

SUPREME COURT OF IOWA

State of Iowa v. Christopher Deangelo Spates

Spates · No. No. 05-0883 · Decided March 19, 2010

SUMMARY

The Iowa Supreme Court reviewed Christopher Spates’s first-degree felony-murder conviction arising from a gun battle in Waterloo, Iowa, focusing on the failure to submit a voluntary-manslaughter instruction and the use of a mutual-combat instruction. The court held that error was not preserved regarding voluntary manslaughter because defense counsel expressly declined the instruction for strategic reasons. It further held that the mutual-combat instruction was supported by the evidence and could provide a basis for aider-and-abettor liability, vacating that portion of the court of appeals’ decision and affirming the district court’s judgment.

CASE DETAILS

COURT	Supreme Court of Iowa
WRITING FOR THE COURT	Ternus, Chief Justice
JURISDICTION	Iowa
DECIDED	March 19, 2010
DOCKET	No. 05-0883
DISPOSITION	vacated
PROCEDURAL POSTURE	Defendant sought further review of the Iowa Court of Appeals' decision affirming his first-degree felony-murder conviction and sentence, alleging instructional error concerning voluntary manslaughter and mutual combat.
STANDARD OF REVIEW	Challenges to jury instructions are reviewed for correction of errors at law. The court determines whether the instruction accurately states the law and is supported by substantial evidence; instructional error warrants reversal only if prejudicial.
PRECEDENTIAL VALUE	Published Iowa Supreme Court opinion; precedential value is not otherwise characterized in the source.
PARTIES	Christopher Deangelo Spates v. State of Iowa

TOPICS

jury instructions

lesser included offense instructions

instructions objections

criminal procedure

PRACTICE AREAS

criminal law

criminal procedure

jury instructions

felony murder

aiding and abetting

QUESTIONS PRESENTED

1. Whether Spates preserved error on the district court's failure to submit voluntary manslaughter as a lesser-included offense of first-degree felony murder.
2. Whether the district court properly instructed the jury that participation in mutual combat could establish aiding-and-abetting liability for the death of an innocent bystander even when the identity of the shooter could not be established.

HOLDINGS

1. Spates did not preserve error on the district court's failure to submit voluntary manslaughter because his counsel expressly stated that the instruction was unsupported by the evidence and strategically undesirable.
2. A mutual-combat instruction on aiding-and-abetting liability is proper even when the identity of the murderer cannot be established, provided the State proves that the murderer was another participant in the mutual combat and the instruction is supported by substantial evidence.
3. The district court did not err in giving the mutual-combat instruction because substantial evidence showed that the fatal shot came from one of the persons engaged in the shootout.

KEY QUOTATIONS

"Our cases support a conclusion that the acts of a defendant engaged in mutual combat can be the proximate cause of injury to an innocent bystander that directly results from the act of another combatant." (15)

"Therefore, we hold a mutual-combat instruction on aiding and abetting is appropriate even when the identity of the murderer cannot be shown." (17-18)

"Arguably, the focus of the instruction given by the court in this case is too broad, and the instruction should require that the defendant himself be engaged in mutual combat before he can be held to have aided and abetted other combatants." (18 n.6)

FACTUAL BACKGROUND

After a fight between rival groups in Waterloo, Iowa, members and associates of The Hood group gathered weapons and traveled to a location where L-Block members were believed to be present. Spates joined the group and participated in an ensuing exchange of gunfire while armed with a shotgun. A woman inside a nearby house was killed by a bullet fired from an assault rifle, but the bullet could not be linked to a particular weapon or shooter. The jury convicted Spates of first-degree felony murder under principal and aiding-and-abetting theories.

PROCEDURAL HISTORY

Spates was charged with first-degree felony murder after a bystander was killed during a gun battle between rival groups. A jury convicted him, and the district court sentenced him to life in prison. The Iowa Court of Appeals affirmed. The Supreme Court of Iowa granted further review limited to the failure to submit a voluntary-manslaughter instruction and the submission of a mutual-combat instruction; it vacated the court of appeals' discussion of those instructional issues and affirmed the district court judgment.

DISPOSITION

vacated

CASES CITED

- Anderson v. State, 692 N.W.2d 360, 363 (Iowa 2005)
- State v. Jeffries, 430 N.W.2d 728, 736-37 (Iowa 1988)
- State v. Wallace, 475 N.W.2d 197, 202 (Iowa 1991)
- State v. Ondayog, 722 N.W.2d 778, 785 (Iowa 2006)
- State v. Greer, 439 N.W.2d 198, 200 (Iowa 1989)
- In re Z.S., 776 N.W.2d 290, 295 (Iowa 2009)
- State v. Ware, 338 N.W.2d 707, 714 (Iowa 1983)
- State v. Lampman, 345 N.W.2d 142, 143 (Iowa 1984)
- State v. Predka, 555 N.W.2d 202, 204 (Iowa 1996)
- Thavenet v. Davis, 589 N.W.2d 233, 236 (Iowa 1999)
- State v. Sanborn, 564 N.W.2d 813, 815 (Iowa 1997)
- People v. Ross, 66 Cal. Rptr. 3d 438, 447 (Cal. Ct. App. 2007)
- Sanders v. State, 659 S.E.2d 376, 380 (Ga. 2008)
- Hudson v. State, 623 S.E.2d 497, 498 (Ga. 2005)
- Roy v. United States, 871 A.2d 498, 507-08 (D.C. Ct. App. 2005)
- Alston v. State, 662 A.2d 247, 252, 254 (Md. 1995)
- People v. Sanchez, 29 P.3d 209, 219-20 (Cal. 2001)
- Phillips v. Commonwealth, 17 S.W.3d 870, 875 (Ky. 2000)
- Commonwealth v. Santiago, 681 N.E.2d 1205, 1214-15 (Mass. 1997)
- State v. Garza, 916 P.2d 9, 15 (Kan. 1996)
- People v. Russell, 693 N.E.2d 193, 194-96 (N.Y. 1998)
- Reyes v. State, 783 So. 2d 1129, 1132-33 (Fla. Dist. Ct. App. 2001)
- State v. Youngblut, 257 Iowa 343, 132 N.W.2d 486, 487-88 (1965)
- State v. McFadden, 320 N.W.2d 608, 609-15 (Iowa 1982)
- State v. Brown, 589 N.W.2d 69, 72, 74-75 (Iowa Ct. App. 1998)
- State v. Reeves, 636 N.W.2d 22, 26 (Iowa 2001)

- State v. Marti, 290 N.W.2d 570, 579, 584-85 (Iowa 1980)
- State v. Kern, 307 N.W.2d 29, 30 (Iowa 1981)
- State v. Allen, 633 N.W.2d 752, 754 (Iowa 2001)

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