

SUPREME COURT OF ARKANSAS

State v. Thomas

2014 Ark. 362 (2014) · No. CR-14-94 · Decided September 11, 2014

SUMMARY

The Supreme Court of Arkansas held that the State's appeal was proper because it presented a narrow issue of statutory interpretation with potentially widespread application. The court concluded that Arkansas Code Annotated section 5-2-310(c)(2) authorizes dismissal of criminal charges based on elapsed time only after the defendant has regained fitness to proceed. Because Derrick Lamont Thomas had not regained competency, the court reversed and remanded the dismissal order and did not reach the separation-of-powers argument.

CASE DETAILS

COURT	Supreme Court of Arkansas
WRITING FOR THE COURT	Josephine Linker Hart, Associate Justice
JURISDICTION	Arkansas
DECIDED	September 11, 2014
DOCKET	CR-14-94
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The State of Arkansas appealed the Pulaski County Circuit Court's dismissal of pending second-degree battery and second-degree assault charges against Thomas.
STANDARD OF REVIEW	Statutory interpretation is reviewed de novo, without deference to the circuit court's interpretation.
PRECEDENTIAL VALUE	Published Arkansas Supreme Court opinion
PARTIES	State of Arkansas v. Derrick Lamont Thomas

TOPICS

- criminal procedure
- statutory interpretation
- appellate procedure
- due process
- standard of review

PRACTICE AREAS

- criminal procedure
- competency to stand trial
- statutory interpretation
- appellate procedure

QUESTIONS PRESENTED

1. Whether the State's appeal was permissible under Ark. R. App. P.–Crim. 3 because it presented a narrow issue of statutory interpretation with potentially widespread application.
2. Whether Arkansas Code Annotated section 5-2-310(c)(2) authorized the circuit court to dismiss criminal charges against a defendant who had not regained fitness to proceed.
3. Whether the dismissal violated the separation-of-powers doctrine.

HOLDINGS

1. The State's appeal was proper because it presented a narrow legal issue involving statutory interpretation, undisputed facts, and potentially widespread application rather than merely alleging fact-specific circuit-court error.
2. Section 5-2-310(c)(2) permits dismissal only after the court determines that the defendant has regained fitness to proceed and the court concludes that enough time has elapsed that resuming the criminal proceeding would be unjust. It does not authorize dismissal while the defendant remains unfit.

KEY QUOTATIONS

"It is only after the circuit court has found that a defendant has "regained fitness" that criminal proceedings may be resumed." (2014 Ark. 362 at 5)

"Having determined that the circuit court improperly construed Arkansas Code Annotated section 5-2-310(c), we reverse and remand this case for further proceedings consistent with this opinion." (2014 Ark. 362 at 5)

FACTUAL BACKGROUND

Thomas was charged with second-degree battery and second-degree assault arising from an April 6, 2011 incident at the Arkansas State Hospital involving a doctor conducting his court-ordered mental evaluation and a hospital security guard. Following a competency evaluation, a forensic psychiatrist and Thomas's therapist testified that Thomas was unfit to stand trial because he could not understand the proceedings or effectively assist counsel. The psychiatrist further opined that Thomas could not be restored to competency, and the State presented no evidence at the dismissal hearing.

PROCEDURAL HISTORY

The charges were filed on May 2, 2011. Proceedings were suspended while Thomas underwent a mental-health evaluation, and the State Hospital determined in May 2012 that he was unfit to proceed and could not be restored to competency. After a hearing, the circuit court dismissed the charges on October 30, 2013. The State moved for reconsideration, received no ruling, and filed a notice of appeal on November 27, 2013. The Supreme Court of Arkansas held that the State's appeal was proper under Ark. R. App. P.–Crim. 3 and reversed and remanded.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

The case was remanded for further proceedings consistent with the opinion.

CASES CITED

- State v. Cherry, 2014 Ark. 194
- State v. Long, 311 Ark. 248, 844 S.W.2d 302 (1992)
- State v. Martin, 2012 Ark. 191
- Smith v. Simes, 2013 Ark. 477, 430 S.W.3d 690
- State v. Colvin, 2013 Ark. 203, 427 S.W.3d 535
- Mauppin v. State, 309 Ark. 235, 831 S.W.2d 104 (1992)