

SUPREME COURT OF THE VIRGIN ISLANDS

Davis v. People of the Virgin Islands

Davis, 2026 V.I. 11 (Supreme Court of the Virgin Islands 2026) · No. S. Ct. Crim. No. 2024-0098 · Decided June 4, 2026

SUMMARY

The Supreme Court of the Virgin Islands affirmed Jimmy Davis's conviction and sentence for third-degree burglary following an Alford plea. The Court held that Virgin Islands Rule of Criminal Procedure 11 does not require a factual basis for an Alford plea because the rule's factual-basis requirement applies only to guilty pleas, not nolo contendere pleas. The Court also rejected Davis's argument that the trial court improperly infringed his protestation of innocence by questioning defense counsel regarding the intent element.

CASE DETAILS

COURT	Supreme Court of the Virgin Islands
WRITING FOR THE COURT	Ive Arlington Swan, Associate Justice; Rhys S. Hodge, Chief Justice; Jessica Gallivan, Designated Justice
JURISDICTION	Supreme Court of the Virgin Islands
DECIDED	June 4, 2026
DOCKET	S. Ct. Crim. No. 2024-0098
DISPOSITION	affirmed
PROCEDURAL POSTURE	Davis appealed the Superior Court's judgment and sentence entered after the court accepted his Alford plea to third-degree burglary.
STANDARD OF REVIEW	The court reviews the trial court's application of law plenary and its factual findings for clear error. The acceptance of an Alford plea is reviewed for abuse of discretion.
PRECEDENTIAL VALUE	Published; precedential opinion of the Supreme Court of the Virgin Islands
PARTIES	Jimmy Davis v. People of the Virgin Islands

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the Superior Court violated Virgin Islands Rule of Criminal Procedure 11 by accepting Davis's Alford plea without establishing a factual basis and without ensuring that the plea was knowing, voluntary, and intelligent.
2. Whether the trial court's questioning of defense counsel regarding Davis's intent and its acceptance of a stipulation to intent infringed Davis's right to maintain a protestation of innocence or otherwise invalidated the Alford plea.

HOLDINGS

1. Virgin Islands Rule of Criminal Procedure 11(b)(3) requires a factual-basis determination for a guilty plea but does not require one for a nolo contendere plea; because an Alford plea is equivalent to a nolo contendere plea for this purpose, the trial court did not abuse its discretion by accepting Davis's Alford plea without establishing a factual basis.
2. The trial court did not invalidate Davis's Alford plea or infringe his right to maintain a protestation of innocence. The court complied with Rule 11 by advising Davis personally in open court, determining that he understood the consequences and rights involved, and determining that his plea was voluntary and not the result of force, threats, or improper promises.

KEY QUOTATIONS

"There is therefore no requirement under Federal Rule of Criminal Procedure 11, and consequently under Virgin Islands Rule of Criminal Procedure 11, for a court to establish a factual basis for an Alford plea." (11)

"Upon review of the record, this Court holds that the trial court neither abused its discretion in accepting Davis's Alford plea pursuant to Rule 11 of the Virgin Islands Rules of Criminal Procedure nor invalidated the knowing, voluntary, and intelligent nature of his plea by conducting a thorough colloquy on the record." (15)

FACTUAL BACKGROUND

The People charged Davis with six offenses arising from an alleged entry into a victim's residence. In a negotiated agreement, Davis entered an Alford plea to third-degree burglary, while the People agreed to dismiss the remaining charges; the agreement stated that Davis admitted no wrongdoing but believed there was a substantial likelihood of conviction at trial. The trial court questioned whether the plea had an adequate factual basis, particularly as to the intent-to-commit-an-offense element, but accepted the agreement after defense counsel stipulated to intent and conducted a detailed plea colloquy.

PROCEDURAL HISTORY

The People charged Davis with multiple offenses, including first-degree rape, unlawful sexual contact, first-degree burglary, first-degree assault, and home invasion. The parties negotiated an Alford plea to the lesser-included offense of third-degree burglary in exchange for dismissal of the remaining counts. The Superior Court

accepted the plea after a Rule 11 colloquy, sentenced Davis to time served and court costs, and entered judgment on September 10, 2024. Davis timely appealed.

DISPOSITION

affirmed

CASES CITED

- North Carolina v. Alford, 400 U.S. 25 (1970)
- United States v. Mancinas-Flores, 588 F.3d 677, 681 (9th Cir. 2009)
- Brathwaite v. People, 67 V.I. 609, 613 (V.I. 2017)
- Corraspe v. People, 53 V.I. 470, 481-83 (V.I. 2010)
- Tindell v. People, 56 V.I. 138, 151 (V.I. 2012)

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