IN THE COURT OF APPEALS OF NORTH CAROLINA

No. COA24-506

Filed 4 November 2026

Brunswick County, Nos. 19CR053047-090; 19CR053059-090

STATE OF NORTH CAROLINA

v.

LOGAN NEAL YOUNG

Appeal by Defendant from judgment entered 12 April 2023 by Judge Robert C. Roupe in Brunswick County Superior Court. Heard in the Court of Appeals on 17 September 2026.

Attorney General Jeff Jackson, by Special Deputy Attorney General Teresa M. Postell, for the State-Appellee.

Christopher J. Heaney for Defendant-Appellant.

COLLINS, Judge.

Defendant Logan Neal Young appeals from a judgment entered on a jury's guilty verdicts of two counts of first-degree murder. Defendant argues that the trial court erred by denying his request for a jury instruction on second-degree murder. Because the evidence did not support a second-degree murder instruction, we find no error.

I. Background

Defendant was indicted on 7 October 2019 on two counts of first-degree murder

and one count of attempted robbery with a dangerous weapon. Because Defendant is challenging the trial court's decision not to instruct the jury on second-degree murder, we "view the evidence in the light most favorable to the defendant." *State v. Ryder*, 196 N.C. App. 56, 64 (2009). With this standard in mind, the evidence presented at trial tended to show the following:

Just before midnight on 29 June 2019, Defendant, Xavier Stevenson, Myla Payne, and Josh Carter were traveling in Xavier's car. Xavier was driving, Myla was in the passenger seat, and Defendant and Josh were in the back seat.

Defendant was facilitating a drug deal between Xavier and two other individuals and understood that Xavier would pay him one hundred dollars for facilitating the deal. At some point, Xavier stopped the car on a rural backroad to urinate. Before Xavier exited the car, he and Defendant began a heated verbal argument. The verbal argument continued as Xavier exited the car; Xavier threatened to beat Defendant up and take money from him. While Xavier was urinating, Defendant shot him in the back of the head from the backseat of the car. Defendant then immediately shot Myla while she was sitting in the front seat. Both Xavier and Myla died at the scene from their wounds.

Defendant removed Myla's body from Xavier's car and tried to take the car. When he was unable to do so, Josh called his cousin, who picked both men up at a different location.

After Xavier's and Myla's bodies were discovered, the police arrested

Defendant. During an interrogation following his arrest, Defendant initially denied any involvement in either death. After further questioning, however, Defendant admitted to shooting them both. Defendant told investigators that he and Xavier got into a heated, verbal altercation in the car, and that Xavier was threatening to beat him up and steal money from him as he exited the car to urinate. Defendant said that he did not plan on killing either Xavier or Myla, and that he shot Xavier because of their argument. Defendant also said that he was under the influence of alcohol and cocaine at the time of the shooting.

At trial, Defendant requested a jury instruction on second-degree murder, which the trial court denied. The jury was instructed on first-degree murder based on premeditation and deliberation and on felony murder, with an underlying felony of attempted robbery with a firearm.

The jury returned verdicts of guilty of first-degree murder of both Xavier and Myla on the theories of premeditation and deliberation and of felony murder. The trial court sentenced Defendant to two consecutive life sentences without parole. Defendant appealed.

II. Discussion

Defendant argues that the trial court erred by denying his request for a second-degree murder jury instruction.

Challenges to a trial court's decision "regarding jury instructions are reviewed de novo by this Court." *State v. Osorio*, 196 N.C. App. 458, 466 (2009) (italics omitted).

When applying de novo review, we "consider the case anew and may freely substitute our own ruling for the lower court's decision." *Lanvale Props., LLC v. Cnty. of Cabarrus*, 366 N.C. 142, 149 (2012) (internal quotation marks omitted).

A criminal defendant is entitled to a jury instruction on a lesser-included offense "only if the evidence would permit the jury rationally to find defendant guilty of the lesser offense and to acquit him of the greater." *State v. Millsaps*, 356 N.C. 556, 561 (2002). In evaluating whether evidence supports an instruction on a lesser-included offense, we "view the evidence in the light most favorable to the defendant." *Ryder*, 196 N.C. App. at 64.

"First-degree murder is the intentional and unlawful killing of a human being with malice and with premeditation and deliberation." *State v. Thomas*, 350 N.C. 315, 346 (1999). Second-degree murder is "the unlawful killing of a human being with malice but without premeditation and deliberation." *State v. Flowers*, 347 N.C. 1, 29 (1997). "[S]econd-degree murder is a lesser-included offense of premeditated and deliberate first-degree murder." *State v. Annadale*, 329 N.C. 557, 567 (1991). A trial court does not have to instruct the jury on second-degree murder "unless it is supported by the evidence." *Id.*

Premeditation means the killing "was thought out beforehand for some length of time, however short, but no particular amount of time is necessary for the mental process of meditation." *State v. Bullock*, 326 N.C. 253, 257 (1990). Deliberation means an intention to kill carried out while the defendant is in a "cool state of blood."

