

SUPREME COURT OF PENNSYLVANIA

Commonwealth v. Padilla

622 Pa. 449 (2013) (Pa.) · Decided October 31, 2013

SUMMARY

The Pennsylvania Supreme Court considers a direct appeal from Miguel Padilla’s judgment of sentence of death for three first-degree murder convictions arising from a 2005 shooting outside a social club in Altoona, Pennsylvania. The opinion addresses the sufficiency of the evidence and claims concerning alleged conflicts of interest, delayed appointment of counsel, consular assistance by Mexico, diminished-capacity evidence, aggravating circumstances, and post-trial motions. The court concludes that the evidence was sufficient and rejects the conflict-of-interest claim and the claim concerning the delay in appointing counsel in the portion provided.

CASE DETAILS

COURT	Supreme Court of Pennsylvania
WRITING FOR THE COURT	Justice McCaffery; Chief Justice Castille; Justice Eakin; Justice Baer; Justice Saylor; Justice Stevens; Justice Todd
JURISDICTION	Pennsylvania
DECIDED	October 31, 2013
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from a judgment of sentence imposing death for three first-degree murder convictions.
STANDARD OF REVIEW	The court independently reviewed the sufficiency of the evidence supporting the first-degree murder convictions and the statutory sufficiency of the aggravating circumstances. Treaty-interpretation claims were reviewed de novo with plenary scope. The court reviewed preserved legal claims under their applicable standards and declined to review waived ineffective-assistance claims on direct appeal.
PRECEDENTIAL VALUE	published precedential opinion
PARTIES	Miguel A. Padilla v. Commonwealth of Pennsylvania

TOPICS

- sentencing
- criminal procedure
- right to counsel
- due process
- appellate procedure

PRACTICE AREAS

criminal law

capital punishment

criminal procedure

constitutional law

appellate procedure

international law

QUESTIONS PRESENTED

1. Whether appointed counsel had an actual conflict of interest because the public defender had initially denied Padilla's request for appointed counsel.
2. Whether the 47-day period before appointment of counsel violated Pennsylvania Rule of Criminal Procedure 122(A), the Sixth Amendment, or due process.
3. Whether the trial court's handling of motions filed by Padilla and the Government of Mexico violated Article 36 of the Vienna Convention on Consular Relations.
4. Whether the evidence required a diminished-capacity jury instruction based on voluntary intoxication.
5. Whether the evidence supported the aggravating circumstances used to impose the death penalty, including whether guilt-phase evidence could support aggravating circumstances and whether a misdemeanor firearm offense could serve as the predicate felony.
6. Whether the trial court erred in denying Padilla's pro se and counseled post-trial motions.
7. Whether the death sentence was the product of passion, prejudice, or another arbitrary factor or lacked evidentiary support for at least one aggravating circumstance.

HOLDINGS

1. A public defender's initial determination that a defendant was ineligible for appointed counsel does not, without evidence that counsel actively represented conflicting interests and that the conflict adversely affected performance, establish an actual conflict of interest when the public defender later represents the defendant.
2. The 47-day period between arrest and appointment of counsel did not violate Pennsylvania Rule of Criminal Procedure 122(A), the Sixth Amendment, or due process.
3. The trial court did not violate Article 36 of the Vienna Convention by applying Pennsylvania's procedural rules against hybrid representation and declining to permit the Mexican consulate to litigate on Padilla's behalf.
4. The trial court properly instructed the jury that the evidence did not support reducing first-degree murder to third-degree murder based solely on voluntary intoxication, while permitting the jury to consider alcohol and drug evidence in determining whether the Commonwealth proved specific intent beyond a reasonable doubt.
5. The evidence was sufficient to establish beyond a reasonable doubt that Padilla unlawfully killed the three victims, was responsible for their deaths, and acted with malice and specific intent to kill.
6. The challenge to the aggravating circumstances did not warrant relief on direct appeal. The stipulation supplied sufficient evidence for review of the felony-murder aggravator, and any challenge to counsel's

stipulation or the lack of a colloquy sounded in ineffective assistance and was deferred to collateral review.

