

SUMMARY STATEMENT

State v. Kraly, Docket No. 44892

The Idaho Supreme Court vacated Shane A. Kraly's conviction for injury to a child, holding that Kraly did not have "care or custody" of the minor child because there was insufficient evidence to show that: (1) a special relationship existed between Kraly and the minor child; or (2) Kraly had assumed a special duty of care. The Court remanded the case with instructions for the entry of a judgment of acquittal as to the injury to child charge. However, the Court recognized that Kraly was convicted of other charges and noted that those convictions remain.