



**ARIZONA SUPREME COURT
ORAL ARGUMENT CASE SUMMARY**



**STATE OF ARIZONA v. ISIAH PATTERSON
CR-09-0342-AP**

PARTIES:

Appellant: Isiah Patterson

Appellee: State of Arizona

FACTS: At around 2:00 a.m. on March 17, 2006, Isiah Patterson chased his girlfriend, Consuelo, from his apartment. He caught her in the sand volleyball pit of the apartment complex, kneeled over her and stabbed her with a butcher knife thirteen times. He stopped attacking her when a neighbor, who had been awoken by Consuelo's screams, yelled for him to stop. Patterson returned to his apartment, telling bystanders, "That's what you get when you try to turn a whore into a housewife." Consuelo stumbled out of the volleyball pit and asked for help before collapsing under a bush, where she died.

Although a neighbor reported that it sounded like Patterson and Consuelo had been fighting in the apartment at around 1:30 a.m., he said they had been quiet for at least ten minutes before Patterson began to chase Consuelo. At the time of the chase, Consuelo was naked and unarmed.

A jury found Patterson guilty of first-degree murder and found that the crime was especially cruel. *See* A.R.S. § 13-703(F)(6). The jury found there were no mitigating circumstances sufficiently substantial to call for leniency and sentenced him to death.

ISSUES:

1. Whether the trial court improperly limited Patterson's voir dire questioning of potential jurors, denying him a fair trial.
2. Whether the trial court incorrectly removed for cause a potential juror who worked for the public defender's office and asserted a strong opposition to the death penalty.
3. Whether the trial court erred by denying Patterson's motion for a mistrial after the State used a PowerPoint presentation that was not timely disclosed, contained an incorrect statement of law, and featured images Patterson contends were "irrelevant and improper."
4. Whether the trial court should have instructed the jury on the lesser-included offense of manslaughter.

5. Whether the trial court erred by including in the guilt-phase jury instructions the State's allegation of dangerousness and definitions related to this allegation.
6. Whether the trial court improperly excluded one of Patterson's mitigation witnesses from the courtroom during a portion of the aggravation phase of the trial.
7. Whether the trial court denied Patterson the right to allocute (address the jury) before the jury began sentencing deliberations.
8. Whether the jury abused its discretion by sentencing Patterson to death.

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