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FOR IMMEDIATE RELEASE

Feb. 20, 2020

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Supreme Court upholds convictions of Albuquerque man for 2016 murder

SANTA FE – The state Supreme Court affirmed the convictions and prison sentence of an Albuquerque man for first-degree murder and conspiracy to commit the murder.

The defendant, William York, was sentenced to life in prison – a mandatory 30 years before becoming eligible for parole – and an additional 18 years for the death of 32-year-old Cory Coyner in 2016.

In a unanimous decision, the state's highest court concluded there was sufficient evidence to support York's convictions and rejected other arguments in his appeal, including that his sentence on the conspiracy charge violated double jeopardy protections against multiple punishments for the same conduct.

"There are two instances of criminal conduct here," the Court wrote in an opinion by Justice Barbara J. Vigil. "The first is the act of shooting and killing Victim, for which Defendant was convicted of first-degree murder. The second is the act of engaging in a conspiracy, which is defined as 'knowingly combining with another for the purpose of committing a felony.'''

York and a drug dealer, Steve Maliq Swayne, planned to kill Coyner because he stole guns from Swayne over an unpaid debt, according to evidence at York's trial. The victim was shot in the head at an Albuquerque apartment.

"Because the conduct underlying his convictions and sentences for first-degree murder and conspiracy to commit first-degree murder was not unitary, and because the Legislature intended harsher punishments for crimes resulting in death, we conclude that Defendant's rights under the Double Jeopardy Clause were not violated. Accordingly, we affirm his sentences," the Court stated.

State law provides for a 15-year sentence for a second-degree felony, such as York's conspiracy conviction, that results in the death of a person. The basic sentence for a second-degree felony is nine years imprisonment.

The Court rejected York's arguments that the trial court judge wrongly excluded certain evidence about York's drug use and Swayne's response to a police investigator about whether York was the "triggerman" in the killing.

Swayne did not testify at York's trial, and pleaded guilty to second-degree murder and conspiracy to commit first-degree murder.

York contended the district court judge improperly prevented the jury from hearing about Swayne's plea. The justices disagreed, however. The defense wanted to use the plea to support its theory that York was not the person who shot Coyner.

"The exclusion of Swayne's plea did not deny Defendant the opportunity to present a complete defense," the Court wrote. "Defendant could have called Swayne to testify and questioned him regarding his role in the killing. Since Swayne had already pleaded guilty, he did not have a Fifth Amendment right not to testify. For this reason, the exclusion of the plea did not foreclose Defendant's ability to present evidence of Swayne's guilt and therefore did not violate Defendant's constitutional right to present a complete defense."

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To read the decision in *State v. York*, No. S-1-SC-36782, please visit the New Mexico Compilation Commission's website using the following link:

https://decisia.lexum.com/nmos/nmsc/en/item/461714/index.do