

SUMMARY STATEMENT

State v. Bernal, Docket No. 44556

The Idaho Supreme Court affirmed John Jacob Bernal's judgment of conviction after holding that Bernal was unable to show fundamental error arose from an impermissible variance or from prosecutorial misconduct. Specifically, the Court held that: (1) the variances between the information and the jury instructions were not fatal and did not amount to fundamental error; and (2) the prosecutor's statements in closing argument did not amount to fundamental error.