

MOTIVE

Homicide -- First Degree Murder -- Aggravating Circumstance -- Murders of Sisters -- Common Motive and Modus Operandi

State v. Cummings, 332 N.C. 487 (1992) 422 S.E.2d 692 Page 490

The trial court did not err in submitting the course of conduct aggravating circumstance to the jury in a first degree murder prosecution based on defendant's murder of the victim's sister some twenty-six months after the victim's murder where the evidence showed that the motive and modus operandi were similar in both murders.

Evidence - "Drug use" reputation of a place - relevant to show motive

State v. Stevenson, 136 N.C. App. 235 (1999)

Even though this case does not involve a drug charge, the trial court did not err in convicting defendant for robbery with a dangerous weapon and of being a habitual felon by allowing the officer to testify that he had training in the investigation of drug offenses, had dealt with occupants of the house in question when investigating drug offenses, and had arrested folks that resided in the house for drug offenses, because this evidence was relevant to show defendant's motive to commit the robbery in order to get money to buy drugs.

Evidence and Witnesses § 881 (NCI4th) - promissory note - not hearsay - relevancy to show motive

State v. Bishop, 346 N.C. 365 (1997)

A \$40,750 promissory note signed by defendant and made payable to a murder victim was not admitted solely to show the truth of the matter asserted but was admitted to show that the victim sought repayment for money defendant owed her and was thus relevant to establish a motive for the killing.

Evidence and Witnesses § 179 (NCI4th) - life insurance - change of beneficiary - motive for killing

State v. Bishop, 346 N.C. 365 (1997)

Evidence that defendant sold a murder victim two life insurance policies and that both policies were amended to make defendant the primary beneficiary was relevant to show a motive for the killing. Assuming arguendo that the order of a superior court judge requiring the insurance company to pay \$300,000 into court pending a determination of the parties' rights should not have been admitted, defendant cannot show that there is a reasonable possibility that, had the order not been admitted, a different outcome would have been reached at trial.