

SUPREME COURT OF KENTUCKY

Christopher Gribbins v. Commonwealth of Kentucky

483 S.W.3d 370 (Ky. 2016) · No. 2014-SC-000524-MR · Decided March 17, 2016

SUMMARY

The Kentucky Supreme Court affirmed Christopher Gribbins's conviction and twenty-year sentence for wanton murder. The court held that the trial court properly instructed the jury on self-protection and imperfect self-protection, properly used a combination instruction for intentional and wanton murder, and properly denied Gribbins's motion for a directed verdict. The court concluded that the evidence supported the conviction and did not violate Gribbins's right to a unanimous verdict.

CASE DETAILS

COURT	Supreme Court of Kentucky
WRITING FOR THE COURT	Justice Hughes
JURISDICTION	Kentucky
DECIDED	March 17, 2016
DOCKET	2014-SC-000524-MR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Gribbins appealed as a matter of right from a Marion Circuit Court judgment convicting him of wanton murder and sentencing him to twenty years' imprisonment.
STANDARD OF REVIEW	The trial court's decision whether to give a particular instruction is reviewed for abuse of discretion, while the substantive content of jury instructions is reviewed de novo. On a directed-verdict challenge, the question is whether, viewing the evidence in the light most favorable to the Commonwealth, any rational trier of fact could find the essential elements of the offense beyond a reasonable doubt.
PRECEDENTIAL VALUE	published and precedential Kentucky Supreme Court opinion
PARTIES	Christopher Gribbins v. Commonwealth of Kentucky

TOPICS

jury instructions

self defense

criminal procedure

appellate procedure

standard of review

PRACTICE AREAS

criminal law

criminal procedure

appellate procedure

QUESTIONS PRESENTED

1. Whether the trial court's jury instructions accurately presented the law of self-protection and imperfect self-protection.
2. Whether a combination instruction permitting conviction for either intentional or wanton murder violated Gribbins's right to a unanimous jury verdict.
3. Whether the evidence was sufficient to support the intentional and wanton murder instructions and whether the trial court properly denied Gribbins's motion for a directed verdict.

HOLDINGS

1. The trial court's self-protection and imperfect-self-protection instructions were proper because they substantially comported with the instructions approved in Hager and permitted the jury to consider self-protection before determining the appropriate homicide offense.
2. The combination instruction permitting conviction for either intentional or wanton murder did not violate the Kentucky Constitution because sufficient evidence supported both theories and the jury found Gribbins guilty under one of them beyond a reasonable doubt.
3. The trial court properly denied the motion for a directed verdict because, viewing the evidence in the Commonwealth's favor, a rational juror could find the elements of intentional or wanton murder beyond a reasonable doubt.

KEY QUOTATIONS

"It is well established that the trial court is required to instruct the jury on the "whole law of the case, and this rule requires instructions applicable to every state of the case deducible or supported to any extent by the testimony."" (at 4)

"As Hager explained, where sufficient evidence has been presented by a defendant to justify an instruction on self-protection, the Commonwealth is required to disprove that defense beyond a reasonable doubt, and its absence becomes an element of the offense." (at 7)

"The right to a unanimous verdict is not violated by a combination instruction so long as there is sufficient evidence to convict under both theories of culpability and the jurors are satisfied beyond a reasonable doubt that the defendant is guilty under one of the theories." (at 9)

"The question on appeal is whether, after viewing the evidence in the light most favorable to the Commonwealth, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt." (at 12)

FACTUAL BACKGROUND

During a hostile gathering outside the Raywick Bar and Grill, David Litsey was shot and died shortly afterward. Multiple witnesses testified that Gribbins, the bar's owner, pistol-whipped Litsey with a loaded handgun before it discharged, while other testimony described Gribbins pointing the gun at Litsey and intentionally shooting him. Gribbins testified that he drew the handgun to protect himself during an aggressive confrontation and that it discharged while he had his hand on Litsey's chest.

PROCEDURAL HISTORY

Gribbins was indicted for murder under both the intentional and wanton provisions of KRS 507.020. After a jury trial, the jury found him guilty of wanton murder and recommended twenty years' imprisonment, which the Marion Circuit Court imposed. The Supreme Court of Kentucky reviewed Gribbins's challenges to the jury instructions, the combination murder instruction, and the denial of his motion for a directed verdict, and affirmed.

DISPOSITION

affirmed

CASES CITED

- Taylor v. Commonwealth, 995 S.W.2d 355, 360 (Ky. 1999)
- Kelly v. Commonwealth, 267 S.W.2d 536, 539 (Ky. 1954)
- Yarnell v. Commonwealth, 833 S.W.2d 834, 837 (Ky. 1992)
- Cannon v. Commonwealth, 777 S.W.2d 591 (Ky. 1989)
- McClellan v. Commonwealth, 715 S.W.2d 464 (Ky. 1986)
- Sargent v. Schaffer, 467 S.W.3d 198, 204 (Ky. 2015)
- Elliott v. Commonwealth, 976 S.W.2d 416, 419-22 (Ky. 1998)
- Commonwealth v. Hager, 41 S.W.3d 828, 833, 842, 844-47 (Ky. 2001)
- Gonclaves v. Commonwealth, 404 S.W.3d 180, 193 n.5 (Ky. 2013), as corrected (Mar. 14, 2013)
- Epperson v. Commonwealth, 197 S.W.3d 46, 60 (Ky. 2006)
- Hayes v. Commonwealth, 625 S.W.2d 583, 584 (Ky. 1981)
- Wells v. Commonwealth, 561 S.W.2d 85, 87 (Ky. 1978)
- Travis v. Commonwealth, 327 S.W.3d 456, 459-60 (Ky. 2010)
- Benjamin v. Commonwealth, 266 S.W.3d 775, 785 (Ky. 2008)
- Jackson v. Virginia, 443 U.S. 307, 309 (1979)
- Commonwealth v. Jones, 283 S.W.3d 665, 668 (Ky. 2009)
- Commonwealth v. Benham, 816 S.W.2d 186 (Ky. 1991)
- Young v. Commonwealth, 50 S.W.3d 148, 165 (Ky. 2001)
- Commonwealth v. Smith, 5 S.W.3d 126, 129 (Ky. 1999)

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/kentucky-supreme-court-of-kentucky/2016/christopher-gibbins-v-commonwealth-of-kentucky-ynug7ow>