

SUPREME COURT OF WYOMING

Maycock v. State

257 P.3d 20 (Wyo. 2011) · No. S-10-0208 · Decided July 6, 2011

SUMMARY

The Supreme Court of Wyoming reversed Christina Carole Maycock’s conviction for obtaining property by false pretenses. The court held that, although Maycock misrepresented her marital status on an insurance enrollment form, the State failed to prove that the Campbell County Cemetery District relied on the misrepresentation when paying for insurance coverage. The court remanded with directions to vacate the judgment and sentence and dismiss the amended information with prejudice.

CASE DETAILS

COURT	Supreme Court of Wyoming
WRITING FOR THE COURT	Golden, Justice; Kite, C.J.; Golden, J.; Hill, J.; Voigt, J.; Burke, J.
JURISDICTION	Wyoming
DECIDED	July 6, 2011
DOCKET	S-10-0208
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Maycock appealed a jury conviction for obtaining property by false pretenses, challenging the sufficiency of the evidence and an evidentiary ruling concerning the best evidence rule.
STANDARD OF REVIEW	The court reviewed the sufficiency of the evidence to determine whether, viewing the evidence in the light most favorable to the State, it was adequate to support a reasonable inference of guilt beyond a reasonable doubt.
PRECEDENTIAL VALUE	Published precedential opinion
PARTIES	Christina Carole Maycock v. State of Wyoming

TOPICS

- criminal procedure
- burden of proof
- evidence
- best evidence rule
- insurance

PRACTICE AREAS

- criminal law
- criminal procedure
- evidence
- insurance

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to prove beyond a reasonable doubt that the Cemetery District relied on Maycock's false representation and was thereby defrauded of insurance premiums.
2. Whether the trial court violated the best evidence rule by allowing testimony about the contents of an insurance policy without requiring the policy to be admitted into evidence.

HOLDINGS

1. The evidence was insufficient to sustain Maycock's conviction because the State failed to prove that the Cemetery District relied on her misrepresentation as the determining factor in paying for Bill Maycock's insurance coverage.

KEY QUOTATIONS

“Indispensable to the establishment of this crime is proof that the victim relied on the alleged false pretense; that is, proof the alleged false pretense was the controlling factor which induced the victim to part with his property.” (¶ 9)

“We hold there is insufficient evidence to sustain Maycock's conviction for the crime of obtaining property by false pretenses.” (¶ 12)

FACTUAL BACKGROUND

Maycock enrolled in the Campbell County Cemetery District's group health insurance plan in 1992 and identified Bill Maycock as her spouse, although they had divorced in 1971 and did not remarry until 1999. The District paid the full cost of Bill Maycock's coverage. At trial, former District board members testified that the Board intended to insure employees' families, broadly defined family to include household members, and would have insured Bill even if it had known the Maycocks were not legally married.

PROCEDURAL HISTORY

The State charged Maycock with obtaining property by false pretenses based on her representation that Bill Maycock was her spouse for purposes of obtaining employer-paid insurance coverage. Following a two-day trial, a jury convicted her, and the district court imposed a suspended prison sentence, probation, and restitution. The Wyoming Supreme Court reversed after concluding that the evidence did not establish the required reliance by the victim.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The district court must vacate the judgment and sentence and dismiss the amended information with prejudice.

CASES CITED

- Trevino v. State, 2006 WY 113, ¶ 9, 142 P.3d 214, 217 (Wyo. 2006)
- Lopez v. State, 2004 WY 28, ¶ 16, 86 P.3d 851, 857 (Wyo. 2004)
- Lopez v. State, 788 P.2d 1150, 1152 (Wyo. 1990)
- Miller v. State, 732 P.2d 1054, 1062-63 (Wyo. 1987)
- Driver v. State, 589 P.2d 391 (Wyo. 1979)

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