7. The death sentences were not the product of passion, prejudice, or another arbitrary factor, and the evidence supported at least one aggravating circumstance.

KEY QUOTATIONS

“Article 36 does not guarantee defendants any assistance at all. The provision secures only a right of foreign nationals to have their consulate informed of their arrest or detention — not to have their consulate intervene, or to have law enforcement authorities cease their investigation pending any such notice or intervention.” (80 A.3d at 1259-60)

“We have absolutely no inclination to extend the legal definition of the term “critical stage” to encompass the entirety of the ten-day period following a preliminary arraignment on a first-degree murder charge, irrespective of particular circumstances or events that actually occur, judicially or otherwise, relative to the case during that time.” (80 A.3d at 1263)

FACTUAL BACKGROUND

In the early morning of August 28, 2005, after being denied admission to a private social club in Altoona, Padilla fatally shot three men outside the club. Witnesses saw him retrieve a firearm, approach and shoot two victims repeatedly, and fire additional shots that killed a bystander. Police apprehended him shortly afterward, recovered the firearm and property linking it to him, and detected gunshot residue on his hands. At trial, the defense conceded that Padilla shot the victims and argued diminished capacity based on alcohol and marijuana use.

PROCEDURAL HISTORY

A Blair County jury convicted Padilla of three counts of first-degree murder and related offenses and returned death sentences after finding three aggravating and three mitigating circumstances. The trial court imposed the death sentences on February 1, 2007. The Supreme Court of Pennsylvania directly reviewed the convictions and death sentences, including the statutory review required by 42 Pa.C.S. § 9711(h)(3).

DISPOSITION

affirmed

CASES CITED

- Commonwealth v. Briggs, 608 Pa. 480, 12 A.3d 291 (2011)
- Commonwealth v. Houser, 610 Pa. 264, 18 A.3d 1128 (2011)
- Commonwealth v. Small, 602 Pa. 426, 980 A.2d 549 (2009)
- Commonwealth v. Spotz, 587 Pa. 1, 896 A.2d 1191 (2006)
- Commonwealth v. Williams, 602 Pa. 360, 980 A.2d 510 (2009)
- Mickens v. Taylor, 535 U.S. 162 (2002)

- Dauphin County Public Defender's Office v. Court of Common Pleas of Dauphin County, 578 Pa. 59, 849 A.2d 1145 (2004)
- United States v. Cronin, 466 U.S. 648 (1984)
- United States v. Gouveia, 467 U.S. 180 (1984)
- Rothgery v. Gillespie County, 554 U.S. 191 (2008)
- Bell v. Cone, 535 U.S. 685 (2002)
- Commonwealth v. Johnson, 574 Pa. 5, 828 A.2d 1009 (2003)
- Commonwealth v. Crawley, 592 Pa. 222, 924 A.2d 612 (2007)
- Medellin v. Texas, 552 U.S. 491 (2008)
- Sanchez-Llamas v. Oregon, 548 U.S. 331 (2006)
- Commonwealth v. Judge, 591 Pa. 126, 916 A.2d 511 (2007)
- Commonwealth v. Ellis, 534 Pa. 176, 626 A.2d 1137 (1993)
- Commonwealth v. Ali, 608 Pa. 71, 10 A.3d 282 (2010)
- Commonwealth v. Colson, 507 Pa. 440, 490 A.2d 811 (1985)
- Commonwealth v. Blakeney, 596 Pa. 510, 946 A.2d 645 (2008)
- Commonwealth v. Vandivner, 599 Pa. 617, 962 A.2d 1170 (2009)
- Commonwealth v. Reiff, 489 Pa. 12, 413 A.2d 672 (1980)
- Commonwealth v. Marinetti, 547 Pa. 294, 690 A.2d 203 (1997)
- Commonwealth v. Mitchell, 588 Pa. 19, 902 A.2d 430 (2006)
- Commonwealth v. Chambers, 602 Pa. 224, 980 A.2d 35 (2009)
- Commonwealth v. Grant, 572 Pa. 48, 813 A.2d 726 (2002)