



IN THE SUPREME COURT OF THE STATE OF DELAWARE

RAKIIM STRICKLAND,)
)
Defendant Below-)
Appellant,)
)
v.)
)
)
STATE OF DELAWARE,)
)
Plaintiff Below-)
Appellee.)

No. 321, 2023

ON APPEAL FROM THE SUPERIOR COURT
OF THE STATE OF DELAWARE

STATE’S ANSWERING BRIEF

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NATURE AND STAGE OF THE PROCEEDINGS

Appellee, the State of Delaware, generally adopts the Nature and Stage of the Proceedings as contained in Appellant Rakiim Strickland's February 13, 2024, Opening Brief. This is the State's Answering Brief in opposition to Strickland's direct appeal of his Kent County Superior Court jury convictions for possession of a firearm by a person prohibited (PFBPP) and possession of firearm ammunition by a person prohibited (PFABPP).

SUMMARY OF THE ARGUMENT

I. DENIED. The Superior Court did not plainly err when it did not *sua sponte* provide the jury with a limiting instruction under D.R.E. 105. Such an instruction was not required because the State did not introduce other crimes evidence pursuant to D.R.E. 404(b) in this prosecution. The only evidence of other crimes committed by the accused was the Joint Stipulation that Rakiim Strickland was a person prohibited from possessing a firearm or ammunition (B-25), and the trial court gave the jury a limiting instruction as to that evidence. (B-31).

Moreover, Strickland did not make a “timely request” for an additional limiting instruction. Thus, this argument has been waived, and Strickland has not carried his burden of persuasion in demonstrating plain error from the omission.

II. DENIED. The Superior Court did not abuse its discretion when it permitted the prosecutor to inquire about defense witness Taron Walker’s two additional 2018 felony convictions. Walker’s felony convictions served as impeachment evidence under D.R.E. 609(a)(1). The trial judge performed the required balancing test and the additional felony convictions were otherwise admissible evidence. The two non-dishonesty felony convictions

added little to the total witness impeachment evidence. The jury knew that Strickland and Walker were long time friends, that Walker had a third 2018 felony firearm theft conviction, and that Walker's explanation of the shots fired situation was uncorroborated by any other evidence against Strickland.

STATEMENT OF FACTS

At 6:18 P.M. on June 22, 2022, the Dover Police Department (“DPD”) received a 911 call reporting shots being fired in the area of 409 Kent Avenue in the Capital Green neighborhood of Dover. (A-10, 13; B-2-4, 9). 409 Kent Avenue is a single-story residence, and the shooting incident occurred in an alleyway north of Kent Avenue. (B-3). The Dover Police radio broadcast of the incident described shots being fired from a white four door passenger vehicle with a temporary registration tag. (A-13; B-10). There was heavy rain that day. (A-16; B-8, 16).

Dover Police Department Corporal Cliff Figueroa (B-5) was on duty in a police patrol vehicle on June 22, 2022. (B-6). At 6:20 P.M. that evening Cpl. Figueroa was heading eastbound on Martin Luther King, Jr. (MLK) Boulevard and was stopped at a red light at the Route 13 intersection in Dover. (A-12-13). While stopped at the traffic signal, Cpl. Figueroa heard a police radio report that shots had been fired from a white passenger vehicle in the nearby Capital Green neighborhood. (A-13).

Prior to the shots fired radio broadcast, Cpl. Figueroa saw a small white passenger vehicle pass on his right side and turn off MLK Blvd. and proceed southbound on Route 13. (A-14). Cpl. Figueroa activated his emergency equipment and pursued the one occupant in the white vehicle. (A-15). The white vehicle was

picking up speed around the James Williams State Service Center on the highway and moving in and out of traffic. (A-16).

