

SUPREME COURT OF INDIANA

Covington v. State

842 N.E.2d 345 (Ind. 2006) · No. 49S00-0501-CR-2 · Decided February 14, 2006

SUMMARY

The Indiana Supreme Court affirmed Ronald Covington Jr.'s sentences of life without parole for three murders, along with concurrent sentences for attempted murder and burglary. The court held that the trial court appropriately weighed and considered the mitigating circumstances. It also rejected Covington's Sixth Amendment challenge to Indiana's life-without-parole statute, relying on controlling precedent concerning Apprendi, Ring, and Blakely.

CASE DETAILS

COURT	Supreme Court of Indiana
WRITING FOR THE COURT	Shepard, Chief Justice; Dickson, Justice; Sullivan, Justice; Boehm, Justice; Rucker, Justice
JURISDICTION	Indiana
DECIDED	February 14, 2006
DOCKET	49S00-0501-CR-2
DISPOSITION	affirmed
PROCEDURAL POSTURE	Covington pleaded guilty to three counts of murder, one count of attempted murder, and burglary after the State withdrew its request for the death penalty. The trial court imposed life without parole for each murder, plus concurrent sentences for attempted murder and burglary. Covington appealed, challenging the appropriateness of the life-without-parole sentence and the constitutionality of Indiana's life-without-parole statute.
STANDARD OF REVIEW	The Supreme Court reviewed the trial court's weighing of aggravating and mitigating circumstances for manifest abuse of discretion and reviewed the constitutional challenge under controlling precedent and stare decisis.
PRECEDENTIAL VALUE	Published, precedential opinion of the Supreme Court of Indiana
PARTIES	Ronald Covington, Jr. v. State of Indiana

TOPICS

sentencing

criminal procedure

sixth amendment

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standard of review

PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether the trial court manifestly abused its discretion in assigning limited weight to certain mitigating circumstances and declining to find or give additional weight to other mitigating circumstances when imposing life without parole.
2. Whether Indiana's life-without-parole statute violates the Sixth Amendment by allowing the sentencing court, rather than a jury beyond a reasonable doubt, to determine whether aggravating circumstances outweigh mitigating circumstances.

HOLDINGS

1. The trial court did not manifestly abuse its discretion by assigning limited weight to Covington's dysfunctional childhood, remorse, and mental-health evidence, or by declining to find additional mitigating circumstances concerning his relationship with the victim, low risk of recidivism, and good prior behavior. The aggravating circumstances of three unprovoked killings and an attempted killing properly outweighed the mitigating circumstances.
2. Indiana's life-without-parole statute does not violate the Sixth Amendment merely because the sentencing court, rather than a jury beyond a reasonable doubt, determines whether aggravating circumstances outweigh mitigating circumstances. The court's prior decisions resolving substantially identical *Apprendi*, *Ring*, and *Blakely* challenges controlled under *stare decisis*.

KEY QUOTATIONS

"Pruitt held that Blakely did not affect Indiana's death penalty statute since the 'jury's determination of whether the eligibility factors outweigh any mitigating factors is not a finding of fact and it does not increase the penalty of the crime.'" (351)

FACTUAL BACKGROUND

Covington forced his way into Maranda Wilson's apartment on June 1, 2002, and shot four occupants. He killed Wilson, Frederic Harris, and Kevin Simmons, and seriously wounded Jasmine West, who survived by pretending to be dead and later identified Covington to police. The trial court found that the statutory aggravators, including multiple murders and a murder committed during burglary, outweighed mitigating evidence concerning Covington's background, mental health, remorse, and potential for rehabilitation.

PROCEDURAL HISTORY

The State initially sought the death penalty based on multiple murders and a murder committed during burglary. Under a plea agreement, Covington pleaded guilty to all charges, and the State retained the right to seek life without parole. The trial court found the statutory aggravators outweighed the mitigating circumstances and

imposed life without parole on the murder convictions, with concurrent sentences of fifty years for attempted murder and ten years for burglary. The Indiana Supreme Court exercised mandatory and exclusive jurisdiction and affirmed.

DISPOSITION

affirmed

CASES CITED

- Stevens v. State, 691 N.E.2d 412 (Ind. 1997)
- Dunlop v. State, 724 N.E.2d 592 (Ind. 2000)
- Weeks v. State, 697 N.E.2d 28, 30 (Ind. 1998)
- Ritchie v. State, 809 N.E.2d 258, 264-68 (Ind. 2004), cert. denied, 126 S. Ct. 42 (2005)
- Pruitt v. State, 834 N.E.2d 90, 112 (Ind. 2005)
- Ajabu v. State, 693 N.E.2d 921, 938 (Ind. 1998)
- Leone v. State, 797 N.E.2d 743, 749-50 (Ind. 2003)
- Apprendi v. New Jersey, 530 U.S. 466 (2000)
- Ring v. Arizona, 536 U.S. 584 (2002)
- Blakely v. Washington, 542 U.S. 296, 301, 303 (2004)