

## **SUMMARY STATEMENT**

*State v. Paulson*  
Docket No. 46803

Adam Paulson appealed a jury verdict convicting him of vehicular manslaughter. Paulson struck and killed a pedestrian with his vehicle as the pedestrian was crossing a road late at night. Paulson had a blood alcohol content of .197 percent and was charged with vehicular manslaughter. At trial, Paulson presented evidence of the victim's intoxication and other circumstances tending to negate that he was the significant cause of the collision. Paulson requested that the jury be instructed on proximate, intervening, and superseding cause, as well as various duties pedestrians must abide by when walking along roadways. The district court declined to instruct the jury on any of Paulson's requested jury instructions.

The Idaho Supreme Court held that the district court erred in failing to instruct the jury on the required causal link between a defendant's unlawful conduct and the victim's death. The Court also held that the district court erred in refusing to instruct the jury on pedestrian duties, significant cause, and intervening, superseding cause because Paulson presented evidence that supported those instructions. As a result, the Idaho Supreme Court vacated Paulson's conviction for vehicular manslaughter and remanded the case for a new trial.

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