

SUPREME COURT OF LOUISIANA

State of Louisiana v. LaDerrick Campbell

983 So. 2d 810 (La. 2008) · No. 2006-KA-0286 · Decided May 21, 2008

SUMMARY

The Louisiana Supreme Court reviews LaDerrick Campbell’s convictions and death sentence for the first-degree murder of Kathy Parker during an armed robbery. The court addresses, among other issues, Campbell’s self-representation, mental health and competency claims, the evidentiary record, and capital-sentencing issues, and affirms the conviction and sentence.

CASE DETAILS

COURT	Supreme Court of Louisiana
WRITING FOR THE COURT	Traylor, Justice
JURISDICTION	Louisiana
DECIDED	May 21, 2008
DOCKET	2006-KA-0286
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from a first-degree murder conviction and death sentence imposed after a unanimous jury verdict and penalty recommendation.
STANDARD OF REVIEW	The court reviewed competency and sanity-commission rulings for clear abuse of discretion; it reviewed the Faretta waiver based on whether the record established a knowing, intelligent, voluntary, and unequivocal waiver; and it declined to review unpreserved evidentiary claims absent contemporaneous objection.
PRECEDENTIAL VALUE	published precedential opinion of the Supreme Court of Louisiana
PARTIES	LaDerrick Campbell v. State of Louisiana

TOPICS

- criminal procedure
- sentencing
- right to counsel
- preservation of error

PRACTICE AREAS

- criminal law
- capital punishment
- criminal procedure
- constitutional law
- evidence

QUESTIONS PRESENTED

1. Whether the record established reasonable grounds to conclude that Campbell was mentally retarded and constitutionally exempt from execution under *Atkins v. Virginia* and Louisiana law.
2. Whether Campbell's alleged mental age rendered him ineligible for the death penalty under *Roper v. Simmons*.
3. Whether the trial court abused its discretion by denying a request for a sanity commission or failing to order a competency examination on its own motion.
4. Whether Campbell was competent to waive counsel and whether the trial court's Faretta colloquies adequately established a knowing, intelligent, voluntary, and unequivocal waiver.
5. Whether alleged hearsay and Confrontation Clause errors concerning a codefendant's statement were preserved for appellate review.

HOLDINGS

1. The record did not show a reasonable likelihood that Campbell qualified as mentally retarded, and a remand for an evidentiary hearing was unwarranted.
2. *Roper v. Simmons* establishes a categorical age threshold based on chronological age, not alleged mental age; because Campbell was eighteen when he committed the murder, he was not covered by *Roper's* exemption.
3. The trial court did not abuse its discretion in denying defense counsel's request for a sanity commission or in declining to order a competency evaluation on its own motion.
4. The trial court properly permitted Campbell to waive counsel and represent himself during the remainder of voir dire and the guilt phase.
5. The alleged hearsay and Confrontation Clause errors were not properly preserved because Campbell did not contemporaneously object.

KEY QUOTATIONS

"the competence that is required of a defendant seeking to waive his right to counsel is the competence to waive the right, not the competence to represent himself." (853)

FACTUAL BACKGROUND

On February 11, 2002, Campbell and James Washington entered the Magnolia Club in Rodessa, Louisiana, during an armed robbery. Campbell was identified by witnesses as carrying a shotgun, demanding money, and shooting employee Kathy Parker in the chest before fleeing with Washington. The prosecution presented eyewitness testimony, surveillance video, testimony concerning Campbell's movements before and after the offense, and physical and forensic evidence.

PROCEDURAL HISTORY

A Caddo Parish grand jury indicted Campbell for first-degree murder. A jury found him guilty and unanimously recommended death based on the aggravating circumstance that the murder occurred during an armed robbery.

The trial court imposed the death sentence, and Campbell appealed directly to the Supreme Court of Louisiana under Louisiana Constitution article V, section 5(D).

DISPOSITION

affirmed

CASES CITED

- Atkins v. Virginia, 536 U.S. 304 (2002)
- Roper v. Simmons, 543 U.S. 551 (2005)
- State v. Dunn, 847 So. 2d 1183 (La. 2003)
- State v. Williams, 831 So. 2d 835 (La. 2002)
- State v. Scott, 921 So. 2d 904 (La. 2006)
- State v. Manning, 885 So. 2d 1044 (La. 2004)
- State v. Carmouche, 872 So. 2d 1020 (La. 2002)
- Medina v. California, 505 U.S. 437 (1992)
- Drope v. Missouri, 420 U.S. 162 (1975)
- Pate v. Robinson, 383 U.S. 375 (1966)
- State v. Martin, 769 So. 2d 1168 (La. 2000)
- State v. Nomey, 613 So. 2d 157 (La. 1993)
- State v. Rogers, 419 So. 2d 840 (La. 1982)
- State v. Bridgewater, 823 So. 2d 877 (La. 2002)
- State v. Armstrong, 671 So. 2d 307 (La. 1996)
- State v. Silman, 663 So. 2d 27 (La. 1995)
- State v. Frank, 679 So. 2d 1365 (La. 1996)
- Cooper v. Oklahoma, 517 U.S. 348 (1996)
- State v. Snyder, 750 So. 2d 832 (La. 1999)
- Faretta v. California, 422 U.S. 806 (1975)
- Gideon v. Wainwright, Gideon v. Wainwright, 372 U.S. 335 (1963)
- State v. Brooks, 452 So. 2d 149 (La. 1984)
- State v. Brown, 907 So. 2d 1 (La. 2005)
- State v. Hegwood, 345 So. 2d 1179 (La. 1977)
- State v. Leger, 936 So. 2d 108 (La. 2006)
- Godinez v. Moran, 509 U.S. 389 (1993)
- State v. Santos, 770 So. 2d 319 (La. 2000)
- Bruton v. United States, 391 U.S. 123 (1968)
- Lee v. Illinois, 476 U.S. 530 (1986)
- State v. Taylor, 838 So. 2d 729 (La. 2003)

- State v. Taylor, 669 So. 2d 364 (La. 1996)

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