

SUPREME COURT OF KENTUCKY

Meredith v. Commonwealth

164 S.W.3d 500 (Ky. 2005) · No. 2002-SC-0741-MR · Decided May 19, 2005

SUMMARY

The Supreme Court of Kentucky reviewed Richard Allen Meredith's convictions for complicity to commit murder and complicity to commit first-degree robbery. The court held that sufficient circumstantial evidence supported both convictions and that evidence concerning Meredith's child-support arrearage was admissible to show motive. A separate opinion concurred in part and dissented in part, concluding that the evidence did not establish the mental state required for complicity to commit murder.

CASE DETAILS

COURT	Supreme Court of Kentucky
WRITING FOR THE COURT	Justice Graves; Chief Justice Lambert; Justice Cooper; Justice Johnstone; Justice Keller; Justice Scott; Justice Wintersheimer
JURISDICTION	Kentucky
DECIDED	May 19, 2005
DOCKET	2002-SC-0741-MR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Meredith appealed as a matter of right from a Jefferson Circuit Court judgment convicting him of complicity to commit murder and complicity to commit first-degree robbery. He challenged the sufficiency of the evidence supporting both convictions and the admission of evidence concerning his child-support arrearage.
STANDARD OF REVIEW	The court reviewed the denial of a directed verdict by asking whether the evidence was sufficient for a reasonable jury to find the charged offenses. The court also reviewed the evidentiary issue for preserved error, concluding that the child-support evidence was relevant and admissible under KRE 404(b).
PRECEDENTIAL VALUE	Published Kentucky Supreme Court opinion; precedential.
PARTIES	Richard Allen Meredith v. Commonwealth of Kentucky

TOPICS

criminal procedure

evidence

appellate procedure

standard of review

mens rea

PRACTICE AREAS

Criminal law

Criminal procedure

Evidence

Appellate practice

QUESTIONS PRESENTED

1. Whether the evidence was sufficient to deny a directed verdict on complicity to commit first-degree robbery.
2. Whether the evidence was sufficient to deny a directed verdict on complicity to commit murder under Kentucky's complicity and homicide statutes.
3. Whether evidence that Meredith was in child-support arrears and needed money was admissible to show motive for the robbery and whether the issue was preserved for review.

HOLDINGS

1. The evidence was sufficient for a reasonable jury to find that Meredith provided Crain transportation to and from Harold's Hubcaps with the intention of promoting or facilitating first-degree robbery. The trial court therefore properly denied a directed verdict on the robbery charge.
2. The evidence was sufficient to support Meredith's conviction for wanton murder as a complicitor under KRS 502.020(2) and KRS 507.020. Kentucky's former felony-murder doctrine could not independently establish homicide liability, but a participant in the underlying felony may be liable for a resulting death when the participant's conduct constitutes wantonness manifesting extreme indifference to human life.
3. The child-support evidence was admissible under KRE 404(b) as relevant and probative evidence of Meredith's motive to commit the robbery, and Meredith failed to preserve any challenge to the evidence because he raised no further objection after the trial court excluded details of the child-support proceedings.

KEY QUOTATIONS

"However, Kentucky's adoption of the Model Penal Code abrogated the felony murder doctrine as an independent basis of liability." (164 S.W.3d at 504)

"If a felony participant other than the defendant commits an act of killing, and if a jury should determine from all the circumstances surrounding the felony that the defendant's participation in that felony constituted wantonness manifesting extreme indifference to human life, he is guilty of murder under KRS 507.020(1)(b)." (164 S.W.3d at 505)

"It was certainly reasonable for the jury to determine from the evidence that Appellant's participation in the robbery constituted the wantonness required for a murder conviction under KRS 507.020(2)." (164 S.W.3d at 506)

FACTUAL BACKGROUND

Meredith drove Michael Crain to Harold's Hubcaps, supplied him with a spare cell phone, and drove him back for a second attempt after a police officer's presence interrupted the first attempt. Crain robbed the store and shot its owner, Harold Smith, after an altercation. Evidence connected Meredith to the robbery through witness testimony, cell-phone records, his red Ford Tempo, Indian figurines taken from the store, and statements indicating that he encouraged Crain to commit the robbery. The Commonwealth also introduced evidence that Meredith was having difficulty paying child support and needed money.

PROCEDURAL HISTORY

Meredith was indicted in Jefferson Circuit Court for complicity to commit murder and complicity to commit first-degree robbery. After an eight-day jury trial, he was convicted on both charges, waived formal sentencing, and accepted concurrent sentences of life imprisonment without parole for twenty-five years on the murder conviction and twenty years on the robbery conviction. The Supreme Court of Kentucky affirmed.

DISPOSITION

affirmed

CASES CITED

- *Tharp v. Commonwealth*, 40 S.W.3d 356, 360 (Ky. 2001), cert. denied, 534 U.S. 928 (2001)
- *Commonwealth v. Suttles*, 80 S.W.3d 424, 426 (Ky. 2002)
- *Commonwealth v. Benham*, 816 S.W.2d 186, 187 (Ky. 1991)
- *Bennett v. Commonwealth*, 978 S.W.2d 322, 327 (Ky. 1998)
- *Kruse v. Commonwealth*, 704 S.W.2d 192, 195 (Ky. 1985)
- *Brown v. Commonwealth*, 983 S.W.2d 513 (Ky. 1999)
- *Tucker v. Commonwealth*, 916 S.W.2d 181, 184 (Ky. 1996)
- *Brown v. Commonwealth*, 975 S.W.2d 922 (Ky. 1998)
- *Johnson v. Commonwealth*, 885 S.W.2d 951 (Ky. 1994)