

State v. Price

Case Number

S-19-0192

Case Audio

Download Audio

Call Date

March 4, 2020

Case Time

9:00 AM

Court Number

Lancaster

Case Location

Lincoln

Court Type

District Court

Case Summary

S-19-0192 State v. James S. Price (Appellant)

Lancaster County District Court, Judge Andrew R. Jacobsen

Attorneys: Matthew K. Kosmicki (Kosmicki Law, for Appellant; Austin Relph (Office of the Attorney General, for Appellee)

Criminal: Jury conviction of aiding and abetting robbery and assault

Proceedings below: The first trial resulted in a mistrial after a jury deadlocked. Appellant's plea in bar based on double jeopardy was denied. A jury returned guilty verdicts after a second trial. The district court denied Appellant's motion for a new trial.

Issues: Appellant assigns that 1) the district court abused its discretion by not inquiring of the jury at the first trial whether they were deadlocked on each count of the information; 2) the district court abused its discretion by overruling the plea in bar filed after the first trial; 3) the State committed prosecutorial misconduct at the second trial by making improper statements during closing argument, 4) the district court abused its discretion in denying the motion for new trial, 5) trial counsel was ineffective; 6) the evidence was insufficient to support the verdicts, and 7) the sentence imposed was excessive.

Schedule Code

SC
