

SUPREME COURT OF WYOMING

Jeremiah Anthony Marshall, a/k/a Jeremiah Anthony Mahoney v. State

2016 WY 119 (2016) · No. S-16-0007, S-16-0111 · Decided December 13, 2016

SUMMARY

The Wyoming Supreme Court affirmed Jeremiah Anthony Marshall’s convictions for felony possession of methamphetamine and misdemeanor interference with a peace officer. The court held that the district court was not required to order a second competency evaluation because the defense motion alone did not establish reasonable cause to believe Marshall was unfit to proceed, and the record provided substantial evidence supporting the court’s competency determinations.

CASE DETAILS

COURT	Supreme Court of Wyoming
WRITING FOR THE COURT	Burke, C.J.; Hill, J.; Davis, J.; Fox, J.; Kautz, J.
JURISDICTION	Wyoming
DECIDED	December 13, 2016
DOCKET	S-16-0007, S-16-0111
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed convictions for felony possession of methamphetamine and misdemeanor interference with a peace officer, asserting that the district court erred by refusing to suspend proceedings and order a second competency evaluation.
STANDARD OF REVIEW	The substantial-evidence standard applies to review of a trial court's decision not to order a further competency evaluation. The reviewing court first determines whether the trial court evaluated competency under the correct standard and then asks whether the competency determination is fairly supported by the record.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Jeremiah Anthony Marshall, a/k/a Jeremiah Anthony Mahoney v. The State of Wyoming

TOPICS

criminal procedure

appellate procedure

standard of review

preservation of error

PRACTICE AREAS

criminal law

criminal procedure

appellate practice

QUESTIONS PRESENTED

1. Whether the district court was required under Wyo. Stat. Ann. § 7-11-303 to suspend proceedings and order a second competency evaluation merely because a motion requesting one was filed.
2. Whether the record supplied reasonable cause to believe that Marshall had developed a mental illness or deficiency making him unfit to proceed.
3. Whether Marshall's unsupported challenge warranted reversal of his misdemeanor interference conviction.

HOLDINGS

1. A motion to suspend proceedings and obtain a competency evaluation does not, by itself, establish reasonable cause to believe that the defendant has a mental illness or deficiency rendering him unfit to proceed and therefore does not automatically compel the district court to suspend proceedings or order an evaluation.
2. The district court did not err in declining to order a second competency evaluation because the record contained substantial evidence supporting its determination that no new information created reasonable cause to believe Marshall was unfit to proceed.
3. The court summarily affirmed Marshall's interference-with-a-peace-officer conviction because he provided no cogent argument or pertinent legal authority connecting the alleged competency error to that conviction.

KEY QUOTATIONS

“Contrary to Mr. Marshall’s assertions, his motion did not, by itself, compel the district court to suspend proceedings for a competency evaluation under Wyo. Stat. Ann. § 7-11-303.” (¶ 17)

“Because there was no new information presented that would give “reasonable cause to believe that the accused has a mental illness or deficiency making him unfit to proceed,” we find substantial evidence to support the district court’s determination that further inquiry into Mr. Marshall’s competency was not warranted.” (¶ 19)

FACTUAL BACKGROUND

Marshall was arrested after fleeing from an officer during a traffic stop; officers later found a case containing glass pipes and methamphetamine along the path of the chase. After an initial competency evaluation at the Wyoming State Hospital, a forensic psychiatrist concluded that Marshall understood the proceedings and could rationally cooperate with counsel, and the district court found him competent. Several months later, Marshall expressed concerns about food at the detention center, refused at one point to meet with counsel, and raised the

possibility of a second evaluation, but the court found no new information indicating that he had become incompetent.

PROCEDURAL HISTORY

Marshall was initially evaluated at the Wyoming State Hospital and found competent to proceed. After a trial resulting in a conviction for interference with a peace officer, a mistrial on the methamphetamine-possession charge, and dismissal of a forgery charge, Marshall sought a second competency evaluation before entering an Alford plea to the possession charge. Defense counsel withdrew the motion for a second evaluation when the parties advised the court that Marshall would enter the plea. The district court found Marshall competent to enter the plea and sentenced him to time served. The Wyoming Supreme Court consolidated Marshall's two appeals and affirmed both convictions.

DISPOSITION

affirmed

CASES CITED

- Schaeffer v. State, 2012 WY 9, ¶¶ 32-34, 268 P.3d 1045, 1058-59
- Fletcher v. State, 2010 WY 167, ¶ 12, 245 P.3d 327, 331
- Serna v. State, 2013 WY 87, ¶ 7, 305 P.3d 1142, 1143
- DeLoge v. State, 2012 WY 128, ¶ 11 n.2, 289 P.3d 776, 779 n.2
- Godinez v. Moran, 509 U.S. 389, 396, 398-99, 403 (1993)
- Johnson v. Zerbst, 304 U.S. 458, 468 (1938)
- Dusky v. United States, 362 U.S. 402 (1960) (per curiam)
- Follett v. State, 2006 WY 47, ¶¶ 8, 15, 132 P.3d 1155, 1158, 1160
- Hayes v. State, 599 P.2d 558, 563 (Wyo. 1979)
- deShazer v. State, 2003 WY 98, ¶¶ 15-20, 28, 74 P.3d 1240, 1245-48, 1252
- Major v. State, 2004 WY 4, ¶ 19, 83 P.3d 468, 477
- United States v. McEachern, 465 F.2d 833, 837 (5th Cir. 1972)