

SUMMARY STATEMENT

State v. Garcia

Docket No. 46253

After a jury trial in Ada County district court, Jesus Manuel Garcia was found guilty of second-degree murder, aggravated battery, use of a deadly weapon during the commission of the former crimes, and possession of a controlled substance. Garcia appealed, arguing that the district court abused its discretion in making several evidentiary decisions, that the prosecutor committed misconduct in closing statements, and that the cumulative errors deprived Garcia of due process. Garcia also contended that the district court abused its discretion in sentencing him, and in ordering him to pay restitution. The Supreme Court affirmed Garcia's judgment of conviction as well as the sentence imposed, but vacated the order of restitution and remanded the case for the district court to consider Garcia's foreseeable ability to repay the restitution ordered.