The driver of the white vehicle turned right on River Road, lost control of the car, and may have struck a parked vehicle. (A-17). The driver regained control and continued on River Road at a high rate of speed. (A-18). From there, the fleeing vehicle turned left down an alley behind the River Road houses. (A-19). Although the white car was still rolling, a black male with dreadlocks or braids in his hair jumped out and ran toward a six-foot-high fence. (A-20).

The fleeing driver was wearing a white shirt and blue shorts or pants. (A-22). No other occupants were present in the white vehicle. (A-22). Cpl. Figueroa was the first police officer on the scene at about 6:20 P.M. (A-21-22). The white vehicle only stopped rolling because it ran into some bushes. (A-21). Cpl. Figueroa stopped about twenty feet behind the white vehicle and observed the driver running in the rain along the fence. (A-21-22). Cpl. Figueroa thought the abandoned white vehicle had temporary tags. (A-31). According to Cpl. Figueroa, Capital Green is a high crime area in Dover, and it was not unusual for someone to run from the police in that area. (A-29).

Also working patrol that evening was DPD Patrolman First Class Melissa Marie Ragona. (A-9). When Pfc. Ragona heard the 6:20 P.M. police radio report of shots fired in Capital Green, she also drove to the neighborhood looking for the white

four-door passenger vehicle with a temporary registration tag described in the broadcast. (B-10). Near River Road, Pfc. Ragona saw Cpl. Figueroa's police car and a white four-door Nissan Altima passenger vehicle. (B-10).

Pfc. Ragona checked the Nissan for firearms and located a black backpack behind the rear passenger seat. (B-10). Inside the backpack was a wallet containing Strickland's driver's license and health insurance card. (B-10-11). The police did not find a firearm in the car. (A-39). After discovering the license, Pfc. Ragona advised all DPD units of the address on Strickland's driver's license - 634 River Road, Dover. (B-10).

Cpl. Figueroa and DPD Sergeant John Michael Wilson (B-15) travelled to 634 River Road that evening. (A-44; B-16). Sgt. Wilson was familiar with Rakiim Strickland (B-16), and he maintained a perimeter in the rain outside the 634 River Road home. (B-16). People outside the house advised the police that Strickland was inside the home taking a shower. (B-17).

Officer Wilson testified that it took five to ten minutes for Strickland to emerge from the house. (B-17). When he appeared, Strickland was wearing a red shirt and looked like he had just exited the shower. (A-46). A photograph, State's Exhibit #6, showed Strickland exiting 634 River Road. (A-46-47). At trial, Sgt. Wilson identified the accused in the courtroom as Rakiim Strickland. (B-19). Sgt.

Wilson obtained a search warrant for 634 River Road and located a wet white tank top and muddy black Nike shoes inside a bedroom. (A-48-49; B-18-19).

Continuing the investigation, DPD Detective Jordon Barrows (B-1) contacted the original reporting person via telephone. (A-51). Thereafter, Det. Barrows went to an alleyway behind 409/411 Kent Avenue to canvas the area for evidence. (A-51). While there, Barrows located two .300 Blackout shell casings associated with an AR rifle or pistol. (A-52). The dented shell casings were collected as evidence (B-20), and a photograph of the casings, State's Exhibit #15, was admitted as evidence at trial. (B-22).

Detective Barrows also contacted the Dover Housing Authority to obtain surveillance camera footage from the common areas in Capital Green. (A-43; B-22). There was a Central Alley camera for Kent Avenue and a second alley camera from New Castle Road North of the alleyway. (A-53). The two video camera views admitted as State's Exhibit #17 (B-23) show a white Nissan Altima with a temporary white registration tag in the area at 6:21 P.M. (A-54). Second, a surveillance camera picture at 6:22 P.M. shows a suspect exiting the Nissan Altima and holding in his left hand an AR style weapon while facing 409/411 Kent Avenue. (A-54). Third, a 6:23 P.M. picture shows a figure standing directly behind the rear door of 409 Kent Avenue. (A-55). Finally, a 6:23 P.M. image depicts a suspect displaying an AR style

rifle or pistol out the driver's side window of the moving Nissan Altima (A-57), and discharging the weapon twice. (B-24).

