



**ARIZONA SUPREME COURT
ORAL ARGUMENT CASE SUMMARY**



**STATE OF ARIZONA V. CORY DEONN MORRIS
CR-05-0267-AP**

PARTIES AND COUNSEL:

Appellant: Cory Deonn Morris is represented by Susan Sherwin, Maricopa County Legal Advocate; and Consuelo M. Ohanesian, Deputy Legal Advocate, Maricopa County Office of the Legal Advocate

Appellee: The State of Arizona is represented by Terry Goddard, Attorney General; Kent E. Cattani, Chief Counsel; and Patricia A. Nigro, Assistant Attorney General, Capital Litigation Section

FACTS:

On April 12, 2003, the badly decomposed body of Julie Castillo was found in Cory Morris's camper. Police had previously discovered the decomposed bodies of four other women in the alley or sidewalk near the camper. Barbara Codman was discovered on September 11, 2002; Shanteria Davis on October 10, 2002; Jade Velasquez on February 27, 2003; and Sharon Noah on March 29, 2003. The bodies of Codman, Noah, and Velasquez had selective skin slippage near the breasts, thighs, and genitalia. Velasquez and Noah had ligature marks on their necks, and the medical examiner determined that they were strangled. Castillo's body was too decomposed to determine cause of death, but she had a necktie around her neck. Codman's and Davis's deaths were originally determined to be due to drug overdose.

Police questioned Morris about all five women, and he first stated that each woman had returned to his trailer for sex and died after he left due to a drug overdose. Morris then stated that each of the women wanted to be choked during sex and that the deaths were an accidental result of this conduct. He kept the bodies for some length of time before disposing of them in the alley near his home. At trial, the State argued that Morris engaged in intercourse with all of the bodies except for Davis's.

When Morris was arrested, he was carrying Codman's identification in his wallet. Items belonging to Codman, Davis, Noah, and Castillo were found in Morris's camper. DNA under Davis's fingernails matched Morris's profile. DNA on vaginal swabs from Velasquez and Noah also matched Morris's profile.

On July 11, 2005, a jury found Morris guilty of five counts of first degree murder. Subsequently, the jury found that Morris had committed prior serious offenses and that he had committed all five murders in an especially cruel and especially heinous or depraved manner. The jury did not find that Morris's mitigation evidence was sufficiently substantial to call for leniency, and therefore sentenced him to death for each murder.

ISSUES:

Morris raises four challenges to the guilt phase of his trial. In addition to these issues, A.R.S. § 13-703.05 (Supp. 2006) governs the Court's review of sentencing.

Morris raises the following issues on appeal:

1. The trial court abused its discretion by denying Morris's motion to dismiss the counts involving Codman and Davis and by admitting Morris's statements to the police concerning those deaths because the State was unable to establish corpus delicti in those deaths without Morris's statements.
2. The trial court abused its discretion and fundamentally erred by violating Morris's right to be present at all critical stages of a criminal proceeding when it allowed the jury commissioner to prescreen prospective jurors for the expected length of trial outside the presence of Morris and his counsel.
3. There was persistent and pervasive misconduct by the prosecutor and the cumulative effect of the incidents shows that the prosecutor intentionally engaged in improper conduct and did so with indifference, if not a specific intent, to prejudice appellant, adversely contributing to and affecting the verdicts.
4. The trial court abused its discretion by allowing the State to introduce excessively gruesome pictures throughout the trial.

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