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People of the State of San Andreas, Plaintiff-Appellant,

v.

James B. Navarro, Defendant-Appellee.

No. 25CA4093.

Supreme Court of San Andreas.

February 25, 2026.

Interlocutory Appeal from the District Court Blaine County District Court Case No. 23CR2603 Honorable Aylin Ruiz, Judge.

Attorneys for Plaintiff-Appellant: Rebecca C. Navarro, Attorney General, State of San Andreas. Steve M. Stiles, Deputy District Attorney Sandy Shores, San Andreas,

Attorneys for Defendant-Appellee: Linda T. Cassidy, Paul L. Johnson Cañon City, San Andreas.

En Banc.

JUSTICE HALL delivered the Opinion of the Court, in which CHIEF JUSTICE MORGAN, JUSTICE CORTEZ, JUSTICE MIDDLETON, and JUSTICE BENNETT joined. JUSTICE MCDOWELL delivered the Dissenting Opinion in which JUSTICE SPRINGER joined.

OPINION OF THE COURT

HALL, Justice.

¶1 The present case concerns one of the oldest and most persistent dangers in criminal adjudication: the risk that a defendant will be convicted not for what he is alleged to have done, but for who the jury believes him to be. At trial, the prosecution introduced evidence that respondent James Navarro had previously been convicted of several non-violent misdemeanor theft offenses. The State did not contend that those prior incidents established identity, motive, preparation, plan, or absence of mistake. Instead, the prosecution argued that the earlier convictions demonstrated a recurring behavioral “pattern,” from which the jury could infer that Navarro knowingly committed the charged offense.

¶2 The district court admitted the evidence over objection. The jury convicted. The question before us is narrow in phrasing but substantial in consequence: may prior misconduct be admitted under Rule 404(b) solely because repeated conduct suggests a defendant has a tendency to act in a particular way? We hold that it may not.

¶3 Rule 404(b) forbids precisely this form of reasoning. Evidence introduced only to demonstrate behavioral consistency invites jurors to rely upon propensity — the forbidden inference that past wrongdoing makes present guilt more likely. Allowing admission on that basis would erode a central safeguard of criminal fairness and fundamentally alter the structure of proof in criminal trials. Because the evidence admitted here served no legitimate non-character purpose and created a substantial risk that the verdict rested upon impermissible reasoning, reversal is required.

¶4 Rule 404(b) represents more than an evidentiary preference. It embodies a structural judgment about how guilt must be determined in an adversarial system committed to individual responsibility. The criminal law punishes acts, not character. A defendant enters the courtroom cloaked with the presumption of innocence, and that presumption would carry little meaning if jurors were routinely invited to evaluate whether the accused is the sort of person likely to commit crime.

¶5 Human reasoning naturally relies upon generalization. Outside the courtroom, people regularly predict future behavior from past conduct. The law, however, deliberately restricts that instinct. Experience teaches that jurors exposed to prior misconduct may subconsciously shift from determining whether the charged act has been proven to deciding whether punishment seems deserved in light of a defendant's history. Rule 404(b) exists to interrupt that shift.

¶6 Accordingly, the rule establishes a categorical prohibition: prior crimes, wrongs, or acts may not be admitted to show that a person acted in conformity with a character trait. The prohibition is not technical. It protects the fairness of adjudication itself by ensuring that verdicts rest upon evidence connected to the charged offense rather than accumulated moral judgment.

¶7 At the same time, the rule recognizes that prior acts sometimes possess legitimate evidentiary relevance independent of character inference. Where prior conduct illuminates motive, establishes identity through distinctive method, rebuts a claim of mistake, or demonstrates knowledge uniquely placed in dispute, exclusion would deprive juries of probative information necessary for truth-seeking. The tension between exclusion and admissibility has therefore always required careful judicial discipline. That discipline failed here.

¶8 The State urges this Court to recognize that repeated conduct may be admitted to demonstrate a “pattern of behavior.” Framed abstractly, the argument appears modest. Patterns, after all, may help explain human conduct. But evidentiary doctrine turns not on

labels but on logical inference. When prior acts are introduced solely because they resemble the charged conduct, the reasoning proceeds inevitably as follows: The defendant committed similar acts before, Individuals who repeatedly engage in such conduct tend to continue doing so, Therefore, the defendant likely committed the charged offense. This chain of reasoning is indistinguishable from propensity. Renaming propensity as “pattern” does not alter its substance. Indeed, allowing admission under that terminology would provide an easy avenue around Rule 404(b)’s central prohibition. Any series of similar acts could be characterized as recurring behavior, effectively transforming exclusion into admission whenever a defendant possesses prior convictions.

