

SUPREME COURT OF GEORGIA

Henry v. State

297 Ga. 74 (Ga. 2015) · No. S15A0189 · Decided May 11, 2015

SUMMARY

The Supreme Court of Georgia affirmed Brandon Henry’s convictions for malice murder, burglary, and unlawful possession of a firearm during the commission of a felony. The court held that the evidence was legally sufficient and that Henry failed to establish ineffective assistance of counsel based on alleged inadequate communication, investigation, cross-examination, and failure to object.

CASE DETAILS

COURT	Supreme Court of Georgia
WRITING FOR THE COURT	Blackwell
JURISDICTION	Georgia
DECIDED	May 11, 2015
DOCKET	S15A0189
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from convictions for murder, burglary, and unlawful possession of a firearm during the commission of a felony.
STANDARD OF REVIEW	Legal sufficiency of the evidence reviewed under Jackson v. Virginia standard; ineffective assistance of counsel claims reviewed under Strickland v. Washington standard.
PRECEDENTIAL VALUE	published
PARTIES	Brandon Henry v. The State

TOPICS

- ineffective assistance
- right to counsel
- standard of review
- criminal procedure
- appellate procedure

PRACTICE AREAS

- criminal law
- criminal procedure
- appellate procedure

QUESTIONS PRESENTED

1. Whether the evidence was legally sufficient to sustain the conviction for malice murder.

2. Whether trial counsel was ineffective for failing to adequately consult with the defendant.
3. Whether trial counsel was ineffective for failing to investigate the case properly.
4. Whether trial counsel was ineffective for failing to question prosecution witnesses about potential bias.
5. Whether trial counsel was ineffective for failing to object to a jury instruction.

HOLDINGS

1. The evidence adduced at trial was legally sufficient to authorize a rational trier of fact to find beyond a reasonable doubt that Henry was guilty of malice murder.
2. Henry failed to show inadequate communication by his lawyer or prejudice resulting therefrom.
3. Henry failed to show deficient performance or prejudice from the alleged failure to investigate witnesses.
4. Henry failed to show deficient performance or prejudice from the decision not to cross-examine witnesses about their family relationships to the victim.
5. Henry failed to show deficient performance or prejudice from the failure to object to the trial court's instruction.

FACTUAL BACKGROUND

Brandon Henry broke into Cassandra Reynolds's home, retrieved an AK-47 she had purchased for him, and fatally shot John Golden 15 times on his front porch after a party altercation. Henry admitted to a friend he had shot someone and discarded matching ammunition. He was convicted of malice murder, burglary, and unlawful possession of a firearm during the commission of a felony.

PROCEDURAL HISTORY

Henry was convicted by a Lowndes County jury and sentenced. He filed a motion for new trial, which was denied. He appealed to the Court of Appeals, and the case was transferred to the Supreme Court of Georgia.

DISPOSITION

affirmed

CASES CITED

- Walker v. State, 296 Ga. 161 (2014)
- Jackson v. Virginia, 443 U.S. 307 (1979)
- Strickland v. Washington, 466 U.S. 668 (1984)
- Kimmelman v. Morrison, 477 U.S. 365 (1986)
- Williams v. Taylor, 529 U.S. 362 (2000)
- Lowe v. State, 295 Ga. 623 (2014)
- Glass v. State, 289 Ga. 542 (2011)

- Davis v. State, 295 Ga. 168 (2014)
- Williams v. State, 281 Ga. 196 (2006)
- Browder v. State, 294 Ga. 188 (2013)
- Washington v. State, 294 Ga. 560 (2014)
- Shank v. State, 290 Ga. 844 (2012)
- Grant v. State, 295 Ga. 126 (2014)
- Chance v. State, 291 Ga. 241 (2012)
- Dixon v. State, 275 Ga. 232 (2002)
- Hill v. State, 276 Ga. 220 (2003)
- Arthur v. Walker, 285 Ga. 578 (2009)
- Roker v. State, 262 Ga. 220 (1992)
- Roberts v. State, 276 Ga. 258 (2003)
- Davis v. State, 329 Ga. App. 797 (2014)
- Rodriguez v. State, 211 Ga. App. 256 (1993)
- Bass v. State, 208 Ga. App. 859 (1993)
- Maxwell v. State, 290 Ga. 574 (2012)