

SUMMARY STATEMENT

State v. Montgomery, Docket No. 45003

Daniel Montgomery appeals from his conviction for unlawful discharge of a firearm at an occupied vehicle. Montgomery contends the district court abused its discretion when it allowed the State to present the testimony of two undisclosed rebuttal witnesses in violation of the requirements of Idaho Criminal Rule 16(b)(6). The Supreme Court clarifies that Rule 16(b)(6) requires the disclosure of rebuttal witnesses, but the district court's decision to allow the testimony in this case does not constitute grounds for reversing the conviction. Montgomery also asserts that the prosecution engaged in misconduct by arguing during closing that certain witnesses lied, resulting in a violation of Montgomery's right to a fair trial. The Supreme Court rejects this argument. The Supreme Court affirms the judgment of conviction.