

SUMMARY STATEMENT

Michael Jared Thompson v. State
Docket No. 44542

Michael Jared Thompson was convicted of involuntary manslaughter with an enhancement for using a deadly weapon. Thompson appealed from the judgment of conviction and the Idaho Court of Appeals affirmed. Thompson then filed a petition for post-conviction relief, arguing that his trial counsel was ineffective in basing the defense in an involuntary manslaughter case on the existence of an intervening, superseding cause without requesting proximate and intervening, superseding cause instructions. Similarly, Thompson argued that he properly presented a prima facie case of ineffective assistance of appellate counsel for the failure to pursue the jury instruction issue on direct appeal. The State moved for summary dismissal and the district court granted the motion. Thompson timely appealed from the district court's summary dismissal of his petition for post-conviction relief.

The Idaho Court of Appeals held that Thompson had made a prima facie showing that counsel performed deficiently by failing to request a jury instruction that may be applicable due to the specific facts of this case and that there exists a reasonable possibility that counsel's deficient performance affected the outcome of the trial. Based on this prima facie showing of ineffective assistance of trial counsel, the Court held that Thompson was entitled to an evidentiary hearing. Because the Court was able to grant relief pursuant to the ineffective assistance of trial counsel issue, it did not address the ineffective assistance of appellate counsel issue. The Court reversed the district court's order summarily dismissing Thompson's petition for post-conviction relief and remanded the case for an evidentiary hearing.