State v. Ruof, 296 N.C. 623, 636 (1979). Premeditation and deliberation may be inferred from the circumstances surrounding a killing, including "lack of provocation by the deceased; defendant's acts and comments before and after the killing; the use of grossly excessive force or the infliction of lethal blows after the deceased has been felled; and any history of altercations or ill will between the parties." *State v. Corn*, 303 N.C. 293, 297 (1981).

The evidence of premeditation and deliberation may be negated by evidence that the defendant "was so intoxicated by the voluntary consumption of alcohol that he did not form a deliberate and premeditated intent to kill." *State v. Mash*, 323 N.C. 339, 346 (1988). Defendant has the burden of producing such evidence, or relying on evidence produced by the State, of his intoxication. *Id.* "Evidence of mere intoxication, however, is not enough to meet defendant's burden of production." *Id.* "He must produce substantial evidence which would support a conclusion by the judge that he was so intoxicated that he could not form a deliberate and premeditated intent to kill." *Id.*

> [T]he evidence must show that at the time of the killing the defendant's mind and reason were so completely intoxicated and overthrown as to render him utterly incapable of forming a deliberate and premeditated purpose to kill. In the absence of some evidence of intoxication to such degree, the court is not required to charge the jury thereon.

State v. Strickland, 321 N.C. 31, 41 (1987) (internal citations omitted).

Deliberation may be negated where the defendant acted under the influence of

a "sudden and sufficient passion." *State v. Watson*, 338 N.C. 168, 177 (1994), *overruled on other grounds by State v. Richardson*, 341 N.C. 585 (1995). However, "[t]he fact that the defendant was angry or emotional at the time of the killing will not negate the element of deliberation unless such anger or emotion was strong enough to disturb the defendant's ability to reason." *State v. Solomon*, 340 N.C. 212, 222 (1995). "[E]vidence that the defendant and the victim argued, without more, is insufficient to show that the defendant's anger was strong enough to disturb his ability to reason." *Id.*

Here, the evidence in the light most favorable to Defendant tends to show that he shot Xavier in the back of the head from the backseat of the car after Xavier exited the car and then shot Myla while she remained seated in the front passenger seat. Defendant then removed Myla's body from the car and attempted to take Xavier's car. This evidence was sufficient to show that Defendant's killing of Xavier and Myla was premeditated and deliberated.

Defendant argues that his statement to law enforcement that he was under the influence of cocaine and alcohol on the night of the shooting was sufficient negate the evidence of premeditation and deliberation. We disagree.

Defendant's statement did not support a conclusion "that he was so intoxicated that he could not form a deliberate and premeditated intent to kill." *Mash*, 323 N.C. at 346. Defendant's own account demonstrates that he was able to recall the events leading up to the shooting, describe his argument with Xavier, and explain his actions

following the shootings. The evidence is not sufficient to show that "[D]efendant's mind and reason were so completely intoxicated and overthrown as to render him utterly incapable of forming a deliberate and premeditated purpose to kill." *Strickland*, 321 N.C. at 41 (citation omitted).

Defendant also argues that the evidence of his altercation with Xavier before the shooting was sufficient to negate the evidence of his deliberation. We disagree.

All witnesses, including Defendant, described the argument as a purely verbal argument arising from Defendant's expectation of receiving one hundred dollars for facilitating the drug transaction. This evidence did not show a level of sudden and overwhelming passion sufficient to negate deliberation. *See, e.g.*, *Solomon*, 340 N.C. at 222 (evidence that the victim and defendant were arguing over twenty dollars was insufficient to negate deliberation); *State v. Geddie*, 345 N.C. 73, 94-95 (1996) (an argument "involv[ing] no more than raised voices" was not sufficient to negate premeditation and deliberation). Moreover, Defendant's decision to shoot Myla, who was not a participant in the earlier verbal exchange and posed no threat to Defendant, undermines Defendant's argument that he killed as a result of the passion provoked by Xavier.

Because the evidence would not permit the jury to find Defendant guilty of second-degree murder and to acquit him of first-degree murder, Defendant was not entitled to a jury instruction on second-degree murder. Accordingly, the trial court did not err by denying Defendant's request for such an instruction.

III. Conclusion

For the foregoing reasons, we find no error in the trial court's judgment.

NO ERROR.

Judges STADING and MURRY concur.