

IN THE COURT OF CRIMINAL APPEALS OF TENNESSEE
AT JACKSON

Assigned on Briefs July 8, 2014

STATE OF TENNESSEE v. J.W. CAUSEY

**Appeal from the Criminal Court for Shelby County
No. 11-05705 Honorable Chris Craft, Judge**

No. W2013-01432-CCA-R3-CD - Filed September 25, 2014

The Defendant-Appellant, J.W. Causey, was convicted by a Shelby County jury of first degree premeditated murder, for which he received a life sentence in the Department of Correction. The sole issue presented for our review is whether the evidence was sufficient to support his conviction. Upon review, we affirm the judgment of the trial court.

Tenn. R. App. P. 3 Appeal as of Right; Judgment of the Criminal Court Affirmed

CAMILLE R. MCMULLEN, J., delivered the opinion of the court, in which JOHN EVERETT WILLIAMS, J., joined. JERRY L. SMITH, J., Not Participating.

Stephen C. Bush, District Public Defender; Phyllis Aluko (on appeal); Sanjeev Memula, Jane Sturdivant, and Adrienne Moore (at trial), Assistant Public Defenders, Memphis, Tennessee, for the Defendant-Appellant, J.W. Causey.

Robert E. Cooper, Jr., Attorney General and Reporter; Caitlin E.D. Smith, Assistant Attorney General; Amy P. Weirich, District Attorney General; Theresa McCusker and Alycia Carter, Assistant District Attorneys General, for the Appellee, State of Tennessee.

OPINION

This case concerns the senseless killing of seventeen-year-old William “Peanut” Bibb on December 17, 2010, at a hotel in Memphis. The Defendant-Appellant, J.W. Causey, provided a statement to police admitting that he fatally shot the victim and was subsequently indicted by the Shelby County Grand Jury for first degree murder. See T.C.A. §§ 39-13-202 (2010). The following proof was adduced at trial.

Trial. Leslie Martin, the mother of the victim, testified that she last saw her son at around 7:00 p.m. on December 17, 2010. She said that he was in good health at the time.

Officer Gregory Howard of the Memphis Police Department (MPD) testified that on December 17, 2010, he responded to a shooting call at the Extended Stay Hotel on Mount Moriah Road in Memphis. He did not recall the time of the call. He arrived at the scene within three to five minutes after receiving the call and observed a black male lying on the floor of the lobby with an apparent gunshot wound to the chest. Officer Howard said that the area was full of people who appeared to be teenagers. After clearing the lobby and calling an ambulance, he questioned bystanders about what they had witnessed. He was then posted at the front door and maintained a crime scene log. The police conducted a sweep of the hotel, but did not find the shooter on the premises. Officer Howard then went outside and recorded every license plate in the parking lot.

Officer Marcus Mosby, a MPD crime scene investigator, testified that when he arrived at the hotel at 3:47 a.m., numerous officers had secured the scene. Once inside, he observed the victim's body and began to assess the crime scene. Officer Mosby took photographs outside and inside the hotel and collected various items of evidence. He photographed the victim's body on the floor of the lobby, a .45 caliber shell casing, a bullet fragment recovered from the front desk area, and a possible bullet hole in the door. Officer Mosby drew a diagram of the crime scene depicting the location of the evidence that he collected. He did not recover any guns.