¶9 Such an approach would produce especially severe consequences for defendants charged with commonly recurring offenses. Theft, drug possession, driving offenses, and numerous misdemeanors frequently arise in repetitive factual settings. Under the State’s proposed rule, prior convictions in such cases would become routinely admissible, ensuring that repeat defendants confront juries already informed of their criminal history. The resulting trial would no longer concern a discrete accusation. It would become a referendum on character. Rule 404(b) does not permit that transformation.

¶10 The admissibility of prior acts therefore depends upon whether the evidence advances an inference that does not rely upon character conformity. This requirement serves an essential filtering function. Before prejudice may even be weighed, courts must determine whether the evidence genuinely resolves a factual issue in dispute. The inquiry must proceed sequentially.

¶11 First, the trial court must identify a material issue actually contested in the case. Not every theoretical element suffices. Where identity is conceded or intent undisputed, prior acts cannot be justified by invoking those concepts in the abstract. Second, the court must articulate how the prior conduct supports a permissible inference relevant to that issue. The connection must be logical and particularized, not speculative or generalized. Third, the inference must operate independently of any conclusion that the defendant possesses a criminal disposition.

¶12 Only after these conditions are satisfied may the court evaluate prejudice under traditional balancing principles. This structure preserves both fairness and flexibility. It allows admission where prior acts truly illuminate contested facts while preventing introduction based merely upon behavioral similarity. The record before us reveals that this analytical framework was not followed.

¶13 In Navarro’s trial, the prosecution advanced no theory connecting prior theft convictions to a disputed factual question beyond generalized knowledge that theft involves intentional conduct. Identity was not contested. The defense did not claim accident, mistake, or misunderstanding. Nor did the defendant introduce character evidence inviting rebuttal.

¶14 The State instead argued that repeated prior thefts demonstrated Navarro's knowing participation in the charged incident. The trial court accepted that reasoning without specifying how the prior acts resolved any live evidentiary dispute. The problem is not subtle. Knowledge inferred from repetition depends entirely upon the assumption that a person who has stolen before is more likely to steal again. That inference rests upon character conformity alone.

¶15 Nothing in the record converts repetition into independent proof. Permitting admission under these circumstances effectively relieves the prosecution of proving intent through evidence related to the charged conduct itself. The jury receives an alternative path to conviction — reliance upon past wrongdoing as predictive evidence. Such use is incompatible with Rule 404(b).

¶16 Trial courts bear substantial responsibility in administering evidentiary rules. Discretion plays an important role, but discretion presupposes adherence to governing principles. When courts admit prior acts without first identifying a legitimate evidentiary purpose, discretion gives way to error. Rule 403 balancing cannot rescue evidence admitted for an impermissible reason. Prejudice cannot be weighed against probative value when the probative value arises solely from forbidden inference.

¶17 Experience demonstrates that once jurors learn of prior convictions, limiting instructions often prove insufficient to eliminate their influence. Jurors are asked to perform a difficult mental task: to consider evidence yet disregard its most obvious implication. For that reason, the threshold inquiry demanded by Rule 404(b) is indispensable. Judicial gatekeeping must occur before the jury hears the evidence, not afterward through instruction. Failure to enforce that boundary risks normalizing character-based adjudication.

¶18 The broader implications of the State's position underscore why restraint is required. The presumption of innocence ensures that each prosecution begins anew. Past wrongdoing may explain suspicion, but it cannot substitute for proof. A criminal trial must remain focused upon whether the charged conduct has been established beyond a reasonable doubt.

¶19 Allowing conviction influenced by prior misconduct undermines that principle in two ways. First, it shifts deliberation from evidence to reputation. Jurors may reason that repeated offenders deserve punishment regardless of uncertainty concerning the present charge. Second, it creates asymmetry between defendants. Individuals with prior records would face a materially different evidentiary landscape than first-time defendants, even when charged with identical offenses.

