

Case Brief

Evidence, Unit 7: rule 403

1/28/15

Identity of Case

Old chief v. United States, page 60 of the case brief.

Summary of Facts/Procedural History

Defendant charged with illegal possession of a firearm (among other charges for fighting) which is a felony because he is already a convicted felon. The prosecution has to show that he is a felon, defendant is willing to stipulate that he is a felon because he doesn't want the nature of the previous charge to prejudice the jury. Objection overruled, defendant appeals, conviction reversed.

Statement of the Issue

If a defendant agrees to stipulate to a fact that is an essential element in the prosecutors case in order to avoid prejudice, does the judge commit an abuse of discretion by letting the charge in?

Holding

On this narrow issue where prior conviction is an element of the crime, yes the judge commits error.

Reasoning

It is a generally accepted principle that the pros can prove their burden in the way that they want to, and they are not required to accept defendant's offer to stipulate to certain facts. The jury needs the full picture after all.

The court (SCOTUS) decides that this one narrow issue, however, is worthy of an exception. Given the nature of this charge, defendant's offer to stipulate truly was the evidentiary equivalent for proving the prosecution's burden, because the nature of the prior conviction was not important and would actually be more prejudicial than probative.

Evaluation