Dr. Miguel Laboy testified as an expert in the field of forensic pathology and as the keeper of records for the Shelby County Medical Examiner's Office. He said that Dr. James L. Caruso performed the autopsy on the victim on December 18, 2010, and that he agreed with the findings in Dr. Caruso's report. An external examination of the body revealed that the victim had a gunshot wound to the chest with the entry in the front left side of the chest and an exit wound on the back. The bullet traveled from left to right, and from front to back, in a slightly downward direction. There was no gun powder soot or stippling on the wound, which indicated that the gun was discharged from an indeterminate or distant range. Dr. Laboy declined to define close, intermediate, or distant shooting range because he was not a firearms expert. He stated that the presence or absence of gunpowder stippling or soot would vary depending on the gun type and the ammunition used. He agreed that a .45 revolver would typically cause soot or stippling if fired from close range. During the internal examination, Dr. Caruso documented that the bullet pierced both of the victim's lungs, the aorta, and the pericardial sac around the heart. Dr. Laboy explained that the perforation of a major vessel such as the aorta would result in an accumulation of blood from the heart and difficulty in breathing. The victim's toxicology analysis indicated that he tested positive for marijuana. After the autopsy, Dr. Caruso determined the cause of death to be a gunshot wound to the chest and the manner of death to be homicide.

Erick Jefferson testified that he was the manager at the Extended Stay Hotel at the time of the victim's death. After receiving a call about a shooting in the lobby, he arrived at the hotel between 1:00 and 2:00 a.m. on December 18, 2010. At the scene, he observed the victim's body to the right, one or two police officers, and a gathering of people. He said that the hotel's surveillance system continuously recorded at all times. Upon viewing the video from the main lobby camera, he observed a young man exit the elevator with a gun in his hand. The man did not raise the gun from his side or point the weapon. There were also a few teenagers standing in the lobby area near the chairs. Mr. Jefferson could not see anything else in the video.

Terriyuan Davis, the victim's friend, testified that he was sixteen years old at the time of the shooting. On the evening of December 17, 2010, he was with his brother, Terrance Rossell, and the victim. They drove in separate cars to the Extended Stay Hotel, with the brothers in one vehicle and the victim in another. Mr. Davis and the victim planned on dropping Mr. Rossell off at the hotel and then going to IHOP. He did not know what was occurring at the hotel at the time but said that Mr. Rossell was going to visit his girlfriend, Laterrica Mims. Upon arriving at the hotel, Mr. Davis said that three people he did not know entered ahead of his group. One of the individuals was later identified as the Defendant. While Mr. Davis and his group were standing in the lobby and talking, the Defendant got on the elevator. No words were ever exchanged between the Defendant and Mr. Davis's group.

Mr. Davis said that he was in the lobby for two or three minutes talking with Mr. Rossell, the victim, Ms. Mims, Dedrek McVay, and Amber Matthews. No one in his group ever went upstairs. He and the victim were about to leave when the Defendant exited the elevator with a gun. According to Mr. Davis, the Defendant said something, but he could not recall what was said. He also could not recall whether anyone responded to the Defendant. Upon seeing the gun, Mr. Davis and his brother ran through the right hallway and exited to their car. He got into the passenger seat and tried to see whether the victim was running behind him. Mr. Davis heard one gunshot and saw the Defendant run out the same exit door that he and his brother had used. He returned to the lobby and observed the victim lying on the floor. He could not remember what happened next because he was panicking. Mr. Davis testified that he had no idea why the Defendant came out with a gun. He never heard the Defendant and the victim arguing while they were in the lobby. He later identified the Defendant in a photographic lineup at the Memphis Police Department.

On cross-examination, Mr. Davis denied that the victim had a gun in his back pocket. He said that the Defendant did not wave the gun around after exiting the elevator but that he cocked the gun. He acknowledged that after the shooting, he had discussed the incident with his brother and Ms. Mims. He denied that Ms. Mims told him that the victim had a weapon.