Barrows noted that the two shell casings he found (A-52; B-20) were recovered in close proximity to the location visible in the surveillance camera video. (B-24). Barrows clarified at trial that the video times shown on the Housing Authority camera were off by about five minutes. (B-24).

Strickland did not testify at trial. However, the trial judge read a Stipulation of Fact that on June 22, 2022, Rakiim Strickland was a person prohibited from possessing a firearm or firearm ammunition. (B-25).

Taron Walker, who lived in Capital Green in June 2022, testified in the defense case. (B-26). Walker said he knew Strickland (A-60), and the two were speaking on June 22, 2022. (A-60-61). Although he did not see any weapon, Walker heard shots, ran to his house at 411 Kent Avenue, and heard Strickland's car engine rev. (A-61). Walker did not see Strickland drive away, but he heard the car engine revving. (A-62).

According to Walker, there is an alley behind 411 Kent Ave. (B-29), and he felt like the shots he heard were aimed toward Strickland and him. (A-72-73). Walker added, "I never seen him with a weapon." (A-73). Walker admitted that he never called the police about the gunshots. (B-30).

During his direct examination, Walker acknowledged that was previously incarcerated and on probation. (A-62). Prior to cross-examining Walker, the prosecutor advised the trial judge of the State's intention to question Walker about his prior federal felony convictions. (A-64-65). Strickland did not object. (A-66). The State thereafter introduced evidence of Walker's three federal firearms convictions, including the crime of stealing firearms from a federally-licensed firearms dealer. (A-77). Walker said he was testifying for Strickland "Because he's being charged for something he ain't have nothing to do with." (B-27).

ARGUMENT

I. THE LACK OF A *SUA SPONTE* JURY LIMITING INSTRUCTION ON “SHOOTING EVIDENCE” WAS NOT PLAIN ERROR.

Question Presented

Whether the Superior Court was required by D.R.E. 105 *sua sponte* to give a “shooting evidence” jury limiting instruction.

Standard and Scope of Review

Since there was no defense request at trial for a jury limiting instruction on shooting evidence, this claim is waived and may now only be reviewed on appeal for plain error.¹ “...[P]lain error is limited to material defects which are apparent on the face of the record; which are basic, serious and fundamental in their character, and which clearly deprive an accused of a substantial right, or which clearly show manifest injustice.”² To reverse for plain error, “the error complained of must be so clearly prejudicial to substantial rights as to jeopardize the fairness and integrity of the trial process.”³ “Plain error should be, by definition, blatant, and such as to

¹ Del. Supr. Ct. R. 8; *Gregory v. State*, 293 A.3d 994, 998 (Del. 2023) (“...the defendant waives any objection to the jury instructions if not made before the jury retires.”); *Hastings v. State*, 289 A.3d 1264, 1269-70 (Del. 2023); *Pollard v. State*, 284 A.3d 41, 44 (Del. 2022).

² *Pollard v. State*, 284 A.3d 41, 44 (Del. 2022). *See also Gregory v. State*, 293 A.3d 994, 998 (Del. 2023); *Hastings v. State*, 289 A.3d 1264, 1270 (Del. 2023).

³ *Hastings*, 289 A.3d at 1270 (quoting *Lowther v. State*, 104 A.3d 840, 845 (Del. 2014)).

require a trial judge to intervene spontaneously even in the absence of objection.”⁴

To affect substantial rights, the error must have affected the outcome of the trial.⁵

Merits of the Argument

The November 7, 2022 Kent County Grand Jury Indictment charged Rakiim Strickland with two offenses: Possession of a Firearm by a Person Prohibited (PFBPP); and Possession of Firearm Ammunition by a Person Prohibited (PFABPP). (A-5-6). At trial, the prosecutor read into the record a Stipulation of Fact designated Joint Exhibit 1, signed by both counsel and the defendant. (B-25). This Joint Stipulation stated:

The State of Delaware and the defendant, Rakiim Strickland, by and through his attorney, agree and stipulate that on or about the 22nd day of June, 2022, the defendant was a person prohibited by Delaware law from purchasing, owning, possessing, or controlling any firearm or ammunition for a firearm because he had been convicted on two or more separate occasions of any violent felony.

