

SUPREME COURT OF SOUTH CAROLINA

State v. Irick, 344 S.C. 460

545 S.E.2d 282 (2001) · No. No. 25276 · Decided April 2, 2001

SUMMARY

The Supreme Court of South Carolina affirmed Charles Irick's conviction for murder, with a finding that he was guilty but mentally ill. The court held that the trial court properly excluded a defense expert's opinion concerning how the victim's intoxication might have exacerbated Irick's schizophrenia because the opinion was speculative and lacked a factual predicate showing that the victim had threatened or provoked Irick.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                           |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Supreme Court of South Carolina                                                                                                                                                                                                                           |
| WRITING FOR THE COURT | Chief Justice Toal; Toal, Chief Justice; Moore, Justice; Waller, Justice; Burnett, Justice; Pleicones, Justice                                                                                                                                            |
| JURISDICTION          | South Carolina                                                                                                                                                                                                                                            |
| DECIDED               | April 2, 2001                                                                                                                                                                                                                                             |
| DOCKET                | No. 25276                                                                                                                                                                                                                                                 |
| DISPOSITION           | affirmed                                                                                                                                                                                                                                                  |
| PROCEDURAL POSTURE    | Irick appealed his conviction for murder, guilty but mentally ill, and life sentence after the trial court excluded defense expert testimony concerning the possible effect of the victim's intoxication on Irick's mental illness and perception.        |
| STANDARD OF REVIEW    | The admission of expert testimony and other evidentiary rulings are reviewed for abuse of discretion. An abuse of discretion arises from an error of law or a factual conclusion without evidentiary support; reversal also requires resulting prejudice. |
| PRECEDENTIAL VALUE    | Published South Carolina Supreme Court opinion; precedential.                                                                                                                                                                                             |
| PARTIES               | Charles Irick v. State                                                                                                                                                                                                                                    |

TOPICS

- expert testimony
- evidence
- relevance
- standard of review
- appellate procedure

## PRACTICE AREAS

criminal procedure

evidence

appellate procedure

## QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by excluding the defense expert's testimony that the victim's alcohol and crack-cocaine intoxication could have affected Irick's perception and exacerbated his chronic paranoid schizophrenia.

## HOLDINGS

1. The trial court did not abuse its discretion by excluding the expert testimony because the opinion that the victim's intoxication could have provoked Irick and triggered his psychiatric symptoms was speculative and lacked a factual predicate in the record.

## KEY QUOTATIONS

*“An expert's opinion is admissible if it is relevant and based on some factual predicate in the record.”* (465)

*“Without any eyewitness testimony concerning any actions by the victim that may have impacted upon Irick's perception, and thereby triggering his mental illness, the proffered testimony of Dr. Holmstrom concerning how the victim's interaction with Irick may have caused Irick to react in a psychotic manner is merely conjectural and speculative.”* (465)

## FACTUAL BACKGROUND

Two eyewitnesses testified that Irick confronted Melvin Jacques beside a road, threatened to kill him, and then shot him. Irick was arrested after telling police he had not shot anyone and then leading an officer to a pond where he claimed he had thrown the gun. Irick's clinical-psychology expert sought to testify that the victim's alcohol and crack-cocaine intoxication could have caused provocative or threatening behavior that exacerbated Irick's chronic paranoid schizophrenia, but no evidence showed that the victim made threatening movements or statements beyond the eyewitnesses' testimony that Irick threatened the victim.

## PROCEDURAL HISTORY

Irick was indicted for murder in Orangeburg County and tried before a jury. The jury found him guilty but mentally ill and sentenced him to life imprisonment. Before trial, the court conducted an in camera hearing and excluded the proffered expert testimony, while allowing evidence concerning the victim's blood alcohol and cocaine levels to be introduced in other ways. Irick appealed to the Supreme Court of South Carolina, which affirmed.

## DISPOSITION

affirmed

## CASES CITED

- State v. Quattlebaum, 338 S.C. 441, 527 S.E.2d 105 (2000)
- State v. Von Dohlen, 322 S.C. 234, 471 S.E.2d 689 (1996)
- State v. Hughey, 339 S.C. 439, 529 S.E.2d 721 (2000)
- Lee v. Suess, 318 S.C. 283, 457 S.E.2d 344 (1995)

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