

SUPREME COURT OF RHODE ISLAND

State v. Medeiros

996 A.2d 115 (R.I. 2010) · No. No. 2009-207-C.A. · Decided June 7, 2010

SUMMARY

The Supreme Court of Rhode Island affirmed Joseph Medeiros's convictions for sexual assault and child molestation. The court held that evidence of a prior sexual misconduct incident was properly admitted under Rhode Island Rule of Evidence 404(b), and that the trial justice did not overlook or misconceive material evidence when finding Medeiros guilty and denying his motion for a new trial.

CASE DETAILS

COURT	Supreme Court of Rhode Island
WRITING FOR THE COURT	Justice Flaherty; Suttell, C.J.; Goldberg, J.; Flaherty, J.; Robinson, J.; Indeglia, J.
JURISDICTION	Rhode Island
DECIDED	June 7, 2010
DOCKET	No. 2009-207-C.A.
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed from a Superior Court judgment convicting him after a jury-waived criminal trial and from the denial of his motion for a new trial.
STANDARD OF REVIEW	The Supreme Court reviews a trial justice's factual findings and credibility determinations in a jury-waived criminal proceeding for clear error or whether the justice misconceived or overlooked material evidence. It applies the same deferential standard when reviewing denial of a Rule 33 motion for a new trial. Evidentiary rulings are reviewed for abuse of discretion.
PRECEDENTIAL VALUE	published opinion
PARTIES	Joseph Medeiros v. State of Rhode Island

TOPICS

- character evidence
- evidence
- preservation of error
- standard of review
- appellate procedure

PRACTICE AREAS

criminal law

evidence

appellate procedure

QUESTIONS PRESENTED

1. Whether the Superior Court abused its discretion by admitting a prior victim's 1990 witness statement under Rhode Island Rule of Evidence 404(b).
2. Whether the Superior Court improperly adjudicated Medeiros guilty by overlooking or misconceiving material evidence and whether it erred in denying his motion for a new trial under Rule 33.

HOLDINGS

1. The prior witness statement was admissible because the prior misconduct was similar to the charged conduct, not remote, and relevant to show a common scheme or plan to sexually assault young girls in Medeiros's family; its probative value was not substantially outweighed by the danger of unfair prejudice.
2. The trial justice did not err in adjudicating Medeiros guilty or in denying his motion for a new trial because she did not overlook or misconceive material evidence and was not clearly wrong in crediting the complaining witness's testimony.

KEY QUOTATIONS

“In the absence of the transcript or other adequate record of the proceedings in the court below, we are unable to consider the issues raised by [the] defendant's appeal.” (120)

“We conclude, rather, that the prior incident was similar to the charged offense, nonremote, and tended to show a common scheme or plan to sexually assault young girls in his family.” (121)

“Therefore, in light of the trial justice's specific assurances that she reviewed all the evidence, and in consideration of her finding that Jennifer's testimony was credible, we cannot say that the trial justice overlooked or misconceived the material evidence or that she otherwise was clearly wrong when she adjudicated the defendant guilty and when she denied his motion for a new trial.” (123)

FACTUAL BACKGROUND

Medeiros was accused of sexually abusing Jennifer Richards, his girlfriend's daughter, while she was a child and adolescent living in or visiting his household. The State also introduced a 1990 witness statement from Medeiros's eight-year-old cousin describing similar sexual touching and exposure while Medeiros had access to and exercised control over her. A Superior Court justice sitting without a jury credited Jennifer's testimony, convicted Medeiros of four sexual offenses, and denied his motion for a new trial.

PROCEDURAL HISTORY

A grand jury indicted Medeiros on charges arising from alleged sexual assaults of a child. Before trial, the Superior Court admitted a prior victim's 1990 witness statement under Rhode Island Rule of Evidence 404(b).

After a jury-waived trial, the court convicted Medeiros on all counts, denied his Rule 33 motion for a new trial, and sentenced him. The Supreme Court of Rhode Island affirmed.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

The record shall be remanded to the Superior Court.

CASES CITED

- Shorrock v. Scott, 944 A.2d 861, 864 (R.I. 2008)
- State v. Pineda, 712 A.2d 858, 861 (R.I. 1998)
- State v. Jennings, 117 R.I. 291, 294, 366 A.2d 543, 545 (1976)
- State v. Edwards, 810 A.2d 226, 242 (R.I. 2002)
- State v. Adewumi, 966 A.2d 1217, 1221-23 (R.I. 2009)
- State v. Forand, 958 A.2d 134, 138 (R.I. 2008)
- State v. LaCroix, 911 A.2d 674, 679 (R.I. 2006)
- State v. Erminelli, 991 A.2d 1064, 1069-70 (R.I. 2010)
- State v. Gonzalez, 986 A.2d 235, 242 (R.I. 2010)
- State v. DiPetrillo, 922 A.2d 124, 131 (R.I. 2007)
- State v. Woods, 936 A.2d 195, 198 (R.I. 2007)