(B-25). The jury was instructed as to the limited utility of the Joint Stipulation and told not to draw any inference that Strickland was more likely to have committed any of the charged offenses. (B-31).

⁴ *Morales v. State*, 133 A.3d 527, 533 (Del. 2016) (Strine, C.J., concurring).

⁵ *Wainwright v. State*, 504 A.2d 1096, 1100 (Del.), *cert. denied*, 479 U.S. 869 (1986); *Williams v. Taylor*, 529 U.S. 362, 390-91 (2000) (trial result unreliable).

Although the State did not assert at trial that Strickland committed any criminal offense(s) other than the allegations of PFBPP and PFABPP contained in the Indictment (A-5-6), Strickland argues for the first time in this direct appeal:

So, the State tried its case as if it was a multiple felony shooting. It was permitted to do so without any guidance to the jury as to limits of consideration of “shooting evidence” introduced by the State. Thus, the trial court’s failure to *sua sponte* issue a limiting instruction regarding the purpose of the “shooting evidence” was plain error and Strickland’s convictions must be reversed.⁶

As to exactly what the Superior Court Judge should have done even in the absence of a defense request to do so, Strickland now states:

The jury should have been informed that Strickland was not on trial for firing a weapon either indiscriminately throughout the neighborhood or directly at one individual. The jury should also have been told that it was prohibited from using the “shooting evidence” as proof of bad character, criminal personality, or dangerousness. The jury should have been clearly told that the only purpose for which the evidence could be used, if believed, is to assist in determining identification and possession. (footnote omitted).⁷

In *Getz v. State*,⁸ “this Court announced six principles to guide trial judges when determining whether and how to admit evidence under D.R.E. 404 (b). . . .”⁹ The sixth

⁶ Opening Brief at 12.

⁷ Opening Brief at 15.

⁸ 538 A.2d 726, 734 (Del. 1988).

⁹ *Trump v. State*, 753 A.2d 963, 971 (Del. 2000).

requirement in the *Getz* analytical paradigm is: “Because such evidence is admitted for a limited purpose, the jury shall be instructed concerning the purpose for its admission as required by D.R.E. 105.”¹⁰ *Weber v. State*,¹¹ also imposed a jury instruction requirement when a trial court performs the D.R.E. 403 balancing test (the fifth *Getz* requirement) if evidence of other crimes is being admitted. There is also a nine-factor test to be applied when a trial court performs the D.R.E. 403 balancing test.¹²

None of the *Getz*, *Weber*, or *Deshields* requirements for jury limiting instructions apply in Strickland’s case because the State did not offer any evidence of prior crimes or other bad acts under D.R.E. 404(b). The only mention of any prior illegal conduct by Strickland was the Joint Stipulation that Strickland was a person prohibited (B-25), and the jury received a limiting instruction (B-31) about the restricted use of that evidence. A limiting jury instruction was not necessary because the State did not introduce prior bad acts/other crimes evidence under D.R.E. 404(b).

¹⁰ *Getz*, 538 A.2d at 734.

¹¹ 547 A.2d 948, 962-63 (Del. 1988). *See also Howard v. State*, 549 A.2d 692, 694-95 (Del. 1988).

¹² *Deshields v. State*, 706 A.2d 502, 506-07 (Del. 1998) (quoted in *Trump*, 753 A.2d at 971).