Sergeant Kevin Lundy, a MPD homicide investigator, testified that he and his partner visited the crime scene and later interviewed the Defendant at the police station on December 20, 2010. The Defendant was advised of his rights, and he signed an Advice of Rights form. The Defendant then provided a formal statement, which he signed. In his statement, the nineteen-year-old Defendant conceded that he was responsible for the death of the victim, whom he did not previously know. The Defendant described the events surrounding the victim's death as follows:

We were chilling at the hotel, had a couple of drinks, and two females were in the room with us. Me and Jay went to the Wendy's on Shelby Drive to get him something to eat. We came back to the room and we also seen women in the hallway. We went upstairs and me, Jay and JR came back downstairs to see the women that me and Jay saw. JR was drunk, JR kept going back to the young women room. JR went to the room twice. I got him out the room because they said they were going to call the police. I was fixin to take Blue home when I seen four guys walking into the hotel as I was walking to the car. I walk back into the hotel, went up stairs and got the gun. I came downstairs on the elevator and confronted the victim. The victim had a gun also. Blue got the gun out of the victim's back pocket and I shot him. Me and Blue left the hotel. I drove off with Blue in a Taurus. I drove down the street and was dropped off down the street and [sic] Blue off and I went my separate way.

The Defendant did not know what Blue did with the gun after he grabbed it out of the victim's pocket. He said that Blue was wearing a purple shirt and had an orange bandana over his face. Upon seeing the four males outside the hotel, the Defendant returned to his room because "dude had a gun." He did not drive off and leave at that point because he "had a feeling they were coming to kill [him] and JR." He stated that when he confronted the victim with a pistol, the victim's hands were in the air. The Defendant said that the victim never reached for the gun in his back pocket. He described his own gun as a chrome and black .45. When asked what he did with the .45 after leaving the hotel, the Defendant first responded that he threw the weapon in the Mississippi River. He then said that he sold the gun to a man in South Memphis for \$40. He identified Blue, Jay, and JR from three photographic lineups. The Defendant said that he shot the victim because he "just blanked out and pulled the trigger."

Laterrica Mims was eighteen years old at the time of trial. She testified that she had known the victim since elementary school. She said that a group had gathered at the hotel on December 17 for a sleepover birthday party. Ms. Mims first arrived at the hotel at around 11:00 p.m. that night with three friends. The four of them went straight to the room. She

said that “[e]verybody was just calling people up to the room” and that there were a lot of guests. At one point, Ms. Mims went downstairs to let the victim, Mr. Davis, and Mr. Rossell into the hotel. She described these men as her “good friends.” She was accompanied by Amber Matthews and Dedrek McVay. The three of them took the elevator and were the only ones in the lobby at that point.

After opening the door for the victim and his friends, everyone remained in the lobby and talked for about ten minutes. The Defendant then exited from the elevator with his hands behind his back and walked toward her group. She did not know him before that night, and she did not remember if she saw him in the building earlier. She stated that the Defendant said something, but she could not recall what he said. Everybody was talking at once and “it was just like all chaos.” She could not remember what she said. She was scared because the Defendant moved his gun from behind his back as he approached them. The Defendant pointed the gun at everybody, and Mr. Davis and Mr. Rossell “ran out the back door.”

Ms. Mims testified that she stood between the Defendant and the victim and that the victim was “[b]asically like begging for his life.” She could not remember what the victim said. She stated that the Defendant and the victim were arguing back and forth and that she begged the Defendant to leave. She “kind of moved away” and the Defendant shot the victim. She estimated that the entire incident lasted about five to six minutes. She never saw the victim with a gun. When she opened the door to let Mr. Davis and Mr. Rossell back in, she observed the Defendant running across the street. She subsequently provided a statement to the police and identified the Defendant from a photographic lineup.

On cross-examination, Ms. Mims recalled providing a police statement, but she did not remember what she said. She did not recall telling the police that there were uninvited guests and problems inside the hotel room. She acknowledged that she went downstairs to open the door for the victim, Mr. Davis, and Mr. Rossell, but denied that she had called them to the hotel. She denied that the victim had a gun in his back pocket. She did not recall telling the police that “the guy with the orange hat took something out of [the victim]’s pocket and disappeared[.]” She denied telling Dedrek McVay to say that the victim did not have a gun.

