

SUPREME COURT OF WYOMING

Miranda Rose Mraz v. The State of Wyoming

Mraz, 2014 WY 73 (Wyo. 2014) · No. S-13-0169 · Decided June 10, 2014

SUMMARY

The Wyoming Supreme Court reviewed Miranda Rose Mraz’s conviction for larceny by bailee. The court held that the evidence established only her opportunity to commit the theft and did not sufficiently link her to the stolen property or otherwise corroborate her guilt. The conviction was reversed and the case remanded with instructions to enter a judgment of acquittal.

CASE DETAILS

COURT	Supreme Court of Wyoming
WRITING FOR THE COURT	Kite, Chief Justice; Kite, C.J.; Hill, J.; Burke, J.; Davis, J.; Fox, J.
JURISDICTION	Wyoming
DECIDED	June 10, 2014
DOCKET	S-13-0169
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Mraz appealed her conviction for larceny by bailee, challenging the exclusion of alternate-suspect evidence, a jury instruction, and the sufficiency of the evidence.
STANDARD OF REVIEW	The court examined the State's evidence and all reasonable inferences in its favor, did not consider conflicting defense evidence, and asked whether a reasonable jury could conclude that each element of the offense was proven beyond a reasonable doubt.
PRECEDENTIAL VALUE	Published Wyoming Supreme Court opinion; precedential.
PARTIES	Miranda Rose Mraz v. The State of Wyoming

TOPICS

- criminal procedure
- evidence
- appellate procedure
- standard of review
- harmless error

PRACTICE AREAS

- criminal law
- criminal procedure
- appellate law
- evidence

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to support Mraz's conviction for larceny by bailee.
2. Whether evidence concerning the possibility that another person entered the Eagles Club and committed the theft was improperly excluded.

HOLDINGS

1. Evidence that Mraz had an opportunity to take the money, combined with her failure to initially disclose that she had been in the building earlier, was insufficient to prove beyond a reasonable doubt that she committed the larceny by bailee.
2. There is no standalone category of inadmissible 'alternate suspect' evidence; evidence suggesting that another person committed the crime is admissible if it is relevant, not unfairly prejudicial, non-hearsay, and otherwise satisfies the rules of evidence.

KEY QUOTATIONS

“There is no such category of inadmissible evidence. Evidence that someone else may have committed the crime charged is perfectly admissible as long as it is relevant, not unfairly prejudicial, not hearsay and satisfies the other rules of evidence.” (¶ 11)

“The evidence of opportunity to take the money, considered in connection with what she did not tell police, was not sufficient to prove circumstantially that she committed the crime.” (¶ 20)

FACTUAL BACKGROUND

Money bags, cash-register tills, and a petty-cash box were missing from the Eagles Club safe after Mraz arrived for work as a bartender. Alarm records and surveillance showed that Mraz's access code was used to turn the alarm off and on before the alleged assault, and Mraz later acknowledged that she had been at the club earlier that morning but had not initially told police. The State presented no evidence that Mraz possessed the stolen property, had a motive to steal, fled or attempted to avoid apprehension, or was otherwise physically linked to the theft.

PROCEDURAL HISTORY

The Sheridan County Attorney charged Mraz with larceny by bailee. After a jury trial, the district court entered judgment on a guilty verdict and sentenced her to two to eight years of imprisonment, suspended the sentence, and placed her on supervised probation for eight years. Mraz timely appealed to the Wyoming Supreme Court, which reversed and remanded with instructions to enter a judgment of acquittal.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remand to the district court for entry of a judgment of acquittal.

CASES CITED

- Ken v. State, 2011 WY 167, ¶¶ 17, 19, 267 P.3d 567, 572
- Daves v. State, 2011 WY 47, ¶ 30, 249 P.3d 250, 259
- Reynolds v. State, 2012 WY 120, ¶ 13, 284 P.3d 823, 826
- Grady v. State, 2008 WY 144, ¶ 14, 197 P.3d 722, 728
- Bush v. State, 2008 WY 108, ¶ 68, 193 P.3d 203, 220
- State v. Morris, 41 Wyo. 128, 283 P. 406, 414 (1929)
- Jozen v. State, 746 P.2d 1279, 1283 (Wyo. 1987)
- Smizer v. State, 752 P.2d 406, 411 (Wyo. 1988)
- Fischer v. State, 811 P.2d 5, 6-8 (Wyo. 1991)
- Newell v. State, 548 P.2d 8, 13-14 (Wyo. 1976)
- Downs v. State, 581 P.2d 610, 615-16 (Wyo. 1978)
- Wells v. State, 613 P.2d 201, 203 (Wyo. 1980)
- Jacobs v. State, 641 P.2d 197, 198-99 (Wyo. 1982)
- King v. State, 718 P.2d 452, 453 (Wyo. 1986)
- Cowell v. State, 719 P.2d 211, 214 (Wyo. 1986)
- Sutherland v. State, 944 P.2d 1157 (Wyo. 1997)
- McGarvey v. State, 2002 WY 149, ¶ 16, 55 P.3d 703, 706
- Cureton v. State, 2003 WY 44, ¶ 18, 65 P.3d 1250, 1254
- Brown v. State, 2004 WY 57, ¶ 14, 90 P.3d 98, 103
- State v. Wenger, 47 Wyo. 401, 38 P.2d 339, 344 (1934)
- State v. Rudman, 327 Mo. 260, 37 S.W.2d 409, 412 (1931)