

SUPREME COURT OF APPEALS OF WEST VIRGINIA

State of West Virginia v. Asaveon Coleman

Coleman · No. 19-1087 · Decided January 20, 2021

SUMMARY

The Supreme Court of Appeals of West Virginia affirmed Asaveon Coleman's convictions and aggregate sentence arising from the kidnapping, robbery, shooting, and related offenses involving Tyler O'Neil. The court held that West Virginia's juvenile prompt-presentment statute did not apply to Coleman's interrogation by Virginia officers and that Coleman knowingly, intelligently, and voluntarily waived his Miranda rights. A dissent would have set the case for oral argument and issued a formal opinion.

CASE DETAILS

COURT	Supreme Court of Appeals of West Virginia
WRITING FOR THE COURT	Chief Justice Evan H. Jenkins; Justice Elizabeth D. Walker; Justice Tim Armstead; Justice John A. Hutchison; Justice William R. Wooton
JURISDICTION	West Virginia
DECIDED	January 20, 2021
DOCKET	19-1087
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed his Berkeley County convictions and consecutive sentences, arguing that the circuit court improperly denied suppression of his confession to Virginia police and improperly found that he voluntarily, knowingly, and intelligently waived his Miranda rights.
STANDARD OF REVIEW	Factual findings on a motion to suppress are reviewed for clear error, with particular deference given to the circuit court's findings; the court's decision regarding voluntariness of a confession will not be disturbed unless plainly wrong or clearly against the weight of the evidence.
PARTIES	Asaveon Coleman v. State of West Virginia

QUESTIONS PRESENTED

- Whether West Virginia's juvenile prompt-presentment statute, West Virginia Code § 49-4-705(c), applied to Coleman's interrogation and required suppression of his confession obtained by Virginia police.

2. Whether Coleman knowingly, intelligently, and voluntarily waived his Miranda rights under the totality of the circumstances.

HOLDINGS

1. West Virginia Code § 49-4-705 did not apply to Coleman's confession because he was arrested in Virginia on a Virginia warrant, West Virginia officers were not involved in his arrest or apprehension, the Virginia detective acted independently while questioning him in Virginia, and Coleman failed to establish a working arrangement that would make the West Virginia prompt-presentment requirement applicable.
2. The circuit court did not clearly err in finding that Coleman voluntarily, knowingly, and intelligently waived his Miranda rights; his confession was therefore properly admitted.

KEY QUOTATIONS

“When reviewing a ruling on a motion to suppress, an appellate court should construe all facts in the light most favorable to the State, as it was the prevailing party below.” (at 3)

“This is not a question of extraterritorial application of our prompt presentment rule. We must decide whether a confession elicited under the facts in this case is admissible in our criminal courts.” (at 4)

“Accordingly, because petitioner knew he had a right to remain silent and to speak to an attorney, and then knowingly waived those rights and continued to speak to Sgt. Chambers, we find petitioner is entitled to no relief.” (at 7)

FACTUAL BACKGROUND

When Coleman, who was sixteen at the time of the offense and seventeen at the time of his arrest, entered Tyler O'Neil's vehicle after requesting a ride, he displayed a gun, demanded to be driven, robbed O'Neil, and shot him in the face and neck, leaving him paralyzed. Coleman fled in O'Neil's vehicle, which was later located in Virginia, and Virginia police arrested Coleman on Virginia charges several months later. After receiving Miranda warnings, Coleman confessed to the West Virginia robbery and shooting during questioning by a Virginia detective, before being presented to a judicial officer.

PROCEDURAL HISTORY

Coleman was arrested in Virginia on Virginia charges after allegedly committing crimes in West Virginia. A West Virginia grand jury indicted him for kidnapping, first-degree robbery, attempted first-degree murder, malicious assault, assault during the commission of a felony, burglary, conspiracy to commit burglary, and attempted petit larceny; the burglary and conspiracy charges were dismissed before trial. Following a juvenile transfer hearing, a two-day trial, and a jury verdict on the remaining charges, the Berkeley County Circuit Court imposed an aggregate sentence of not less than thirty-seven years nor more than life. The circuit court had previously denied Coleman's motion to suppress his videotaped confession, and the Supreme Court of Appeals affirmed the sentencing order.

DISPOSITION

affirmed

CASES CITED

- State v. Lacy, 196 W. Va. 104, 468 S.E.2d 719 (1996)
- State v. Farley, 230 W. Va. 193, 737 S.E.2d 90 (2012)
- State v. Ellsworth, 175 W. Va. 64, 331 S.E.2d 503 (1985)
- State v. Guthrie, 173 W. Va. 290, 315 S.E.2d 397 (1984)

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