

COURT OF APPEALS OF GEORGIA

State v. Brownlee

A26A0251 · No. A26A0251 · Decided June 29, 2026

SUMMARY

The Georgia Court of Appeals reversed the trial court’s suppression of statements made by Marquavius Brownlee, a deputy under administrative leave, during a voluntary GBI interview. The court held that the record did not show an express employment threat or sufficient evidence that Brownlee subjectively and reasonably believed he would lose his job if he declined to cooperate, as required under Garrity and Georgia’s totality-of-the-circumstances test.

CASE DETAILS

COURT	Court of Appeals of Georgia
WRITING FOR THE COURT	Gobeil, Judge; Dillard, P. J.; Gobeil, J.; Pipkin, J.
JURISDICTION	Court of Appeals of Georgia
DECIDED	June 29, 2026
DOCKET	A26A0251
DISPOSITION	reversed
PROCEDURAL POSTURE	The State appealed the trial court's order granting Brownlee's motion to suppress statements made during a GBI interview.
STANDARD OF REVIEW	The appellate court defers to the trial court's factual findings unless clearly erroneous, but reviews de novo the trial court's application of law to undisputed facts.
PRECEDENTIAL VALUE	Published opinion; binding precedent in the Court of Appeals of Georgia subject to review by the Supreme Court of Georgia.
PARTIES	The State v. Marquavius Brownlee

TOPICS

- suppression of evidence
- criminal procedure
- fifth amendment
- appellate procedure
- standard of review

PRACTICE AREAS

- criminal procedure
- constitutional law
- evidence
- appellate procedure

QUESTIONS PRESENTED

1. Whether Brownlee's statements during the GBI interview were involuntary under Garrity and Georgia's totality-of-the-circumstances test despite the absence of an express threat of employment termination.
2. Whether the trial court clearly erred by finding that Brownlee subjectively believed his employment was in jeopardy and that the interview setting compelled his cooperation when Brownlee did not testify and the record contained no evidence supporting those findings.

HOLDINGS

1. Absent an express threat of termination, voluntariness is determined under the totality of the circumstances by examining whether the defendant subjectively believed that failure to cooperate could result in job loss and whether that belief was objectively reasonable in light of the state action involved.
2. Brownlee's statements were voluntary because the record lacked evidence that he subjectively believed his employment was in jeopardy if he failed to answer, and the agents expressly informed him that the investigation was criminal, unrelated to his job, and voluntary.

KEY QUOTATIONS

“Where, as here, there is no express threat of termination from employment, the court may examine whether the defendant subjectively believed that he could lose his job for failing to cooperate and whether, if so, that belief was reasonable given the state action involved.” (6)

“In light of the foregoing, we reverse the trial court’s order granting Brownlee’s motion to suppress.” (9)

FACTUAL BACKGROUND

The Georgia Bureau of Investigation interviewed Brownlee, a deputy on administrative leave, about allegations of child molestation. Brownlee voluntarily traveled to the sheriff's office, was told repeatedly that he was not in custody and did not have to speak, and received an admonishment stating that the investigation was criminal rather than administrative and that cooperation was voluntary. He did not request counsel or refuse to answer questions, volunteered to take a polygraph, and left after the interview; he later lost his employment for misrepresenting the polygraph results, not for refusing to cooperate with the GBI investigation.

PROCEDURAL HISTORY

The trial court held a suppression hearing at which the two interviewing GBI agents testified. It granted Brownlee's motion to suppress, finding that his statements were coerced because the interview setting and his employment status reinforced a belief that cooperation was necessary to regain his job. The Court of Appeals of Georgia reversed.

DISPOSITION

reversed

CASES CITED

- Garrity v. New Jersey, 385 U.S. 493, 500 (1967)
- State v. Aiken, 282 Ga. 132, 135-36 (2) & 136 (2) n. 21 (646 S.E.2d 222) (2007)
- Miranda v. Arizona, 384 U.S. 436 (1964)
- Shields v. State, 368 Ga. App. 586, 588-90 (1) (890 S.E.2d 505) (2023)
- Bell v. State, 352 Ga. App. 802, 812-15 (2) (c) (835 S.E.2d 697) (2019)
- State v. Stinson, 244 Ga. App. 622, 625 (536 S.E.2d 293) (2000)
- Thompson v. State, 288 Ga. 165, 168-69 (702 S.E.2d 198) (2010)

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