Since Strickland did not request a limiting instruction under D.R.E. 105, this contention is waived and may now only be reviewed on appeal for plain error.¹³ In demonstrating that a forfeited error is prejudicial, the burden of persuasion is on the defendant.¹⁴ Strickland fails to meet his burden. D.R.E. 105 has a “timely request” requirement and states: “If the court admits evidence that is admissible against a party or for a purpose – but not against another party or for another purpose – the court, on timely request, must restrict the evidence to its proper scope and instruct the jury accordingly.” There was no “other crimes” evidence apart from the prohibited person stipulation, and Strickland did not make a “timely request” for an additional limiting instruction.

There was no plain error in Strickland’s trial because the State’s evidence was limited to establishing the statutory elements of the PFBPP and PFABPP charges. No limiting instruction as now envisioned by Strickland was necessary, and Strickland has not carried his burden of establishing any plain error that affected the outcome of the trial.¹⁵

¹³ Del. Supr. Ct. R. 8; *Swan v. State*, 820 A.2d 342, 355 (Del. 2003).

¹⁴ *United States v. Olano*, 507 U.S. 725, 734 (1993); *Stevenson v. State*, 709 A. 2d 619, 633 (Del. 1998); *Sullivan v. State*, 636 A.2d 931, 942 (Del. 1994).

¹⁵ *See Jones v. State*, 798 A.2d 1013, 1018-19 (Del. 2002) (finding no plain error in not giving a Rule 105 limiting instruction because such an instruction was unnecessary). *Compare Williams v. State*, 796 A.2d 1281, 1288 (Del. 2002). (while limiting instruction should have been given, the omission was not plain error

II. ADMISSION INTO EVIDENCE OF TWO ADDITIONAL FELONY CONVICTIONS OF THE DEFENSE WITNESS WAS NOT AN ABUSE OF DISCRETION.

Question Presented

Whether the admission into evidence of two additional felony convictions of the defense witness pursuant to D.R.E. 609(a)(1) was an abuse of discretion.

Standard and Scope of Review

This Court reviews a trial court's admission of prior felony convictions as impeachment evidence (B-27-28) for an abuse of discretion.¹⁶ "An abuse of discretion occurs when a court has exceeded the bounds of reason in view of the circumstances or so ignored recognized rules of law or practice to produce injustice."¹⁷

Merits of the Argument

Prior to the State's cross-examination of the sole defense witness, Taron Walker (A-60-77; B-26-30), the prosecutor made application to the trial judge to admit as impeachment evidence pursuant to D.R.E. 609(a), three 2018 federal firearm felony convictions of Walker. (B-27). The Delaware District Court record revealed that on September 12, 2018, Walker was convicted of three felony offenses:

¹⁶ See *Morris v. State*, 795 A.2d 653, 665 (Del. 2002); *Baldwin v. State*, 2015 WL 7756857, at *2 (Del. Dec. 1, 2015).

¹⁷ *Harper v. State*, 970 A.2d 199, 201 (Del. 2009) (citing *Culp v. State*, 766 A.2d 486, 489 (Del. 2001)).

stealing firearms from a federally-licensed firearms dealer; conspiracy to steal firearms from a federally-licensed firearms dealer; and felon in possession of a firearm. (B-27-28). The prosecutor asserted that the first conviction for stealing firearms from a federally-licensed firearms dealer is a crime of dishonesty admissible as witness impeachment evidence under D.R.E. 609(a)(2). (B-28). Strickland did not dispute that the first firearms theft was a crime of dishonesty that would be admissible to impeach witness Walker's credibility. (B-28). However, Strickland objected to the admission of the second and third convictions for conspiracy and felon in possession of a firearm under D.R.E. 609(a)(1), stating:

“...the first one because it is considered a crime of dishonesty is admissible. I would argue that the prejudicial effect of the admitting the other two is—outweighs the probative value of the evidence, and I would ask that those two be excluded.” (B-28).

