

## SUMMARY STATEMENT

*State v. John Lee, aka Kane W. Grzebielski*  
Docket Nos. 44330, 44496, 44753 & 44754

John Lee, aka Kane W. Grzebielski, shot and killed his mother, his landlord, and the manager of a fast food restaurant. Lee also shot and wounded another individual who was in his landlord's office when Lee killed his landlord. Pursuant to a plea agreement, Lee entered guilty pleas to all four counts. The plea agreement included a provision in which Lee waived his right to appeal his judgment of conviction and to seek modification or reduction of his sentences.

The district court sentenced Lee to concurrent fixed life sentences for each murder and a determinate fifteen years for aggravated battery. The district court also imposed a civil penalty in the amount of \$5000 on all four counts. Lee filed an I.C.R. 35 motion for a reduction of his sentences and a motion to release evidence. The district court denied both motions. Lee then filed a motion to withdraw his guilty pleas, which the district court also denied. Lee filed notices of appeal from his judgment of conviction, the civil judgments, the order denying his motion to withdraw his guilty pleas, the order denying his Rule 35 motion, and the order denying his motion to release evidence.

On appeal, Lee asserts that the district court erred in denying his motion to withdraw his guilty pleas because his pleas were not voluntary because they were entered into while he was an untreated schizophrenic with Asperger's Syndrome who "pled guilty to get out of the Latah County jail where he believed he was removed of his free will." The Court of Appeals held that the district court did not err in denying Lee's motion because the record of Lee's guilty pleas demonstrated the guilty pleas were voluntary and the evidence Lee presented in support of his motion to withdraw his pleas failed to show otherwise.

The Court of Appeals dismissed Lee's appeals challenging his sentences and the denial of his Rule 35 motion because Lee waived his right to appeal these issues. Lee's challenge to the civil judgments was dismissed because Lee failed to identify how the district court abused its discretion in imposing the fines and failed to cite any authority to support his challenge to those fines. The Court of Appeals also dismissed Lee's appeal from the denial of his motion to release evidence because Lee failed to list this as an issue in his briefing and did not cite any argument or authority to support a claim that the denial of his motion was erroneous.