

In the Supreme Court of the State of Idaho

STATE OF IDAHO,)
)
 Plaintiff-Respondent,) ORDER GRANTING MOTION TO
) ABATE FINES AND DISMISS APPEAL
)
 v.) Supreme Court Docket No. 43642-2015
) Bannock County No. CR-2013-11340
)
 JOSEPH ALAN KNIGHT,)
)
 Defendant-Appellant.) Ref. No. 15-551
)

A MOTION TO ABATE, *AB INITIO*, THE FINES IMPOSED UPON JOSEPH A. KNIGHT AND DISMISS THE APPEAL with attachment was filed by Appellant on December 7, 2015. Thereafter, an OBJECTION TO MOTION TO DISMISS APPEAL with attachment, was filed by counsel for Respondent on December 14, 2015. The Court is fully advised; therefore, after due consideration,

IT IS HEREBY ORDERED that Appellant's MOTION TO ABATE, *AB INITIO*, THE FINES IMPOSED UPON JOSPEH A. KNIGHT AND DISMISS THE APPEAL be, and hereby is, GRANTED and any outstanding fines from Bannock County case number CR 2013-11340 are abated.

IT FURTHER IS ORDERED that the appeal is DISMISSED *nunc pro tunc* from the date of Appellant's death on May 30, 2015.

IT FURTHER IS ORDERED that the Court of Appeals opinion in docket number 42377 issued on July 22, 2015, is VACATED.

DATED this 23 day of December, 2015.

By Order of the Supreme Court



Stephen W. Kenyon, Clerk

cc: Counsel of Record
District Court Clerk
District Court Judge Stephen S. Dunn

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