

SUMMARY STATEMENT

State of Idaho v. Jacob Juan Hernandez, Jr.
Docket No. 43901

Jacob Juan Hernandez, Jr., appeals from a judgment entered upon the jury's verdicts finding him guilty of voluntary manslaughter (with a gang enhancement), two counts of aggravated battery (with a gang enhancement), and two counts of second degree kidnapping. Hernandez sets forth several challenges on appeal.

The district court did not err in denying Hernandez's motion for a mistrial based on challenged testimony regarding gang retaliation. Because the State presented sufficient evidence to support the convictions for second degree kidnapping, the district court did not err when it denied his motion for judgment of acquittal. There was no violation of Hernandez's right to a speedy trial. The district court did not abuse its discretion when it allowed the admission of video coverage taken from the body camera of a responding officer. Because Hernandez's substantial rights were not affected by the district court's error in recognizing it had the authority to appoint an additional attorney pursuant to Idaho Criminal Rule 12.2, the error was harmless. For the foregoing reasons, the judgment of conviction is affirmed.