¶20 The law does not recognize graduated presumptions of innocence. Rule 404(b) protects equality in adjudication by preventing criminal history from becoming substantive evidence of guilt.

¶21 The State contends that any error was harmless in light of other evidence presented at trial. We cannot agree. Improper admission of prior convictions carries a uniquely powerful prejudicial effect. Jurors exposed to evidence that a defendant has repeatedly engaged in similar misconduct may interpret ambiguous facts through that lens. Credibility determinations, assessments of intent, and evaluation of competing explanations become colored by perceived character.

¶22 Where, as here, the prosecution emphasized prior misconduct during argument, the likelihood that the jury relied upon impermissible reasoning cannot be dismissed as speculative. Confidence in the verdict is therefore undermined.

I. Facts and Procedural History

¶23 James Navarro was charged with misdemeanor theft arising from an incident at a retail establishment in Blaine County. Surveillance footage showed Navarro exiting the store with unpaid merchandise concealed beneath clothing.

¶24 Identity was never disputed. Nor did Navarro claim accident, mistake, or misunderstanding regarding payment. Prior to trial, the prosecution moved to admit evidence that Navarro had sustained three earlier misdemeanor theft convictions over a five-year period. The State expressly argued that these incidents demonstrated a “pattern of conduct” showing Navarro knowingly engaged in retail theft.

¶25 Defense counsel objected under Rule 404(b), asserting the evidence served no purpose other than to portray Navarro as a habitual offender. Following a brief evidentiary hearing, the district court admitted the prior convictions, reasoning that repeated conduct made it “less likely defendant acted innocently.”

¶26 During trial, the prosecution referenced Navarro’s prior offenses repeatedly, arguing in closing that the defendant’s conduct reflected behavior he had engaged in “again and again.” Navarro was convicted.

II. The Controlling Principles of *People V. Pinter*

¶27 Earlier this year, the Court of Appeals addressed similar concerns in *People v. Pinter*, 2026CA0218.

¶28 There, the prosecution introduced evidence of a defendant’s prior substance-abuse history to suggest reckless conduct in a vehicular homicide prosecution. The Court of Appeals reversed, emphasizing that prior conduct is inadmissible where it merely invites jurors to conclude the defendant acted unlawfully because of past behavior.

¶29 Critically, Pinter explained that admissibility depends not upon generalized relevance but upon the existence of an independent, non-character purpose connecting prior conduct to a disputed issue at trial. We agree with and now expressly adopt that reasoning as controlling statewide doctrine.

III. Rule 404(b) and the Prohibition on Propensity Evidence

¶30 Rule 404(b)(1) provides: “Evidence of other crimes, wrongs, or acts is not admissible to prove a person’s character in order to show action in conformity therewith.”

¶31 The rule embodies a foundational principle of criminal justice: a defendant must be tried for the charged conduct—not for perceived moral character or past misconduct.

¶32 Jurors presented with evidence of prior wrongdoing may be tempted to conclude that a defendant deserves punishment because of past behavior rather than proof beyond a reasonable doubt regarding the charged offense. The prohibition against propensity evidence exists precisely to guard against that danger.

¶33 Rule 404(b)(2) recognizes limited exceptions, permitting admission of prior acts for purposes such as motive, intent, identity, preparation, plan, knowledge, or absence of mistake.

¶34 These exceptions are not illustrative invitations to broaden admissibility. They are carefully circumscribed categories designed to ensure that prior conduct is admitted only when it serves a genuine evidentiary function independent of character inference.

IV. Conclusion

¶35 For the foregoing reasons, we conclude that that Rule 404(b) reflects a deliberate commitment to adjudicating criminal responsibility through proof rather than prediction. Prior misconduct may be admitted only when it illuminates a contested issue through reasoning independent of character inference. Evidence of prior acts offered solely to demonstrate a defendant’s behavioral pattern or tendency constitutes impermissible propensity evidence and is inadmissible under Rule 404(b). Evidence offered solely to demonstrate behavioral pattern or tendency violates that principle. Because the district court admitted Navarro’s prior misdemeanor convictions without a permissible non-character purpose, the resulting conviction cannot stand. The judgment is reversed, and the case is remanded for further proceedings consistent with this opinion.