After clarifying that the defense was not objecting to the authenticity of the court record of witness Walker's three 2018 federal felony convictions (B-28), the trial judge ruled:

The Court finds then based on at least what sounds like partial concession by the defense that the probative value in light of the witness' testimony does outweigh any prejudicial effect doing the balancing test, at least for two of the three offenses, and the State would be permitted to ask Mr. Walker about those offenses from 2018.

(B-28).

On appeal, Strickland argues that the Superior Court abused its discretion in admitting as impeachment evidence all three of witness Walker's federal firearm convictions.¹⁸ He is wrong. The Superior Court did not abuse its discretion in admitting into evidence under D.R.E. 609(a)(1), Walker's latter two felony convictions for conspiracy and felon in possession of a firearm even though these two convictions are not crimes of dishonesty. The trial judge performed the required balancing test under D.R.E. 609(a)(1), and the latter two felony convictions were properly admitted as witness impeachment evidence. The balancing test of 609(a)(1) is a lighter burden than D.R.E. 403 ("substantially outweighed by the danger of unfair prejudice").¹⁹

During direct examination, Walker testified that he lived in Capital Green in June 2022, and when asked how long he had known Strickland, Walker replied, "we grew up together." (A-60). According to Walker, he was speaking with Strickland on June 22, 2022, when he heard shots. (A-60-61). Walker thought the shots were fired towards him and Strickland. (A-72-73).

¹⁸ Opening Brief at 22-24.

¹⁹ *See Reed v. State*, 2013 WL 5434606, at *1 (Del. Sept. 25, 2013) ("These are two different standards, the former arguably being a more relaxed standard than the latter.").

After the shots, Walker ran to his home at 411 Kent Avenue, and he heard Strickland's car engine rev, but he did not see Strickland drive away. (A-61-62). Walker did not see Strickland with a weapon (A-73), but he conceded that he never called the police about the gunshots. (B-30). Walker said he was testifying for Strickland, "[b]ecause he's being charged for something he ain't have nothing to do with." (B-27). Walker admitted he had been convicted of a crime (A-62), and said his friendship with the defendant did not affect his trial testimony. (A-62-63).

On cross-examination when the State asked Walker about his three 2018 federal court convictions (A-75), the defense objected. (A-75-76). The following sidebar exchange then occurred:

THE COURT: There's an objection?

DEFENSE COUNSEL: Yes, Your Honor. I object to bringing in all three of the offenses. As we discussed before, we could bring in the one that constituted a crime of dishonesty, but the other two were not crimes of dishonesty, and I would argue that those should not be brought in.

THE COURT: Mr. Smith?

PROSECUTOR: Your Honor, I have no objection to Ms. Gray because they're in the record, but I understand the Court's ruling that you engaged in the balancing test for the other two felonies and found that the probative value outweighed the prejudicial effect.

(A-76). In response, the trial judge stated: "That is the Court's ruling, [Defense Counsel] and [the Prosecutor] can inquire about these three offenses." (A-76-77).

D.R.E. 609(a)(1) states: “For the purpose of attacking the credibility of a witness, evidence that the witness has been convicted of a crime must be admitted but only if the crime (1) constituted a felony under the law which the witness was convicted, and the court determines that the probative value of admitting this evidence outweighs its prejudicial effect....” Evidence of Walker’s 2018 convictions for conspiracy and felon in possession of a firearm (A-74-77) were properly admitted as witness impeachment evidence. The two prior convictions were felonies (B-27-28), and the trial judge performed the required balancing test and stated: “...the probative value in light of the witness’ testimony does outweigh any prejudicial effect doing the balancing test....” (B-28).

The trial judge employed the proper legal standard under D.R.E. 609(a)(1), and the evidentiary ruling was not an abuse of discretion. “This Court will reverse a lower court’s evidentiary decision only if there was a clear abuse of discretion.”²⁰ The trial court’s evidentiary ruling about the witness’ two prior felony convictions (A-76-77; B-28) does not exceed the bounds of reason under the circumstances,²¹ and it recognizes the applicable legal test of D.R.E. 609(a)(1). When “...the crimes

²⁰ *Culp v. State*, 766 A.2d 486, 489 (Del. 2001).

