



**ARIZONA SUPREME COURT
ORAL ARGUMENT CASE SUMMARY**



State of Arizona v. John Logan Brown
CR-24-0143-PR

PARTIES:

Petitioner: John Logan Brown

Respondent: The State of Arizona

FACTS:

After coming home, John Logan Brown (“Brown”) found his wife, J.A., with a man, M.H., whom she had invited to help clean the house. She had invited him despite the couple’s earlier agreement that she would not do so. Seeing this, Brown locked himself in his room and told them to stay out. J.A. picked the lock, and, as she tried to enter the room, Brown took a microphone stand and started swinging. Then M.H. tried entering the room, and Brown hit M.H. with the microphone stand.

A jury convicted Brown of aggravated assault with a dangerous instrument, and the trial court sentenced him to five years in prison.

In a memorandum decision, the court of appeals considered whether Brown was entitled to justification defenses for defense of premises and defense of residential structure. These justifications only permit physical force to be used against those who are unlawfully within the premises or residential structure. *See* A.R.S. §§ 13-407(A), -418(A), -419(A). The court found that because J.A. had invited M.H., he was legally permitted to be in the house as an invitee. Therefore, the court held, the justifications did not apply.

The Court granted review of this rephrased issue:

ISSUE:

Did the court of appeals err in holding that, because M.H. was an invitee of Brown’s wife, Brown was not entitled to justification defenses to keep M.H. out of his locked and private bedroom after he locked his door and told M.H. to stay out?

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