

BOISE, WEDNESDAY, FEBRUARY 20, 2019 AT 8:50 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO,)	
)	
Plaintiff-Respondent,)	
)	
v.)	Docket No. 46488
)	
SHAWN JERRI COATS,)	
)	
Defendant-Appellant.)	
_____)	

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Richard D. Greenwood, District Judge.

Eric D. Fredericksen, State Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Idaho Attorney General, Boise, for respondent.

This case concerns ownership of retail goods when they are purchased with stolen funds. Shawn Coats, the defendant, was charged with grand theft and fraudulent use of a financial transaction card—among other charges—after he took an elderly man’s debit card and inserted fraudulent checks into the man’s bank account to create funds for a multi-day shopping spree at Walmart. After a jury trial, he was convicted of grand theft of retail goods and fraudulent use of a financial transaction card. He argues that the jury did not have substantial evidence to convict him of grand theft of retail goods from an owner because he paid Walmart in full for the goods, and the victim was never the owner of the purchases. Alternatively, he argues that he was subjected to double jeopardy upon being convicted for both grand theft and fraudulent use of a financial transaction card, because fraudulent use is a lesser included offense of grand theft.