

SUPREME COURT OF GEORGIA

Sneed v. State

No. S26A0409 (Ga. Apr. 21, 2026) · No. S26A0409 · Decided April 21, 2026

SUMMARY

The Supreme Court of Georgia affirmed Calvin Sneed’s convictions and sentences for malice murder and related offenses, rejecting his claims of ineffective assistance of trial counsel concerning the prosecutor’s closing argument. The court vacated the convictions and sentences for possession of a firearm during the commission of a felony and possession of a firearm by a convicted felon because those offenses merged with the conviction for possession of a firearm by a convicted felon during the commission of another felony. The case was remanded to correct the sentence reflected in the final disposition form.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                     |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Supreme Court of Georgia                                                                                                                                                                                                                            |
| WRITING FOR THE COURT | LaGrua, Justice; All other participating Justices                                                                                                                                                                                                   |
| JURISDICTION          | Supreme Court of Georgia                                                                                                                                                                                                                            |
| DECIDED               | April 21, 2026                                                                                                                                                                                                                                      |
| DOCKET                | S26A0409                                                                                                                                                                                                                                            |
| DISPOSITION           | reversed_and_remanded                                                                                                                                                                                                                               |
| PROCEDURAL POSTURE    | Direct appeal from the denial of an amended motion for new trial following convictions for malice murder and related firearm offenses.                                                                                                              |
| STANDARD OF REVIEW    | The court reviewed the trial court's factual findings on ineffective assistance of counsel for clear error and applied the Strickland deficient-performance and prejudice standards. It reviewed the merger and sentencing errors on direct appeal. |
| PRECEDENTIAL VALUE    | Published Georgia Supreme Court opinion                                                                                                                                                                                                             |
| PARTIES               | Calvin Sneed v. The State                                                                                                                                                                                                                           |

TOPICS

- ineffective assistance
- criminal procedure
- appellate procedure
- sentencing
- standard of review

PRACTICE AREAS

## QUESTIONS PRESENTED

1. Whether trial counsel was constitutionally ineffective for failing to object when the prosecutor argued that the jury had no reason not to believe a prosecution witness.
2. Whether trial counsel was constitutionally ineffective for failing to object to the prosecutor's closing argument concerning the trajectory of a bullet and Jones's position when he was shot.
3. Whether the trial court improperly failed to merge the convictions for possession of a firearm during the commission of a felony and possession of a firearm by a convicted felon into the conviction for possession of a firearm by a convicted felon during the commission of another felony.
4. Whether the final disposition form incorrectly stated the sentence imposed for Count 9 and required correction on remand.

## HOLDINGS

1. Trial counsel was not constitutionally ineffective for failing to object to the prosecutor's statement that the jury had no reason not to believe Williams because, in context, the statement was a permissible argument about reasonable inferences from the evidence and not an expression of the prosecutor's personal belief in the witness's veracity.
2. Trial counsel was not constitutionally ineffective for failing to object to the prosecutor's argument concerning the bullet's trajectory and Jones's body position because the argument was a permissible inference from the medical examiner's testimony, photographs, demonstrative evidence, and eyewitness testimony.
3. Counts 7 and 8 should have merged into Count 9, and the convictions and sentences on Counts 7 and 8 were therefore vacated.
4. The case required remand for correction of the final disposition form because it stated that Sneed received life without parole plus 20 years, rather than the statutorily required 15-year sentence for Count 9.

## KEY QUOTATIONS

*“To prevail on a claim of ineffective assistance of counsel, a defendant generally must show that counsel’s performance was deficient and that the deficient performance resulted in prejudice to the defendant.”* (6)

*“Here, the prosecutor’s statements pertaining to the testimony of Williams were “permissible since they were the conclusion the prosecutor wished the jury to draw from the evidence and not statements of the prosecutor’s personal belief as to the veracity of the witnesses.””* (7-8)

*“Because the State made a proper argument based on the evidence admitted at trial, including inferences taken from an expert’s opinion, Sneed’s trial counsel was not constitutionally deficient in failing to object to the argument as any such objection would have been meritless.”* (10)

## FACTUAL BACKGROUND

Sneed shot Gregory Jones four times outside the house where Jones lived in Fulton County on February 13, 2017. Sneed claimed self-defense, asserting that Jones confronted him with a gun and that Sneed wrestled the gun away before firing. Eyewitnesses testified that Jones was unarmed, did not threaten Sneed, and was shot first while standing and then while lying on the ground; physical and medical evidence supported the State's account.

## PROCEDURAL HISTORY

A Fulton County grand jury indicted Sneed on malice murder, felony murder, aggravated assault, and firearm-related charges. Following a November 2017 jury trial, Sneed was convicted on all counts except one aggravated-assault count and received a sentence including life without parole and consecutive firearm-related terms. The motion-for-new-trial court denied Sneed's amended motion for new trial on August 12, 2024. The Supreme Court of Georgia affirmed the ineffective-assistance rulings, vacated the convictions and sentences on Counts 7 and 8 because those counts should have merged into Count 9, and remanded for correction of the sentence summary.

## DISPOSITION

reversed\_and\_remanded

## REMAND INSTRUCTIONS

Remand to the Superior Court of Fulton County to vacate the convictions and sentences on Counts 7 and 8, merge those offenses into Count 9 as required, and correct the final disposition form to reflect the 15-year sentence for Count 9 rather than life without parole plus 20 years.

## CASES CITED

- Strickland v. Washington, 466 U.S. 668, 687-95 (1984)
- Saunders v. State, 323 Ga. 136, 139-40 (2025)
- Nesbit v. State, 321 Ga. 240, 247 (2025)
- Lee v. State, 317 Ga. 880, 887-88 (2023)
- Jackson v. State, 301 Ga. 774, 776 (2017)
- Faust v. State, 302 Ga. 211, 220 (2017)
- Styles v. State, 308 Ga. 624, 629 (2020)
- Glover v. State, 309 Ga. 102, 106 (2020)
- Dixon v. State, 302 Ga. 691, 696 (2017)
- Marshall v. State, 309 Ga. 698, 701 (2020)
- Atkinson v. State, 301 Ga. 518, 520-21 (2017)