

SUMMARY STATEMENT

State v. Robert Ray Ferguson

Docket No. 45271

In this case arising out of Ada County, the Court of Appeals affirmed Robert Ray Ferguson's judgment of conviction for aggravated battery with deadly weapon and persistent violator enhancements. At Ferguson's arraignment, the district court advised Ferguson that, if he was found guilty of being a persistent violator, his sentence could be increased by a minimum of five years up to life. A jury thereafter found Ferguson guilty of aggravated battery and the deadly weapon enhancement. Following the jury verdict, Ferguson admitted the two prior felony convictions underlying the persistent violator enhancement. The district court imposed a unified life sentence, with a minimum period of confinement of fifteen years.

On appeal, Ferguson argued that when he admitted to the prior convictions supporting the persistent violator enhancement, the district court committed fundamental error by failing to inquire into Ferguson's understanding of the consequences of his admissions. The Court of Appeals held that Ferguson failed to demonstrate a clear violation of an unwaived constitutional right because the record shows that Ferguson was advised of the sentencing consequences of admitting the persistent violator allegations and was aware that he was foregoing his right to a jury trial by admitting those allegations. The Court of Appeals, therefore, rejected Ferguson's fundamental error claim.