

SUMMARY STATEMENT

Shane Crawford v. State of Idaho – Docket No. 43141

In a case arising out of Ada County, the Idaho Supreme Court affirms the district court's dismissal of appellant's petition for post-conviction relief. Shane Crawford filed a petition for post-conviction relief following his conviction for lewd conduct with a minor under the age of sixteen, claiming that he received ineffective assistance of counsel at both the trial and appellate stages. At the trial stage, Crawford asserts that his counsel was deficient in failing to request that the court either instruct the jury that manual-genital contact requires touching the vaginal area or define the term "genital." Further, Crawford asserts that his trial counsel erred by failing to move for acquittal based upon insufficient evidence. On direct appeal of conviction, Crawford's counsel similarly did not raise a sufficiency of the evidence claim, which Crawford claims constituted ineffective assistance of appellate counsel. The district court summarily dismissed Crawford's petition, and he appealed. The Idaho Court of Appeals affirmed the summary dismissal. This Court affirmed, holding that the district court did not err in summarily dismissing Crawford's petition for post-conviction relief because Crawford did not demonstrate ineffective assistance of counsel at either the trial or the appellate stage.