

SUMMARY STATEMENT

State v. Keeton, Docket No. 46693

The Supreme Court reversed the Bannock County district court's order denying Jesse A. Keeton credit for time served. In 2018, Keeton was in custody following his arrest for driving under the influence of alcohol. The district court dismissed the case because the State made a charging error. A few weeks later, the State refiled the case, charging Keeton with the same offense but under a different case number. After sentencing, Keeton requested credit for time served. The district court denied Keeton's request because he did not have a sentence imposed in the dismissed case and he was not incarcerated before judgment was entered in the refiled case. On appeal, Keeton argued that Idaho Code section 18-309 mandates an award of credit when a case involving the same offense is dismissed and later refiled. The Supreme Court agreed, holding that it is "the offense" that section 18-309 focuses on, not the case number associated with "the offense."