

BOISE, MONDAY, NOVEMBER 3, 2025, AT 10:00 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO,	)	
	)	
Plaintiff-Respondent,	)	
	)	Docket No. 52207
v.	)	
	)	
POMPEYO SALAZAR-CABRERA,	)	
	)	
Defendant-Appellant.	)	
_____	)	

Appeal from the District Court of the Second Judicial District of the State of Idaho,
Nez Perce County. Adam H. Green, District Judge.

Blewett Mushlitz Hally, LLP, Lewiston, attorneys for Appellant.

Raúl Labrador, Attorney General, Boise, attorneys for Respondent.

Pompeyo Salazar-Cabrera appeals from the district court’s intermediate appellate decision affirming his judgment of conviction and sentence for misdemeanor vehicular manslaughter. Following a jury’s acquittal on a felony vehicular manslaughter charge and conviction on the lesser-included misdemeanor offense, Salazar-Cabrera was granted a new trial. Before retrial, the magistrate judge gave assurances off the record that no actual jail time would be imposed if Salazar-Cabrera was convicted. Salazar-Cabrera was later sentenced to 150 days in jail, prompting a Rule 35 motion in which the district court vacated the sentence. On remand, a new magistrate sentenced Salazar-Cabrera to 90 days in jail. On a second intermediate appeal to the district court, Salazar-Cabrera argued that the second magistrate was bound to the first magistrate’s assurance that he would not serve jail time. The district court disagreed and affirmed the resentencing decision. On appeal to the Idaho Supreme Court, Salazar-Cabrera argues that the second magistrate abused its discretion by violating the law of the case doctrine when it imposed a jail sentence that disregarded the first magistrate’s assurance that no actual jail time would be imposed.