Dedrek McVay¹ testified that he was nineteen years old and that he knew the victim through a friend. On the night of the shooting, he arrived at the hotel party with a group at around 10:00 or 11:00 p.m. Upon entering the lobby, he saw the Defendant, whom he did not know, smoking and drinking with two friends. One of the Defendant’s friends asked Mr. McVay if he wanted to gamble. Mr. McVay later identified all three men in photographic

¹ The witness is also referred to as “Derrick” throughout the trial transcript.

lineups. He also identified a fourth man as the individual who took the gun out of the victim's pocket.

When Mr. McVay arrived in the hotel room, he observed "[a] bunch of girls and four or five dudes" lounging around. He said that there were about fifteen people and that he knew five of them. There was a problem with uninvited guests trying to force themselves into the room, which had frightened the girls. One of the Defendant's friends came into the room and was touching the girls. The Defendant eventually came and removed the man from the hotel room. Mr. McVay said that Ms. Mims called her mother as well as the victim "and them." He stated that Ms. Mims did not call the police or the front desk.

At one point, Mr. McVay went downstairs with Ms. Mims and Amber Matthews to let the victim and his friends into the hotel. He said that the Defendant and two other people were in the lobby. According to Mr. McVay, when the Defendant saw the victim, he asked, "This who y'all called up here for me?" He testified that the Defendant went upstairs and then returned and pointed a gun at the victim, who "threw his hands up in the air." After Ms. Mims responded, "[N]o, he ain't come here for this and all that[,]" the Defendant reached over Ms. Mims and shot the victim. Mr. McVay then went outside and told the victim's friends about the shooting. He did not see the Defendant again after the shooting. He said that a minute or two had passed after the Defendant exited the elevator and shot the victim. He denied ever seeing the victim with a gun.

On cross-examination, Mr. McVay testified that the victim had something black in his back pocket, but he did not know what it was. He recalled that Amber Matthews "was hollering" that the victim had a gun. He acknowledged telling the police that the victim had a weapon, but said that he was reporting what others told him. He agreed that during the confrontation with the Defendant, a man with something covering his face came from one of the hallways and reached into the victim's back pocket. He conceded that the Defendant shot the victim when the victim had also reached for his back pocket.

Amber Matthews, who was nineteen years old at the time of trial, testified that she arrived at the Extended Stay Hotel at around 11:00 or 11:30 p.m. on December 17, 2010, for her friend's birthday party. She did not see anyone in the lobby at that time. When she and her friends first arrived at their room, they watched TV and then they began to call other people to come to the hotel. Ms. Matthews said that there were some men in the hallway outside, including the Defendant, who were noisy and who kept knocking on the door. She stated that one man entered the room uninvited and "just was talking." Another man then came in and took him out of the room. Ms. Matthews and her friends felt uncomfortable and a bit scared. She said that everyone, including Ms. Mims, used their phones to call others.

At one point, Ms. Matthews went downstairs with Ms. Mims, Mr. McVay, and “Big Hugh” to open the door for the victim and his two friends. She said that Ms. Mims had called these men to the hotel. She then held the door as Ms. Mims went outside to meet the victim and his friends. She observed a man, later identified as the Defendant, “just walking around” outside. The Defendant came into the hotel before Ms. Mims and the others and got on the elevator without saying a word. Everyone then entered and just stood around in the lobby and talked for about ten minutes. She testified that a few minutes later, the Defendant exited the elevator with a gun and walked straight to the victim and “just kept saying was this who you brought for me, was this who you called up here for me.” She said that Ms. Mims then ran over with her hands up and stood between the Defendant and the victim and stated, “No, no, no.” The Defendant kept the gun held to the victim’s chest the entire time.

According to Ms. Matthews, another man came behind the victim, and then the Defendant shot the victim about a minute after the man left. She testified that the Defendant was about three or four feet away from the victim when he shot him. She did not know where the other man came from, but testified that he held a gun to the back of the victim’s head. After the Defendant shot the victim, Ms. Matthews and Mr. McVay ran to the right but it was a dead end. She did not recall where the victim’s friends went, although she did see the Defendant and his friend leave through the exit door on the left. Ms. Matthews only heard one gunshot that night. She said that the victim was just standing there and that he did not say anything when he was shot. She never saw the victim with a gun.