²¹ *See Harper v. State*, 970 A.2d 199, 201 (Del. 2009); *Fortt v. State*, 767 A.2d 799, 804 (Del. 2001); *Storey v. Camper*, 401 A.2d 458, 467 n. 10 (Del. 1979); *Mills v. State*, 2016 WL 152975, at*1 (Del. Jan 19, 2016).

are felonies not involving dishonesty or false statements, the trial court must balance the probative value of the convictions against the risk of prejudice.”²² “...D.R.E. 609 is a rule of witness impeachment.”; thus, D.R.E. 404(b) is inapplicable.²³ The trial judge did what was required by D.R.E. 609(a)(1) in order to admit Walker’s two additional felony convictions that were not crimes of dishonesty.

While Strickland argues that Walker’s two additional felony convictions should not have been admitted to impeach the defense witness’ credibility, Strickland has not demonstrated a clear abuse of discretion in this evidentiary ruling.²⁴ The jury knew that Walker and Strickland were long time acquaintances who “grew up together.” (A-60).

In addition, whether the other two non-dishonesty felony convictions were admitted as impeachment evidence, the jury also knew Walker was a convicted felon because of his 2018 federal court conviction for stealing firearms from a federally-licensed firearms dealer (B-27-28), impeachment evidence admissible under D.R.E. 609(a)(2). Removing two other felony convictions from evidence would do little to improve Walker’s credibility, especially since his exonerating testimony was

²² *Hines v. State*, 248 A.3d 92, 101 (Del. 2021.)

²³ *Hines*, 247 A.3d at 100-01; *Gregory v. State*, 616 A.2d 1198, 1203 (Del. 1992).

²⁴ *See Culp*, 766 A.2d at 489.

uncorroborated by any other evidence and was contradicted by the other trial evidence incriminating Strickland.

The jury saw the surveillance video of a white Nissan Altima arriving in the alleyway behind 409 Kent Avenue around 6:18 P.M. when the Dover Police received a phone report of shots being fired. (B-3-4, 22). The video revealed a suspect wearing a white tank top exit the Nissan holding an AR platform pistol or rifle, then reenter the vehicle, pull away while holding the weapon out the driver's side window, and discharging two shots in the area where Detective Barrows later located the two shell casings associated with an AR platform rifle or pistol. (A-51-52; B-22). This video, State's Exhibit #17, also showed that the white Nissan Altima had a temporary white registration tag. (A-54; B-23).

The trial evidence, when coupled with the evidence of Strickland's flight from the police, abandonment of the white Nissan containing his driver's license, change of clothes, and the location of the wet white tank top and muddy shoes inside Strickland's nearby residence, all pointed to Strickland's guilt. There has been no showing of an abuse of discretion in admitting two additional felony convictions to further impeach witness Walker's credibility.

CONCLUSION

The judgment of the Superior Court should be affirmed.

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Dated: April 15, 2024

IN THE SUPREME COURT OF THE STATE OF DELAWARE

RAKIIM STRICKLAND,)	
)	
Defendant Below-)	
Appellant,)	
)	
v.)	No. 321, 2023
)	
)	
STATE OF DELAWARE,)	
)	
Plaintiff Below-)	
Appellee.)	

**CERTIFICATE OF COMPLIANCE WITH TYPEFACE REQUIREMENT
AND TYPE-VOLUME LIMITATION**

1. This answer brief complies with the typeface requirement of Rule 13(a)(i) because it has been prepared in Times New Roman 14-point typeface using Microsoft Word 2016.
2. This answer brief complies with the type-volume limitation of Rule 14(d)(i) because it contains 4,316 words, which were counted by Microsoft Word 2016.

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DATE: April 15, 2024