

SUPREME COURT OF COLORADO

Mason v. People

25 P.3d 764 (Colo. 2001) · Decided May 21, 2001

SUMMARY

The Colorado Supreme Court held that a defendant who has pleaded guilty and been sentenced may, in appropriate circumstances, seek to withdraw the plea based on newly discovered evidence. Applying the standard articulated in *People v. Schneider*, the court concluded that Mason failed to show that the newly discovered confession would probably result in an acquittal or otherwise justify vacating his convictions. The court affirmed the court of appeals' decision upholding denial of postconviction relief.

CASE DETAILS

COURT	Supreme Court of Colorado
WRITING FOR THE COURT	Justice Kourlis
JURISDICTION	Colorado
DECIDED	May 21, 2001
DISPOSITION	affirmed
PROCEDURAL POSTURE	After pleading guilty and being sentenced, Mason sought postconviction relief under Colorado Criminal Procedure Rule 35(c) based on newly discovered evidence. The trial court denied relief, and the Colorado Court of Appeals affirmed. The Colorado Supreme Court granted certiorari and affirmed.
STANDARD OF REVIEW	The supreme court reviewed whether the trial court's findings satisfied the legal standard governing postconviction relief based on newly discovered evidence after a guilty plea. It upheld the findings as supported by the record.
PRECEDENTIAL VALUE	Published precedential opinion of the Supreme Court of Colorado
PARTIES	Jay N. Mason v. People

TOPICS

- post-conviction relief
- criminal procedure
- appellate procedure
- evidence
- standard of review

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether a defendant who has entered a valid guilty plea and been sentenced may seek postconviction relief under Criminal Procedure Rule 35(c) based on newly discovered evidence.
2. Whether the newly discovered evidence required reversal or remand under the standard governing withdrawal of a guilty plea after sentencing.
3. Whether the trial court's findings established that the newly discovered evidence would probably produce an acquittal at trial.

HOLDINGS

1. A defendant who has entered and been sentenced on a valid guilty plea may, under certain circumstances, seek to withdraw the plea under Criminal Procedure Rule 35(c) to avoid manifest injustice.
2. The defendant must present evidence from which the trial court may reasonably conclude that: (1) the evidence was discovered after the plea and could not earlier have been discovered through reasonable diligence; (2) the charges filed or the charges to which the defendant pleaded were actually false or unfounded; and (3) the evidence would probably produce an acquittal at trial.
3. Mason was not entitled to withdrawal of his guilty plea or a new trial because he failed to show that the newly discovered evidence would probably produce an acquittal.

FACTUAL BACKGROUND

Mason was charged in connection with a gang-related altercation in which Melvin McFalls was fatally stabbed and Andre Brown was wounded. Mason pleaded guilty to first-degree assault and reckless manslaughter, although he remained uncertain whether he personally inflicted either injury. Nearly five years after sentencing, a participant in the altercation, Damon Birch, sent Mason a letter claiming that Birch had stabbed Brown. The trial court found that the letter was newly discovered and material but would not probably lead to Mason's acquittal because the evidence continued to place Mason at the scene with a knife and supported potential complicity or other theories of liability.

PROCEDURAL HISTORY

Mason pleaded guilty to first-degree assault and reckless manslaughter and received concurrent prison sentences. Approximately five years later, he obtained a letter from Damon Birch claiming responsibility for stabbing the assault victim and filed a Rule 35(c) motion based on newly discovered evidence. Following an evidentiary hearing, the trial court denied relief because the evidence would not probably produce an acquittal; the court of appeals affirmed. The supreme court affirmed the court of appeals while applying the newly articulated Schneider standard.

DISPOSITION

affirmed

CASES CITED

- People v. Schneider, 25 P.3d 755, 760-62 (Colo. 2001)
- People v. Gutierrez, 622 P.2d 547, 559-60 (Colo. 1981)
- People v. Mason, 997 P.2d 1245, 1247 (Colo. App. 1999)
- People v. Mason, No. 96CA1862 (Colo. App. Sept. 18, 1997) (not selected for official publication)

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