

INDIANA SUPREME COURT

Anthony Wayne Carter v. State of Indiana

Anthony Wayne Carter v. State of Indiana · No. 25S-LW-50 · Decided February 4, 2026

SUMMARY

The Indiana Supreme Court affirmed Anthony Wayne Carter’s murder conviction and sentence of life imprisonment without parole. The Court held that the trial court did not abuse its discretion in declining to instruct the jury on reckless homicide and that sufficient evidence supported the statutory torture aggravator.

CASE DETAILS

COURT	Indiana Supreme Court
WRITING FOR THE COURT	Justice Molter; Chief Justice Rush; Justice Massa; Justice Slaughter; Justice Goff
JURISDICTION	Indiana Supreme Court
DECIDED	February 4, 2026
DOCKET	25S-LW-50
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from a murder conviction and sentence of life imprisonment without parole.
STANDARD OF REVIEW	The refusal to give a proposed lesser-included-offense instruction is reviewed for abuse of discretion. The sufficiency of evidence supporting a statutory LWOP aggravator is reviewed by considering only the probative evidence and reasonable inferences supporting the verdict to determine whether substantial evidence supports a finding beyond a reasonable doubt; the court does not reweigh the evidence.
PRECEDENTIAL VALUE	Published Indiana Supreme Court opinion; precedential.
PARTIES	Anthony Wayne Carter v. State of Indiana

TOPICS

- lesser included offense instructions
- jury instructions
- sentencing
- standard of review
- appellate jurisdiction

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by declining to give a proposed lesser-included-offense instruction on reckless homicide.
2. Whether sufficient evidence supported the jury's finding that Carter committed the statutory torture aggravator supporting a life-without-parole sentence.

HOLDINGS

1. The trial court did not abuse its discretion by refusing to give Carter's proposed reckless-homicide instruction because there was no serious evidentiary dispute that Carter intentionally killed Neville.
2. The evidence was sufficient for the jury to find beyond a reasonable doubt that Carter tortured Neville and to support the torture aggravator for his LWOP sentence.

KEY QUOTATIONS

“one who hastens the victim’s death is a cause—both actual and proximate—of the victim’s death.” (7)

“the “focus of a torture inquiry is not on the defendant’s intent to cause the victim’s death, but on the defendant’s separate intent to cause intense physical pain.”” (9)

FACTUAL BACKGROUND

During an argument at their home, Carter entered the bedroom with a loaded handgun, threatened Ashley Neville, and shot her in the head. Neville survived the gunshot, after which Carter strangled her, placed a plastic grocery bag over her head, secured it with duct tape, and covered her mouth, causing her death by the combined effects of the gunshot wound and asphyxiation. Carter gave conflicting accounts to police but admitted that he intentionally hastened Neville's death. The State sought life without parole based on Carter's probation status for two felony convictions and a torture aggravator.

PROCEDURAL HISTORY

Carter was charged with murder in the Bartholomew Superior Court and tried before a jury in October 2024. The trial court declined to give Carter's proposed reckless-homicide lesser-included-offense instruction, and the jury found him guilty of murder. After finding three statutory aggravators and determining that they outweighed mitigating circumstances, the jury recommended life imprisonment without parole, which the trial court imposed. Carter appealed directly to the Indiana Supreme Court, which had mandatory and exclusive jurisdiction over the LWOP appeal.

DISPOSITION

affirmed

CASES CITED

- Crossland v. State, 256 N.E.3d 517, 523-24 (Ind. 2025)
- Washington v. State, 997 N.E.2d 342, 345 (Ind. 2013)
- Wright v. State, 658 N.E.2d 563, 566-67 (Ind. 1995)
- Webb v. State, 963 N.E.2d 1103, 1106 (Ind. 2012)
- Konkle v. State, 253 N.E.3d 1068, 1083 n.2 (Ind. 2025)
- Brackett v. Peters, 11 F.3d 78, 80 (7th Cir. 1993)
- Ramirez v. State, 174 N.E.3d 181, 200 (Ind. 2021)
- Tate v. State, 161 N.E.3d 1225, 1232-33 (Ind. 2021)
- Nicholson v. State, 768 N.E.2d 443, 447 (Ind. 2002)
- State v. Langley, 839 P.2d 692, 705 (Or. 1992), adhered to on reconsideration, 861 P.2d 1012 (Or. 1993)
- State v. Johnson, 743 S.W.2d 154, 156-57 (Tenn. 1987)