

COURT OF APPEALS OF GEORGIA

Chambers v. The State

A26A0111 (Ga. Ct. App. June 26, 2026) · No. A26A0111 · Decided June 26, 2026

SUMMARY

The Georgia Court of Appeals affirmed the denial of Jerry Chambers’s motion to bar resentencing on three homicide-by-vehicle counts. The court held that resentencing after reversal of the felony-murder convictions did not violate double jeopardy because Chambers lacked a legitimate expectation of finality in his original sentence and the homicide-by-vehicle verdicts could be reinstated on remand. The court also concluded that the issue was not barred by the law-of-the-case doctrine because it had not been raised or decided in the prior appeal.

CASE DETAILS

COURT	Court of Appeals of Georgia
WRITING FOR THE COURT	Doyle, Presiding Judge; Gobeil, Judge; Senior Judge C. Andrew Fuller
JURISDICTION	Court of Appeals of Georgia
DECIDED	June 26, 2026
DOCKET	A26A0111
DISPOSITION	affirmed
PROCEDURAL POSTURE	Chambers appealed the denial of his motion to bar resentencing on three homicide-by-vehicle counts as violating federal and state constitutional protections against double jeopardy, after the Georgia Supreme Court reversed his felony-murder convictions and remanded for resentencing.
STANDARD OF REVIEW	The double-jeopardy issue presented a question of law reviewed de novo.
PRECEDENTIAL VALUE	Published
PARTIES	Jerry Chambers v. The State

TOPICS

- double jeopardy
- criminal procedure
- appellate procedure
- standard of review
- sentencing

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the statutory law-of-the-case doctrine barred Chambers from raising a double-jeopardy challenge to resentencing on remand.
2. Whether the trial court's prior conviction and sentence for reckless driving barred conviction and sentencing on the homicide-by-vehicle verdicts under the federal and Georgia Constitutions and Georgia's statutory double-jeopardy provisions.
3. Whether Chambers had a legitimate expectation of finality in his original sentence after appealing the sufficiency of certain convictions.

HOLDINGS

1. The law-of-the-case doctrine applied on remand, but it did not foreclose Chambers's double-jeopardy argument because the Supreme Court's prior decision did not address that issue and the issue was not raised or briefed in the first appeal.
2. Resentencing Chambers on the homicide-by-vehicle counts did not violate federal or Georgia constitutional double-jeopardy protections because Chambers lacked a legitimate expectation of finality in his original sentence after appealing the convictions, and the previously vacated homicide-by-vehicle verdicts could support convictions after the felony-murder convictions were reversed.

KEY QUOTATIONS

“in a second appeal after remand for resentencing, a criminal defendant may raise issues relating to the new sentencing order but may not raise issues that were, or could have been, raised in the first appeal of the case.” (at 4)

“The United States and Georgia Constitutions both prohibit the government from placing a defendant “in jeopardy” more than once for the same offense.” (at 5)

“In the multiple-punishment context, the Double Jeopardy Clause of the Fifth Amendment protects a defendant’s legitimate expectation of finality in his original sentence.” (at 7)

FACTUAL BACKGROUND

After midnight on July 4, 2017, Chambers drove passengers through crowds gathered in downtown Atlanta during a holiday celebration. One passenger exchanged gunfire with pedestrians, and Chambers sped away during a high-speed police chase. Chambers drove through an intersection, killing pedestrian Scott Waldrup, then crashed, killing passengers Spencer Stuckey and Gabriel Maguilas. After the Supreme Court reversed the felony-murder convictions predicated on fleeing or attempting to elude, the trial court resentenced Chambers on the homicide-by-vehicle counts.

PROCEDURAL HISTORY

A jury convicted Chambers of three felony murders, three counts of fleeing or attempting to elude, three counts of first-degree homicide by vehicle, and reckless driving. The trial court sentenced him on the felony-murder and reckless-driving convictions and vacated the homicide-by-vehicle counts as a matter of law. The Georgia Supreme Court reversed the felony-murder convictions for insufficient evidence and remanded for sentencing on the homicide-by-vehicle counts. On remand, the trial court denied Chambers's double-jeopardy motion, imposed sentences on the homicide-by-vehicle counts, and merged the reckless-driving count into one of them. The Court of Appeals affirmed.

DISPOSITION

affirmed

CASES CITED

- Chambers v. State, 320 Ga. 770, 779-80(2) (911 SE2d 616) (2025)
- Strozier v. State, 306 Ga. 169, 170 (829 SE2d 361) (2019)
- Hicks v. McGee, 289 Ga. 573, 578(2) (713 SE2d 841) (2011)
- Walker-Madden v. State, 301 Ga. 744, 745 (804 SE2d 8) (2017)
- Medina v. State, 309 Ga. 432, 434-36(1) (844 SE2d 767) (2020)
- Phillips v. State, 298 Ga. App. 520, 521(1) (680 SE2d 424) (2009)
- United States v. DiFrancesco, 449 U.S. 117, 137(IV)(E) (1980)
- Diamond v. State, 267 Ga. 249, 251(3)(b) (477 SE2d 562) (1996)
- State v. Perkins, 276 Ga. 621, 623 (580 SE2d 523) (2003)
- State v. Burroughs, 246 Ga. 393, 394 (271 SE2d 629) (1980)
- Parrott v. State, 312 Ga. 580, 582-85(3) (864 SE2d 80) (2021)
- Hammond v. State, 368 Ga. App. 277, 285(3) (890 SE2d 40) (2023)
- Robinson v. State, 322 Ga. 299, 303(2) (919 SE2d 574) (2025)
- Malcolm v. State, 263 Ga. 369, 371-72(4), 373(5) (434 SE2d 479) (1993)
- Calloway v. State, 303 Ga. 48, 56(2)(a)(iii), 57(2)(b) (810 SE2d 105) (2018)
- Linson v. State, 239 Ga. App. 658 (522 SE2d 55) (1999)
- Sosebee v. State, 317 Ga. 424 n.1 (893 SE2d 653) (2023)
- Starks v. State, 320 Ga. 300, 306(3)(a) (908 SE2d 614) (2024)
- Levin v. State, 334 Ga. App. 71, 74-75(2) (778 SE2d 238) (2015)