

SUPREME COURT OF MINNESOTA

Francis v. State

729 N.W.2d 584 (Minn. 2007) · No. Nos. A05-190, A06-940 · Decided April 5, 2007

SUMMARY

The Minnesota Supreme Court affirmed Michael C. Francis's convictions for first-degree premeditated murder and attempted first-degree premeditated murder. The court rejected challenges concerning sufficiency of the evidence, prosecutorial misconduct, evidentiary rulings, jury instructions, ineffective assistance of counsel, and other trial errors. It also upheld the denial of postconviction relief without an evidentiary hearing.

CASE DETAILS

COURT	Supreme Court of Minnesota
WRITING FOR THE COURT	Russell A. Anderson, Chief Justice
JURISDICTION	Minnesota
DECIDED	April 5, 2007
DOCKET	Nos. A05-190, A06-940
DISPOSITION	affirmed
PROCEDURAL POSTURE	Francis appealed his convictions and sentences for first-degree premeditated murder and attempted first-degree premeditated murder and also appealed the denial of postconviction relief without an evidentiary hearing. The appeals were consolidated.
STANDARD OF REVIEW	Sufficiency of the evidence is reviewed by painstakingly examining the record and viewing the evidence in the light most favorable to the verdict. Prosecutorial-misconduct claims are reviewed for whether the misconduct, considered in light of the entire trial, impaired the defendant's right to a fair trial. Evidentiary rulings are reviewed for abuse of discretion, with reversal warranted only when an error substantially influences the jury's decision. Denial of a postconviction evidentiary hearing is reviewed for abuse of discretion.
PRECEDENTIAL VALUE	Published, precedential decision of the Supreme Court of Minnesota; decided en banc.
PARTIES	Michael C. Francis v. State of Minnesota

TOPICS

criminal procedure

evidence

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post-conviction relief

jury instructions

PRACTICE AREAS

criminal law

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QUESTIONS PRESENTED

1. Whether the evidence was sufficient to support Francis's convictions, including the identity of the shooter, premeditation, and intent under transferred intent.
2. Whether alleged prosecutorial misconduct deprived Francis of a fair trial.
3. Whether the district court committed prejudicial evidentiary errors in admitting cell-phone records, surveillance video, and witness testimony, excluding alternative-perpetrator evidence, permitting impeachment, and limiting cross-examination.
4. Whether the district court erred by refusing requested lesser-included-offense instructions for unintentional murder.
5. Whether Francis was denied effective assistance of counsel.
6. Whether other alleged trial errors involving the vehicle seizure, jury selection, photographic lineup, photographs, discovery, juror misconduct, speedy trial, validity of the convictions, and consecutive sentencing required relief.
7. Whether the postconviction court abused its discretion by denying an evidentiary hearing.

HOLDINGS

1. The evidence, viewed in the light most favorable to the verdict, was legally sufficient to support Francis's convictions because Pate's identification was corroborated by the surveillance video, cell-phone records, evidence of animosity, and vehicle evidence.
2. Premeditation and intent transfer when a perpetrator premeditates the murder of an intended victim but accidentally kills an unintended victim.
3. The alleged prosecutorial misconduct did not warrant a new trial because, considered in the context of the entire trial, it was not sufficiently prejudicial to deprive Francis of a fair trial.
4. The challenged evidentiary rulings did not require a new trial because the evidence was properly supported or admissible, and any possible error was not prejudicial.
5. Francis was not prejudiced by the refusal to instruct on unintentional second-degree murder because the jury received instructions on lesser offenses involving intentional, unpremeditated murder and nevertheless convicted him of first-degree premeditated murder.
6. Francis failed to establish ineffective assistance of counsel because the record refuted his allegations and he did not show a reasonable probability that different investigation, witnesses, or trial decisions would have changed the result.

7. The postconviction court properly denied an evidentiary hearing because Francis's allegations, even if proved, would not entitle him to relief and were unsupported argumentative assertions.

KEY QUOTATIONS

“Our responsibility extends no further than to make a painstaking review of the record to determine whether the evidence, direct and circumstantial, viewed most favorably to support a finding of guilt is sufficient to permit the jury to reach that conclusion.” (589)

“An instruction on a lesser-included offense should be given “if the evidence would permit a jury rationally to find him guilty of the lesser offense and acquit him of the greater.”” (592)

“An evidentiary hearing is not required unless facts are alleged that, if proved, would entitle the petitioner to relief.” (593)

FACTUAL BACKGROUND

Marvin Pate was shot multiple times and Pamela Ragland was shot and killed while they were in Ragland's vehicle in Minneapolis. Pate identified the shooter as Francis, connected the shooter to a blue Chevrolet Tahoe and a dispute over tire rims, and later identified Francis from a photographic lineup. Police found corroborating evidence including surveillance video, cell-phone records, and a blue Tahoe matching Pate's description; Francis was driving the vehicle when it was stopped. The jury convicted Francis of first-degree premeditated murder and attempted first-degree premeditated murder.

PROCEDURAL HISTORY

A Hennepin County District Court jury found Francis guilty as charged. He received a consecutive mandatory life sentence for first-degree premeditated murder and a 180-month sentence for attempted first-degree premeditated murder. After appellate counsel filed a brief, Francis proceeded pro se and obtained a stay to pursue postconviction relief. The postconviction court denied relief without an evidentiary hearing, and the Minnesota Supreme Court consolidated the direct and postconviction appeals and affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Ellingson, 283 Minn. 208, 211, 167 N.W.2d 55, 57 (1969)
- State v. Bliss, 457 N.W.2d 385, 390 (Minn. 1990)
- State v. Hall, 722 N.W.2d 472, 477 (Minn. 2006)
- State v. Swanson, 707 N.W.2d 645, 658 (Minn. 2006)
- State v. Henderson, 620 N.W.2d 688, 702 (Minn. 2001)
- State v. Ray, 659 N.W.2d 736, 745 (Minn. 2003)
- U.S. v. Monteleone, 77 F.3d 1086, 1089 (8th Cir. 1996)

- Ture v. State, 681 N.W.2d 9, 19-20 (Minn. 2004)
- State v. Powers, 654 N.W.2d 667, 678-79 (Minn. 2003)
- State v. Gutierrez, 667 N.W.2d 426, 436 (Minn. 2003)
- State v. DeShay, 669 N.W.2d 878, 888 (Minn. 2003)
- State v. Daniels, 361 N.W.2d 819, 826 (Minn. 1985)
- State v. Jones, 678 N.W.2d 1, 16 (Minn. 2004)
- State v. Harris, 713 N.W.2d 844, 849 (Minn. 2006)
- Keeble v. United States, 412 U.S. 205, 208 (1973)
- State v. Dahlin, 695 N.W.2d 588, 597, 599 (Minn. 2005)
- State v. Shepherd, 477 N.W.2d 512, 514-516 (Minn. 1991)
- Strickland v. Washington, 466 U.S. 668, 688, 694 (1984)
- Opsahl v. State, 677 N.W.2d 414, 420-21 (Minn. 2004)
- State v. Mems, 708 N.W.2d 526, 534 (Minn. 2006)
- State v. Doppler, 590 N.W.2d 627, 633 (Minn. 1999)
- Hodgson v. State, 540 N.W.2d 515, 517 (Minn. 1995)
- Beltowski v. State, 289 Minn. 215, 217, 183 N.W.2d 563, 564 (Minn. 1971)