

Summary Statement

Marr v. State, Docket No. 45206

The Idaho Supreme Court affirmed the district court's grant of John Joseph Marr's petition for post-conviction relief based on ineffective assistance of counsel at his trial for felony attempted strangulation and domestic battery with a traumatic injury. Following Marr's convictions, Marr filed for post-conviction relief in district court, claiming his counsel was ineffective at trial and at sentencing for several reasons, including failing to discover and admit evidence relevant to Marr's claim of self-defense. The Supreme Court held that Marr's attorney was ineffective when she failed to discover and present evidence of the victim's character trait for belligerence and aggression when intoxicated, which was relevant to Marr's claim of self-defense. Accordingly, the Supreme Court, in a unanimous decision, affirmed the district court's order granting Marr's petition for post-conviction relief.