

SUPREME COURT OF IOWA

State of Iowa v. Edward Martin, III

704 N.W.2d 665 (Iowa 2005) · No. 04-0025 · Decided October 7, 2005

SUMMARY

The Supreme Court of Iowa held that the defendant was not prejudiced by trial counsel's failure to object to an evidence tag accompanying a crack pipe submitted to the jury. The court also found that admitting testimony about the defendant's prior robbery and assault arrests and purported violent tendencies was erroneous under Iowa Rule of Evidence 5.403, but concluded the error was harmless. The court vacated the court of appeals' decision and affirmed the district court judgment.

CASE DETAILS

COURT	Supreme Court of Iowa
WRITING FOR THE COURT	Streit
JURISDICTION	Iowa
DECIDED	October 7, 2005
DOCKET	04-0025
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from conviction for possession of cocaine; court of appeals reversed; State's application for further review granted.
STANDARD OF REVIEW	Ineffective assistance claims reviewed de novo; evidentiary rulings reviewed for abuse of discretion.
PRECEDENTIAL VALUE	Published
PARTIES	Edward Martin, III v. State of Iowa

TOPICS

- ineffective assistance
- evidence
- criminal procedure
- search and seizure
- hearsay
- character evidence
- harmless error
- standard of review
- appellate procedure

PRACTICE AREAS

- Criminal Law
- Evidence
- Appellate Procedure

QUESTIONS PRESENTED

1. Whether Martin's trial counsel was ineffective for failing to object to the admission of an evidence tag containing hearsay.
2. Whether the district court abused its discretion in admitting testimony about Martin's prior arrests and violent tendencies.

HOLDINGS

1. Martin cannot show prejudice from counsel's failure to object because the evidence tag did not summarize the State's case but merely described the chain of custody, and the evidence against Martin was overwhelming.
2. It was error to admit the officer's testimony because its probative value was substantially outweighed by unfair prejudice, but the error was harmless.

KEY QUOTATIONS

"Once an exhibit has been received in evidence, no proper purpose exists for leaving attached to it an [evidence] tag which summarizes the State's testimony regarding the exhibit." (at 587)

"The defendant must show that there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different." (at 694)

"In cases of nonconstitutional error, reversal is required if it appears the complaining party has suffered a miscarriage of justice or his rights have been injuriously affected." (at 672)

"whether the minute peg of relevancy will be entirely obscured by the dirty linen hung upon it." (at 251)

FACTUAL BACKGROUND

On July 26, 2003, Waterloo police stopped Martin based on a report of pimping. An officer who knew Martin had prior arrests for robbery and assault conducted a pat-down and found a crack pipe with cocaine residue in Martin's pocket. At trial, the crack pipe was admitted with an evidence tag containing hearsay. Martin's counsel did not object. The court also allowed testimony about Martin's prior arrests and violent tendencies after defense counsel asked why the officer thought Martin had a weapon.

PROCEDURAL HISTORY

Martin was convicted of possession of cocaine. He appealed, and the court of appeals held his trial counsel was ineffective for failing to object to an evidence tag. The State sought further review, which the Supreme Court granted.

DISPOSITION

affirmed

CASES CITED

- State v. Philo, 697 N.W.2d 481 (Iowa 2005)
- State v. Wills, 696 N.W.2d 20 (Iowa 2005)
- State v. Doggett, 687 N.W.2d 97 (Iowa 2004)
- State v. Shultz, 231 N.W.2d 585 (Iowa 1975)
- State v. Branch, 222 N.W.2d 423 (Iowa 1974)
- State v. Gallup, 500 N.W.2d 437 (Iowa 1993)
- State v. Christensen, 205 Iowa 849, 216 N.W. 710 (1927)
- Wirtanen v. Provin, 293 N.W.2d 252 (Iowa 1980)
- State v. Brooks, 540 N.W.2d 270 (Iowa 1995)
- State v. Carberry, 501 N.W.2d 473 (Iowa 1993)
- Rompilla v. Beard, 125 S. Ct. 2456 (2005)
- Strickland v. Washington, 466 U.S. 668 (1984)
- State v. Liddell, 672 N.W.2d 805 (Iowa 2003)
- Mickens v. Taylor, 535 U.S. 162 (2002)
- State v. Reese, 259 N.W.2d 771 (Iowa 1977)
- State v. Sallis, 574 N.W.2d 15 (Iowa 1998)
- State v. Henderson, 696 N.W.2d 5 (Iowa 2005)
- State v. Rodriguez, 636 N.W.2d 234 (Iowa 2001)
- State v. Wright, 203 N.W.2d 247 (Iowa 1972)
- State v. Price, 692 N.W.2d 1 (Iowa 2005)
- State v. Conner, 314 N.W.2d 427 (Iowa 1982)
- State v. Plaster, 424 N.W.2d 226 (Iowa 1988)
- State v. Moorehead, 699 N.W.2d 672 (Iowa 2005)
- State v. Shearon, 660 N.W.2d 52 (Iowa 2003)
- State v. Martin, 704 N.W.2d 674 (Iowa 2005)