns nonviolent mischief.” (895-896)

“In light of the foregoing, it is highly improbable that the consistency instruction contributed to the verdict, and we will not reverse on this ground.” (898)

FACTUAL BACKGROUND

King was found dead beside his wrecked taxicab after being stabbed repeatedly, and his wallet, phone, and cash were missing. Investigators found Jones's bloody pants at the scene and found King's bloodied knife and a paper bearing King's wife's name at a residence associated with Jones. Jones initially denied being present, later admitted being in the cab with King but blamed an alleged accomplice named Allen, and gave accounts that conflicted with one another and with his trial testimony. The physical evidence and circumstantial evidence strongly linked Jones to the robbery and killing.

PROCEDURAL HISTORY

A Dougherty County grand jury indicted Jones for malice murder, felony murder, two counts of aggravated assault, and armed robbery. After a March 2007 trial, the jury failed to reach a verdict on malice murder but convicted Jones of the remaining offenses. The trial court imposed consecutive life sentences for felony murder

and armed robbery and merged the aggravated-assault counts. After the trial court denied Jones's amended motion for new trial on February 2, 2017, Jones timely appealed; the Supreme Court of Georgia affirmed.

DISPOSITION

affirmed

CASES CITED

- Jackson v. Virginia, 443 U.S. 307, 319 (1979)
- Strickland v. Washington, 466 U.S. 668, 687 (1984)
- Jessie v. State, 294 Ga. 375, 377 (2) (2014)
- Miller v. State, 285 Ga. 285, 286 (2009)
- Jones v. State, 290 Ga. 576, 578 (3) (2012)
- Whitaker v. State, 291 Ga. 139, 142 (2) (2012)
- Hodges v. State, Hodges v. State, 302 Ga. 564, 567 (3) (2017)
- Francis v. State, 266 Ga. 69, 72 (3) (1995)
- Smith v. State, 280 Ga. 490, 492 (3) (2006)
- Stewart v. State, 299 Ga. 622, 627 (2) (c) (2016)
- Ross v. State, 276 Ga. 747, 748 (2) (2003)
- Miranda v. Arizona, 384 U.S. 436 (1966)