

SUMMARY STATEMENT

State v. Ellington, Docket No. 39838

The Supreme Court upheld Jonathan Ellington's convictions for second-degree murder and aggravated battery in this Kootenai County appeal. Ellington claimed he was entitled to a new trial because the trial testimony of the State's accident reconstruction expert conflicted with statements made in a textbook he had authored. Ellington asserted the alleged conflict was critical and that he had had no reason to know of it until several weeks after trial. The Supreme Court determined that the new evidence was merely impeaching and did not warrant a new trial.