

ARKANSAS COURT OF APPEALSDIVISION III
No. CACR 08-1221

YMARI BOYCE-REID

APPELLANT

V.

STATE OF ARKANSAS

APPELLEE

Opinion Delivered September 9, 2009APPEAL FROM THE JEFFERSON
COUNTY CIRCUIT COURT,
[NO. CR-2006-186-1]HONORABLE BERLIN C. JONES,
JUDGE

AFFIRMED

COURTNEY HUDSON HENRY, Judge

After considering charges of capital murder, a jury in Jefferson County found appellant Ymari Boyce-Reid guilty of two counts of first-degree murder in connection with the deaths of Angela Hicks and Christopher Allen. As a consequence, appellant received consecutive sentences totaling sixty years in prison. For reversal, appellant contends that the jury's verdicts are not supported by substantial evidence. We affirm.

On the morning of January 16, 2006, Angela Hicks and Christopher Allen died after being shot outside the home of Darrin White in Pine Bluff. Hicks sustained five gunshot wounds, including one fired at close range to the back of her head. Allen received a single gunshot that entered above and behind his right ear. The testimony and evidence revealed that the shooting commenced while the pair sat in the front seat of a vehicle rented by Hicks.

Appellant and a woman named Angela Bell occupied the back seat of this vehicle. The question before the jury was whether appellant or Bell committed the murders.

At trial, Bell testified that appellant fired the shots that killed Hicks and Allen. She recalled that the foursome spent the previous evening together in appellant's motel room where they drank alcohol, used drugs, and engaged in sexual relations. According to Bell, appellant became somewhat upset because she thought some of her money was missing. Bell said that they spent time looking for appellant's money and that afterwards they left the motel in search of marijuana. When they arrived at White's house, appellant asked to increase the volume on the radio. Bell testified that she then heard gunshots and saw a hole in the back of Allen's head. She said that appellant and Hicks began struggling over the gun and that she saw blood running down Hicks's arm. Bell quickly got out of the vehicle and ran inside White's house and out of the back door. Bell entered another person's home and later asked someone to drive her to the home of a relative.

Darrin White confirmed that Bell ran through his house and out of the back door. He said that appellant came into his house moments later and asked which way Bell had gone. White said that appellant went to the back door and fired a couple of shots toward Bell and that appellant came back inside and told him that she was sorry for what she had done in front of the children present in the home. White testified that he saw two bodies lying on the ground outside of his home when appellant drove away in a vehicle.

Terrence Rodgers testified that he knew appellant because his sister babysat appellant's children and that appellant barged into his home on the morning of January 16, 2006. He

stated that appellant had blood on her arms and hands and that she cleaned herself and changed into his sister's clothing.

Sheila Lowden picked up appellant at Rodgers's house and drove her to the home of appellant's sister in Dollarway. Lowden said that appellant asked her not to take a well-traveled route and that appellant fully reclined her seat during the drive. The police apprehended appellant at the Dollarway home two days after the murders. An officer testified that he found appellant in the garage hiding in the trunk of a vehicle. At that location, officers found a burned guide rod spring from a Glock pistol. Further testimony revealed that shell casings recovered from the murder scene were consistent with those fired from a Glock pistol. Officers also received information that appellant hid in a storage unit for some time after the murders. In that storage unit, the officers found a magazine for a Glock pistol.

Lieutenant Marx Mitchell interviewed appellant following her arrest. Marx testified that appellant gave both oral and written statements. In these statements, appellant confessed that she shot Allen and Hicks, saying that she killed them because they were planning to force her to use cocaine and engage in sexual relations with them. In the written statement, appellant added that she left the motel room at some point to retrieve her gun because she always carried it with her.

In her testimony, appellant stated that she was celebrating her nineteenth birthday that weekend. She said that they left the motel that morning to obtain marijuana and that Bell directed them to White's house. Appellant denied complaining about lost money. She testified that, when they reached the house, she heard Bell curse and saw Bell shoot Allen and

then Hicks. Appellant said that she got out of the vehicle and walked in, then out, and around the house. She said that she never went to the back of the house and that she must have missed seeing Bell somehow. She said that she did not call the police because she was frightened and that she intended to turn herself in to the police once she obtained enough money for a lawyer. Appellant denied that she made a confession and said that she did not write the statement that the prosecution introduced into evidence.

A person commits murder in the first degree if, with a purpose of causing the death of another person, the person causes the death of another person. Ark. Code Ann. § 5-10-102(a)(2) (Repl. 2006). In determining the sufficiency of the evidence to support a criminal conviction, we view the evidence in the light most favorable to the State, considering only the evidence that supports the verdict, and affirm if the verdict is supported by substantial evidence. *Tarpley v. State*, 97 Ark. App. 124, 245 S.W.3d 192 (2006). Substantial evidence is evidence that is forceful enough to compel reasonable minds to reach a conclusion one way or the other without having to resort to speculation or conjecture. *Benson v. State*, 357 Ark. 43, 160 S.W.3d 341 (2004).

On appeal, appellant contends that Bell committed the murders and that the evidence presented by the State does not establish appellant's guilt. Although there were conflicts in the testimony, we do not pass upon the credibility of the witnesses who testify at trial, nor do we resolve conflicts in the testimony, as those are matters solely for the jury's determination. *Barrett v. State*, 354 Ark. 187, 119 S.W.3d 485 (2003). Viewing the evidence in the light most favorable to the State, as we must, we conclude that there is sufficient evidence demonstrating

appellant's guilt. Bell, whom the jury was entitled to believe, testified that appellant murdered Allen and Hicks. The State presented evidence that appellant confessed to the murders. Further, the State's witnesses gave testimony that appellant fired shots at Bell as she fled the scene and that appellant, with blood on her hands and arms, entered a home where she washed and changed clothes. Further, testimony demonstrated that appellant behaved suspiciously after the murders by reclining her passenger seat in a car so as not to be seen. The police also found appellant hiding in a trunk two days after the murders. Testimony revealed that the murder weapon was likely a Glock handgun, and parts from that type of gun, some of them burned, were found in areas where appellant hid after the murders. The foregoing constitutes substantial evidence, and we affirm the jury's verdicts.

Affirmed.

KINARD and BAKER, JJ., agree.