

SUPREME COURT OF KENTUCKY

Samuels v. Commonwealth

512 S.W.3d 709 (Ky. 2017) · Decided March 23, 2017

SUMMARY

The Kentucky Supreme Court affirmed Darryl Samuels’s conviction for second-degree assault, holding that he was not denied his Sixth Amendment right to conflict-free counsel. The court concluded that a conflict involving a public defender representing the alleged victim was not imputed to Samuels’s counsel solely because both attorneys worked in the same local Department of Public Advocacy office. The court distinguished ethical conflict-of-interest rules from the constitutional standard and found no actual conflict under the circumstances.

CASE DETAILS

COURT	Supreme Court of Kentucky
WRITING FOR THE COURT	Justice Cunningham; Minton, C.J.; Cunningham, J.; Hughes, J.; Keller, J.; VanMeter, J.; Venters, J.; Wright, J.
JURISDICTION	Kentucky
DECIDED	March 23, 2017
DISPOSITION	affirmed
PROCEDURAL POSTURE	Samuels was convicted of second-degree assault in the trial court. After an initial remand by the Court of Appeals for factual findings regarding a potential conflict of interest, the trial court found no actual conflict, and the Court of Appeals affirmed. The Supreme Court of Kentucky granted discretionary review and affirmed.
STANDARD OF REVIEW	For a Sixth Amendment conflict-of-interest claim raised at or before trial, the defendant must show that an actual conflict of interest existed; prejudice or an adverse effect on counsel's performance need not be shown. The Supreme Court reviewed the legal question de novo while considering the undisputed factual circumstances surrounding the alleged conflict.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Darryl Samuels v. Commonwealth of Kentucky

TOPICS

right to counsel

sixth amendment

criminal procedure

self defense

PRACTICE AREAS

criminal procedure

constitutional law

criminal defense

QUESTIONS PRESENTED

1. Whether a conflict of interest held by one public defender is automatically imputed to all other public defenders working in the same local Department of Public Advocacy office for purposes of the Sixth Amendment.
2. Whether Samuels demonstrated that his appointed counsel had an actual conflict of interest because another attorney in the same public defender office represented the prosecution's witness and alleged victim in an unrelated matter.
3. Whether the trial court was required to determine whether counsel's performance was adversely affected when the alleged conflict was raised before trial.

HOLDINGS

1. When an alleged conflict of interest is raised at or before trial, the Holloway standard applies: the defendant need only demonstrate that an actual conflict of interest existed and need not prove prejudice or an adverse effect on counsel's performance.
2. The Sixth Amendment right to effective assistance of counsel includes the right to representation free from an actual conflict of interest, and that right attaches upon initiation of adversary judicial criminal proceedings.
3. A conflict arising from one public defender's representation of an adverse client is not automatically imputed to another public defender solely because both attorneys work in the same local Department of Public Advocacy trial office.
4. Samuels failed to demonstrate an actual conflict of interest violating the Sixth Amendment because the alleged conflict consisted only of another public defender's unrelated representation of Gravett in the same office, without evidence of shared duties, collaboration, direct representation, or exchange of confidential information.

KEY QUOTATIONS

“But “whenever a trial court improperly requires joint representation over timely objection reversal is automatic.”” (512 S.W.3d at 713)

“Indeed, the scope of the right to effective assistance of counsel under the Sixth Amendment is not dictated by state ethical rules.” (512 S.W.3d at 715)

“Simply and only because they were both public defenders in the same office is not enough. That is the only “bright line” rule we can abide.” (512 S.W.3d at 716)

FACTUAL BACKGROUND

Darryl Samuels and his cellmate, Christopher Gravett, fought at the McCracken County jail, and Samuels bit off part of Gravett's ear. Samuels was represented by Carolyn Keeley, a public defender in the Paducah trial office of Kentucky's Department of Public Advocacy, while another attorney in that same office, John Johnson, represented Gravett in an unrelated criminal matter. Johnson's representation ended before Samuels's trial, and the evidence showed that Keeley and Johnson did not collaborate, exchange confidential information, or know the details of each other's cases.

PROCEDURAL HISTORY

Samuels was charged and convicted after a trial arising from a fight with his cellmate, whom he injured by biting off part of his ear. Before trial, Samuels objected to continuing with appointed counsel because another attorney in the same local Department of Public Advocacy office represented the victim in an unrelated matter. The Court of Appeals initially remanded for a hearing; after the hearing, the trial court found no actual conflict, and the Court of Appeals affirmed. The Kentucky Supreme Court affirmed the judgment on discretionary review.

DISPOSITION

affirmed

CASES CITED

- Gideon v. Wainwright, 372 U.S. 335, 83 S.Ct. 792, 9 L.Ed.2d 799 (1963)
- United States v. Cronin, 466 U.S. 648, 654, 104 S.Ct. 2039, 80 L.Ed.2d 657 (1984)
- McMann v. Richardson, 397 U.S. 759, 771 n.14, 90 S.Ct. 1441, 25 L.Ed.2d 763 (1970)
- Glasser v. United States, 315 U.S. 60, 70, 62 S.Ct. 457, 86 L.Ed. 680 (1942)
- Bartley v. Commonwealth, 400 S.W.3d 714, 719 & n.5 (Ky. 2013)
- Holloway v. Arkansas, 435 U.S. 475, 487-91, 98 S.Ct. 1173, 55 L.Ed.2d 426 (1978)
- Cuyler v. Sullivan, 446 U.S. 335, 100 S.Ct. 1708, 64 L.Ed.2d 333 (1980)
- Beard v. Commonwealth, 302 S.W.3d 643, 645-47 (Ky. 2010)
- Rothgery v. Gillespie County, Texas, 554 U.S. 191, 198, 128 S.Ct. 2578, 171 L.Ed.2d 366 (2008)
- United States v. Gouveia, 467 U.S. 180, 188, 104 S.Ct. 2292, 81 L.Ed.2d 146 (1984)
- Marine v. Moulton, 474 U.S. 159, 170, 106 S.Ct. 477, 88 L.Ed.2d 481 (1985)
- Castillo v. Estelle, 504 F.2d 1243, 1245 (5th Cir. 1974)
- Mickens v. Taylor, 535 U.S. 162, 176, 122 S.Ct. 1237, 152 L.Ed.2d 291 (2002)
- Nix v. Whiteside, 475 U.S. 157, 165, 106 S.Ct. 988, 89 L.Ed.2d 123 (1986)
- West v. People, 341 P.3d 520, 531 n.10 (Colo. 2015)

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