

SUMMARY STATEMENT

State of Idaho v. Jonathan Earl Folk, Docket No. 43790

In an appeal from Bonneville County, the Supreme Court affirmed the judgment of conviction entered against Jonathan Earl Folk for one felony count of sexual abuse of a child under sixteen years old entered after a jury trial. On appeal, Folk contended that the district court made numerous evidentiary errors and by denying his motion for a judgment of acquittal. Folk further argued that the prosecutor committed misconduct amounting to fundamental error in his closing argument.

The Supreme Court held that the district court did not err in its evidentiary rulings. The Supreme Court further held that the State presented substantial and competent evidence that Folk's contact with the minor child was done for the purpose of gratifying Folk's sexual desires and therefore the district court did not err by denying his motion for judgment of acquittal. Finally, the Supreme Court held that the prosecutor's statements in closing argument did not rise to the level of fundamental error.