

SUMMARY STATEMENT

State v. Gorringer
Docket No. 46554

Max Gorringer appeals from the district court's order amending a no contact order which affected him. In 2012, Gorringer pleaded guilty to attempted strangulation. The district court entered a Judgment and Commitment to that effect. The district court included no contact provisions in the judgment (as opposed to a separate order), contrary to Supreme Court rule. In 2018, Gorringer was charged with violating those no contact provisions. Gorringer then sought clarification of the existing provisions from the district court which originally entered the judgment. The district court then amended the 2012 no contact provisions contained in the judgment. Gorringer appealed the district court's amendment of the no contact provisions, even though he had stipulated to the amendment, arguing that the no contact provisions included in the 2012 Judgment and Commitment were invalid at their inception because they did not comply with Idaho Criminal Rule 46.2(a). Gorringer further argued that the district court lacked subject matter jurisdiction to amend the 2012 judgment six years after it had been rendered.

The Idaho Supreme Court reversed the district court's order amending the 2012 judgment. The Court held that the no contact provisions in the district court's 2012 Judgment and Commitment were unenforceable because the provisions failed to comply with Idaho Criminal Rule 46.2(a). Next, the Court held that the district court lacked subject matter jurisdiction to amend the no contact provisions in 2018. Finally, the Idaho Supreme Court held that the no contact provisions in the 2012 sentencing order were void.

This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.