On cross-examination, Ms. Matthews said that she did not know Ms. Mims or the victim prior to the night of the shooting. She acknowledged telling the police that the victim had a gun but said that she was repeating what she was told. She denied ever telling Mr. McVay that the victim had a gun. She agreed that in the surveillance video, the Defendant paced back and forth with the gun at his side after exiting the elevator. She said that after the Defendant was out of the view of the camera, he stopped pacing and pointed the gun at the victim. She agreed that the victim reached for his back pocket after the man came up from behind and reached into the his pocket. She did not recall seeing anything in the victim’s pocket.

Twenty-year-old Terrance Rossell testified that he arrived at the hotel late on December 17, 2010, with his brother, Mr. Davis, and the victim. He said that they drove in separate cars and met in the parking lot so that he could go see Ms. Mims. After entering the hotel, he stood in the lobby and talked with Ms. Mims, Mr. Davis, the victim, and some other people. Mr. Rossell stated that the Defendant stepped out of the elevator and asked, “[W]hat you n-----s got a problem or something[?]” He did not remember whether anyone responded to the Defendant. He did not previously know the Defendant, and he did not recall having seen the Defendant before he stepped out of the elevator. When the Defendant took out his

gun, Mr. Rossell and Mr. Davis ran down the hallway and out through the side door. He thought that the victim was behind him, but he looked back and saw the victim standing in the lobby with his hands up. He and his brother then jumped into their car. As they were about to leave, Mr. Rossell stopped the car because his brother heard a gunshot. He then returned to the lobby with Mr. Davis and observed the victim lying on the ground. Mr. Rossell later identified the Defendant in a photographic lineup.

The Defendant elected not testify or present any proof at trial. Based on the above evidence, the jury found the Defendant guilty as charged of first degree premeditated murder, and the trial court sentenced him to life imprisonment. After the court denied the Defendant's motion for new trial, this timely appeal followed.

ANALYSIS

On appeal, the Defendant argues that the evidence was insufficient to sustain his conviction for first degree premeditated murder. Specifically, he contends that there was insufficient proof that his actions were free from excitement and passion to support a finding of premeditation. The Defendant further asserts that the State did not disprove beyond a reasonable doubt that he acted in self-defense. The State responds that there was ample evidence to establish that the murder was premeditated. We agree with the State.

The State, on appeal, is entitled to the strongest legitimate view of the evidence and all reasonable inferences which may be drawn from that evidence. State v. Davis, 354 S.W.3d 718, 729 (Tenn. 2011) (citing State v. Majors, 318 S.W.3d 850, 857 (Tenn. 2010)). This court has often stated that “[a] guilty verdict by the jury, approved by the trial court, accredits the testimony of the witnesses for the State and resolves all conflicts in favor of the prosecution’s theory.” State v. Bland, 958 S.W.2d 651, 659 (Tenn. 1997). A guilty verdict also “removes the presumption of innocence and replaces it with a presumption of guilt, and the defendant has the burden of illustrating why the evidence is insufficient to support the jury’s verdict.” Id. (citing State v. Tuggle, 639 S.W.2d 913, 914 (Tenn. 1982)).

When a defendant challenges the sufficiency of the evidence, the standard of review applied by this court is “whether, after reviewing the evidence in the light most favorable to the prosecution, any rational trier of fact could have found the essential elements of the crime beyond a reasonable doubt.” Jackson v. Virginia, 443 U.S. 307, 319 (1979). Similarly, Rule 13(e) of the Tennessee Rules of Appellate Procedure states, “Findings of guilt in criminal actions whether by the trial court or jury shall be set aside if the evidence is insufficient to support the findings by the trier of fact of guilt beyond a reasonable doubt.” Guilt may be found beyond a reasonable doubt where there is direct evidence, circumstantial evidence, or a combination of the two. State v. Matthews, 805 S.W.2d 776, 779 (Tenn. Crim. App. 1990)

(citing State v. Brown, 551 S.W.2d 329, 331 (Tenn. 1977); Farmer v. State, 343 S.W.2d 895, 897 (Tenn. 1961)).

