

SUMMARY STATEMENT

State of Idaho v. Kyle Alan Richardson – Docket No. 40507

In a case arising out of Nez Perce County, the Idaho Supreme Court determined that the district court erred by excluding a transcript of a confidential informant's preliminary hearing testimony at trial. The district court denied the State's motion in limine to admit the testimony of the confidential informant, who had died after the preliminary hearing and thus was unavailable as a witness at trial. The State filed a permissive appeal from the district court's order denying its motion. The Court held that neither the Confrontation Clause of the U.S. Constitution nor Idaho law required the exclusion of the confidential informant's testimony at trial. The Court reversed the district court's order and remanded the case for further proceedings.