

SUPREME COURT OF MISSISSIPPI

Minor v. State

831 So. 2d 1116 (Miss. 2002) · No. No. 2001-KA-01081-SCT · Decided December 5, 2002

SUMMARY

The Supreme Court of Mississippi reviewed Aldrick Minor's murder conviction and life sentence for the killing of Anna Blank. The court held that the evidence was legally sufficient, the challenged photographs were properly admitted, the State's peremptory strikes did not establish a Batson violation, and the prosecutorial-closing-argument claims were procedurally barred. The trial court's judgment was affirmed.

CASE DETAILS

COURT	Supreme Court of Mississippi
WRITING FOR THE COURT	Pittman, C.J.; Waller, J.; Graves, J.
JURISDICTION	Mississippi
DECIDED	December 5, 2002
DOCKET	No. 2001-KA-01081-SCT
DISPOSITION	affirmed
PROCEDURAL POSTURE	Minor appealed his murder conviction and life sentence after the Circuit Court of Adams County denied his motions for judgment notwithstanding the verdict and for a new trial.
STANDARD OF REVIEW	For legal sufficiency, the court considered all evidence in the light most consistent with the verdict, gave the prosecution the benefit of favorable reasonable inferences, and asked whether reasonable and fair-minded jurors could have found guilt beyond a reasonable doubt. Admission of photographs was reviewed for abuse of discretion. Batson findings were reviewed for clear error or whether they were against the overwhelming weight of the evidence, with great deference to the trial court. Unpreserved closing-argument claims were procedurally barred absent plain error.
PRECEDENTIAL VALUE	Published precedential opinion
PARTIES	Aldrick Minor v. State of Mississippi

TOPICS

criminal procedure

evidence

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PRACTICE AREAS

criminal law

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QUESTIONS PRESENTED

1. Whether the evidence was legally sufficient to support Minor's murder conviction.
2. Whether the trial court erred by admitting three photographs depicting Blank's wounds and the crime scene after the defense stipulated that she died from gunshot wounds to the head.
3. Whether the State violated *Batson v. Kentucky* by using peremptory strikes against Black prospective jurors.
4. Whether the prosecutor's rebuttal closing argument improperly commented on Minor's failure to testify or improperly attacked defense counsel, and whether the claim was preserved.

HOLDINGS

1. The evidence was legally sufficient to support the murder conviction because Minor's admission to third parties constituted direct evidence, and the evidence viewed in the light most favorable to the verdict permitted reasonable and fair-minded jurors to find him guilty beyond a reasonable doubt.
2. The trial court did not abuse its discretion by admitting the three photographs because each had probative value and served a meaningful evidentiary purpose; the photographs were not inadmissible merely because they were unpleasant or potentially inflammatory.
3. The trial court did not clearly err in accepting the State's race-neutral reasons for its peremptory strikes, and the record did not establish purposeful discrimination against Black prospective jurors.
4. Minor's challenge to the prosecutor's comments was procedurally barred because he did not make a contemporaneous objection to the alleged comment on his failure to testify or request an appropriate curative instruction; the court also found no plain error.

KEY QUOTATIONS

"If the facts and inferences so considered point in favor of the accused with sufficient force that reasonable men could not have found beyond a reasonable doubt that he was guilty, reversal and discharge are required." (1120)

"A photograph, even if gruesome, grisly, unpleasant, or even inflammatory, may still be admissible if it has probative value and its introduction into evidence serves a meaningful evidentiary purpose." (1121)

FACTUAL BACKGROUND

Anna Blank was found dead in a car with two gunshot wounds to the head. Minor had been present at a fish fry before the killing, directed others to summon Blank to the location, left shortly before the shooting, and returned claiming that he had killed her. He later attempted to persuade acquaintances to mislead investigators and

acknowledged knowledge of the missing weapon. Police arrested Minor at his stepfather's residence and found a coat containing sixteen unspent .25-caliber bullets near the bed where Minor was sleeping.

PROCEDURAL HISTORY

An Adams County grand jury indicted Minor for the murder of Anna Blank. After a jury trial, Minor was found guilty and sentenced to life imprisonment. The trial court denied his post-trial motions, and Minor appealed to the Supreme Court of Mississippi, which affirmed.

DISPOSITION

affirmed

CASES CITED

- Ladner v. State, 584 So. 2d 743, 750 (Miss. 1991)
- Turner v. State, 818 So. 2d 1181, 1184 (Miss. 2002)
- Smith v. State, 802 So. 2d 82, 85 (Miss. 2001)
- Noe v. State, 616 So. 2d 298, 303 (Miss. 1993)
- Batson v. Kentucky, 476 U.S. 79, 106 S. Ct. 1712, 90 L. Ed. 2d 69 (1986)
- Caston v. State, 823 So. 2d 473, 498 (Miss. 2002)
- Perry v. State, 637 So. 2d 871, 874 (Miss. 1994)
- Banks v. State, 782 So. 2d 1237, 1242 (Miss. 2001)
- Handley v. State, 574 So. 2d 671, 679 (Miss. 1990)