The standard of review for sufficiency of the evidence “is the same whether the conviction is based upon direct or circumstantial evidence.” State v. Dorantes, 331 S.W.3d 370, 379 (Tenn. 2011) (quoting State v. Hanson, 279 S.W.3d 265, 275 (Tenn. 2009)). The jury as the trier of fact must evaluate the credibility of the witnesses, determine the weight given to witnesses’ testimony, and reconcile all conflicts in the evidence. State v. Campbell, 245 S.W.3d 331, 335 (Tenn. 2008) (citing Byrge v. State, 575 S.W.2d 292, 295 (Tenn. Crim. App. 1978)). Moreover, the jury determines the weight to be given to circumstantial evidence and the inferences to be drawn from this evidence, and the extent to which the circumstances are consistent with guilt and inconsistent with innocence are questions primarily for the jury. Dorantes, 331 S.W.3d at 379 (citing State v. Rice, 184 S.W.3d 646, 662 (Tenn. 2006)). When considering the sufficiency of the evidence, this court shall not reweigh the evidence or substitute its inferences for those drawn by the trier of fact. Id.

The Defendant was convicted of first degree murder, which is defined as “[a] premeditated and intentional killing of another[.]” T.C.A. § 39-13-202(a)(1) (2010). A person acts intentionally “when it is the person’s conscious objective or desire to engage in the conduct or cause the result.” Id. § 39-11-302(a). Premeditation is defined as “an act done after the exercise of reflection and judgment.” Id. § 39-13-202(d). This section further defines premeditation:

“Premeditation” means that the intent to kill must have been formed prior to the act itself. It is not necessary that the purpose to kill pre-exist in the mind of the accused for any definite period of time. The mental state of the accused at the time the accused allegedly decided to kill must be carefully considered in order to determine whether the accused was sufficiently free from excitement and passion as to be capable of premeditation.

Id. “‘Premeditation’ is the process of thinking about a proposed killing before engaging in the homicidal conduct.” State v. Brown, 836 S.W.2d 530, 540-41 (Tenn. 1992) (quoting C. Torcia, Wharton’s Criminal Law § 140 (14th ed. 1979)).

The existence of premeditation is a question of fact for the jury to determine and may be inferred from the circumstances surrounding the offense. State v. Rosa, 996 S.W.2d 833, 837 (Tenn. Crim. App. 1999) (citing Brown, 836 S.W.2d at 539). “[T]he use of a deadly weapon upon an unarmed victim; the particular cruelty of the killing; declarations by the defendant of an intent to kill; evidence of procurement of a weapon; preparations before the killing for concealment of the crime; and calmness immediately after the killing” may

support the existence of premeditation. Bland, 958 S.W.2d at 660 (citing Brown, 836 S.W.2d at 541-42; State v. West, 844 S.W.2d 144, 148 (Tenn. 1992)). This court has also noted that the jury may infer premeditation from any planning activity by the defendant before the killing, evidence concerning the defendant's motive, and the nature of the killing. State v. Bordis, 905 S.W.2d 214, 222 (Tenn. Crim. App. 1995) (citation omitted). In addition, a jury may infer premeditation from a lack of provocation by the victim and the defendant's failure to render aid to the victim. State v. Lewis, 36 S.W.3d 88, 96 (Tenn. Crim. App. 2000).

