

SUMMARY STATEMENT

State v. Clinton Haggard

Docket No. 45592

In this case arising out of Bingham County, the Court of Appeals reversed the decision of the district court, on intermediate appeal from the magistrate, affirming Clinton Haggard's judgment of conviction for misdemeanor domestic battery.

The State charged Haggard with misdemeanor domestic battery. While in custody, Haggard signed a notification of rights form, which advised him that he had the right to a trial before the court or a jury. The same day Haggard appeared before the magistrate for arraignment and was again advised of his rights. Haggard pled not guilty, requested appointment of a public defender, and executed a statement of his rights, which included the provision notifying him of his right to a jury trial. At a pretrial conference a month later, Haggard, his counsel, and the State signed a pretrial stipulation and order. In that stipulation, both parties waived the right to a jury trial, electing a court trial instead. Although the stipulation and order also contained a signature block for a magistrate, no magistrate signed the stipulation or inquired into whether Haggard executed the jury trial waiver knowingly, voluntarily, and intelligently. Following a court trial, the magistrate found Haggard guilty. Haggard appealed his judgment of conviction to the district court.

On intermediate appeal, Haggard argued that it was error for a conviction to have been entered against him when he did not waive his right to a jury trial in front of the presiding magistrate. The district court affirmed Haggard's conviction, concluding that his written waiver, contained in the stipulation, was adequate to waive his right to a jury trial. Haggard again appealed.

On appeal to this Court, Haggard raised the same argument. The Court of Appeals held that there was no finding or basis to conclude that Haggard's written waiver of his constitutional right to a jury trial was knowing, voluntary, and intelligent as required by *State v. Vasquez*, 163 Idaho 557, 416 P.3d 108 (2018). Because such a defect is structural, Haggard met his burden of showing fundamental error regarding his jury trial waiver. Therefore, this Court reversed the decision of the district court and remanded the case for further proceedings.

