

SUPREME COURT OF FLORIDA

Brown v. State

126 So. 3d 211 (Fla. 2013) · Decided September 19, 2013

SUMMARY

The Florida Supreme Court affirmed Thomas Brown’s conviction for first-degree premeditated murder and his death sentence. The court upheld the finding of the cold, calculated, and premeditated aggravating circumstance, rejected Brown’s proportionality, Caldwell, Ring, and guilt-phase mental-condition claims, and independently determined that sufficient evidence supported the verdict.

CASE DETAILS

COURT	Supreme Court of Florida
WRITING FOR THE COURT	Polston, C.J.; Pariente; Lewis; Quince; Canady; Labarga; Perry
JURISDICTION	Florida
DECIDED	September 19, 2013
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from a judgment convicting Brown of first-degree premeditated murder and imposing a sentence of death.
STANDARD OF REVIEW	For challenges to aggravating circumstances, whether the trial court applied the correct rule of law and, if so, whether competent, substantial evidence supports the finding. The Court conducts de novo proportionality review of death sentences, reviews legal challenges to jury instructions and evidentiary rulings under the applicable legal standards, and independently reviews the sufficiency of the evidence in every death-penalty case.
PRECEDENTIAL VALUE	published precedential opinion of the Supreme Court of Florida
PARTIES	Brown v. State

TOPICS

- sentencing
- criminal procedure
- appellate procedure
- standard of review
- constitutional law

PRACTICE AREAS

- capital criminal law
- criminal procedure
- death penalty
- appellate procedure
- constitutional law

QUESTIONS PRESENTED

1. Whether competent, substantial evidence supported the trial court's finding of the cold, calculated, and premeditated aggravating circumstance.
2. Whether Brown's death sentence was disproportionate in light of the aggravating and mitigating circumstances.
3. Whether the penalty-phase jury instructions violated *Caldwell v. Mississippi*.
4. Whether *Ring v. Arizona* required reversal of Brown's death sentence.
5. Whether the trial court improperly excluded guilt-phase evidence concerning Brown's mental condition at the time of the murder.
6. Whether competent, substantial evidence supported the jury's finding of first-degree premeditated murder.

HOLDINGS

1. The trial court applied the correct legal rule, and competent, substantial evidence supported the cold, calculated, and premeditated aggravator. Brown had procured a weapon in advance, had time to reflect and abandon the plan, encountered no resistance or provocation from Miller, and carried out the killing in a deliberate manner.
2. Brown's death sentence was proportionate when compared with other Florida capital cases.
3. The standard penalty-phase jury instructions used in Brown's case did not violate *Caldwell*.
4. *Ring* did not require reversal because the prior-violent-felony and under-sentence-of-imprisonment aggravators applied.
5. The trial court did not err in refusing to permit Brown to present guilt-phase evidence of his mental condition at the time of the murder.
6. Competent, substantial evidence supported the jury's finding of first-degree premeditated murder beyond a reasonable doubt.

KEY QUOTATIONS

"We find that Brown had a careful plan or prearranged design to commit murder prior to the murder taking place." (218)

"The murder in the instant case has all of the hallmarks of the CCP aggravator: evidence of advance procurement of a weapon, the appearance of a killing carried out as a matter of course, and lack of resistance." (219)

"We hold that competent, substantial evidence supports the jury's finding of first-degree premeditated murder beyond a reasonable doubt." (221)

FACTUAL BACKGROUND

Brown and Juanese Miller worked together at a Wendy's restaurant and had prior workplace conflicts. On the day of the murder, after an argument with the restaurant owner, Brown returned to the restaurant, retrieved a firearm from his waistband, and shot Miller multiple times at close range, including once in the back of the head, before making statements indicating that he had intended to kill her. Brown was arrested the next day, and the murder weapon and a notebook containing incriminating statements were found. The sentencing evidence included Brown's prior violent felony, his status under sentence or supervision, significant mental-health evidence, and difficult childhood circumstances.

PROCEDURAL HISTORY

Brown was indicted for first-degree murder in the Circuit Court for the Fourth Judicial Circuit in and for Duval County. After the jury convicted him of first-degree murder and recommended death by a vote of seven to five, the trial court imposed the death penalty. The Supreme Court of Florida reviewed the conviction and sentence, addressed Brown's appellate claims, independently reviewed the sufficiency of the evidence, and affirmed.

DISPOSITION

affirmed

CASES CITED

- Diaz v. State, 860 So. 2d 960 (Fla. 2003)
- Willacy v. State, 696 So. 2d 693 (Fla. 1997)
- Jackson v. State, 648 So. 2d 85 (Fla. 1994)
- Franklin v. State, 965 So. 2d 79 (Fla. 2007)
- Swafford v. State, 533 So. 2d 270 (Fla. 1988)
- Hall v. State, 107 So. 3d 262 (Fla. 2012)
- Buzia v. State, 926 So. 2d 1203 (Fla. 2006)
- Ford v. State, 802 So. 2d 1121 (Fla. 2001)
- Baker v. State, 71 So. 3d 802 (Fla. 2011)
- Provenzano v. State, 497 So. 2d 1177 (Fla. 1986)
- Hurst v. State, 819 So. 2d 689 (Fla. 2002)
- Williams v. State, 37 So. 3d 187 (Fla. 2010)
- Offord v. State, 959 So. 2d 187 (Fla. 2007)
- Anderson v. State, 18 So. 3d 501 (Fla. 2009)
- Robertson v. State, 699 So. 2d 1343 (Fla. 1997)
- Delgado v. State, 776 So. 2d 233 (Fla. 2000)
- Farinas v. State, 569 So. 2d 425 (Fla. 1990)
- Caldwell v. Mississippi, 472 U.S. 320 (1985)
- Patrick v. State, 104 So. 3d 1046 (Fla. 2012)
- Jones v. State, 998 So. 2d 573 (Fla. 2008)

- Ring v. Arizona, 536 U.S. 584 (2002)
- Hodges v. State, Hodges v. State, 55 So. 3d 515 (Fla. 2010)
- Chestnut v. State, 538 So. 2d 820 (Fla. 1989)
- Blake v. State, 972 So. 2d 839 (Fla. 2007)
- Bradley v. State, 787 So. 2d 732 (Fla. 2001)
- Woods v. State, 733 So. 2d 980 (Fla. 1999)
- Norton v. State, 709 So. 2d 87 (Fla. 1997)
- Ross v. State, 474 So. 2d 1170 (Fla. 1985)
- Douglas v. State, 575 So. 2d 165 (Fla. 1991)
- White v. State, 616 So. 2d 21 (Fla. 1993)
- Spencer v. State, 615 So. 2d 688 (Fla. 1993)