

SUMMARY STATEMENT

State v. William Timothy Dix

Docket No. 45364

In this case arising out of Ada County, the Court of Appeals affirmed William Timothy Dix's order withholding judgment and order of probation for grand theft and burglary. Dix was charged with grand theft and burglary. At trial, the State's theory was that Dix committed theft when he obtained merchandise from a supply store on open lines of credit with no intent to pay for the merchandise and that Dix committed burglary when he took that merchandise to a pawn shop where he received loans for the merchandise based on false representations regarding ownership of the merchandise. A jury subsequently found Dix guilty of grand theft and burglary. Dix filed a motion for judgment of acquittal during and after trial. The district court denied the motions.

On appeal, Dix argued that the district court erred in denying his motion for judgment of acquittal because there was insufficient evidence to support his convictions for either grand theft or burglary. Dix argued that he became the owner of the merchandise once he obtained possession of the merchandise from the supply store and that, as the owner, he could lawfully pawn it. The Court of Appeals held that the district court did not err in denying Dix's motion and that there was substantial and competent evidence to support the jury's finding of guilt on both counts.