In challenging the sufficiency of the convicting evidence, the Defendant does not contest the fact that he shot and killed the victim. However, he asserts that the State failed to prove beyond a reasonable doubt that he acted with premeditation. To support this claim, the Defendant maintains that he did not previously know the victim, that he fired a single gunshot, and that he only used his weapon when he believed that the victim was reaching for a gun in his back pocket. Accordingly, he argues that the circumstances did not establish that he was sufficiently free from excitement and passion to be capable of premeditation. Moreover, the Defendant argues that the State failed to disprove beyond a reasonable doubt that he acted in self-defense. He asserts that his claim of self-defense was buttressed by the inconsistencies in the State's proof regarding whether the victim was armed.

Viewed in the light most favorable to the State, we conclude that the evidence was sufficient to establish that the Defendant acted with premeditation when he killed the victim. The proof at trial established that the Defendant exited the elevator with a revolver, walked toward a group of teenagers whom he did not know, cocked his weapon, and shot the victim in the chest. At trial, Terriyuan Davis testified that the Defendant was outside the hotel when he saw the victim's group approaching. The Defendant then entered the hotel ahead of the group without saying a word. Amber Matthews similarly testified that she observed the Defendant "just walking around" outside the hotel. She said that the Defendant then entered the hotel before the victim and went upstairs in the elevator without interacting with the victim or his friends. According to Dedrek McVay, the Defendant was in the lobby when he saw the victim and asked, "This who y'all called up here for me?" Mr. McVay testified that the Defendant then went upstairs and retrieved his gun. By his own admission, the Defendant told the police that he was about to leave the hotel when he saw four men walking into the hotel. He then "walk[ed] back into the hotel, went up stairs and got the gun." Based on this procurement of a deadly weapon, the jury could reasonably infer that the Defendant acted with premeditation. See Rosa, 996 S.W.2d at 837; Bland, 958 S.W.2d at 660.

The evidence further reflected that the members of the victim's group remained in the lobby and talked for about two to ten minutes when the Defendant exited the elevator and walked toward the group with a gun in his hand. Laterrica Mims testified that she stood between the Defendant and the victim and begged the Defendant to leave. Mr. McVay and

Ms. Matthews both stated that the Defendant kept his gun pointed at the victim even though Ms. Mims told the Defendant that the victim was not there to confront him. Although inconsistencies exist in the witnesses' statements to the police and their testimony at the trial, the record shows that a man with a covered face removed something from the victim's back pocket, and the Defendant shot the victim while his hands were in the air. Significantly, in his statement to the police, the Defendant acknowledged that the victim's hands were up when he had confronted the victim with a gun. He also stated that the victim never reached for his own gun. When asked why he shot the victim, the Defendant replied, "I just blanked out and pulled the trigger." After the shooting, the Defendant and "Blue" fled the scene, and the Defendant disposed of the murder weapon. Dr. Miguel Laboy testified that the victim's autopsy revealed that the victim had died from a single gunshot wound to the chest and that the bullet had pierced the victim's lungs and heart. Although the Defendant told the police that he shot the victim because he believed the victim had been summoned to the hotel to kill him, the jury was free to discredit this claim. Similarly, the trial court charged the jury on the issue of self-defense and the jury chose to reject this defense, as was its prerogative. See State v. Goode, 956 S.W.2d 521, 527 (Tenn. Crim. App. 1997) (citing State v. Ivy, 868 S.W.2d 724, 727 (Tenn. Crim. App. 1993)).

Based on the evidence, a rational trier of fact could have found beyond a reasonable doubt that the Defendant acted with premeditation when he shot the victim in the chest. Here, the jury evaluated the credibility of the witnesses and resolved all conflicts in the evidence in favor of the prosecution's theory. See Campbell, 245 S.W.3d at 335; Bland, 958 S.W.2d at 659. We conclude that the evidence was sufficient to sustain the Defendant's conviction for first degree premeditated murder.

CONCLUSION

Upon review, we affirm the judgments of the Shelby County Criminal Court.

CAMILLE R. McMULLEN, JUDGE