

SUMMARY STATEMENT

State of Idaho v. Rocco Joseph Chacon, Jr.

Docket No. 47009

In this case arising out of Bannock County, the Court of Appeals affirmed Rocco Joseph Chacon, Jr.'s judgment of conviction for eluding a police officer, unlawful possession of a firearm, and possession of a controlled substance. Chacon led officers on a high-speed chase and foot pursuit when they sought to arrest him on outstanding warrants. The State charged Chacon with eluding a police officer, unlawful possession of a firearm, battery with intent to commit a serious felony on certain personnel for colliding with an officer during the vehicle chase, and grand theft by possession of stolen property for a stolen firearm found in his vehicle. The district court denied Chacon's motion to sever these charges and then, over his objection, consolidated them with a possession of a controlled substance charge arising from methamphetamine found on his person after his arrest. Ultimately, a jury found Chacon guilty of eluding a police officer, unlawful possession of a firearm, and possession of a controlled substance. Chacon appealed.

On appeal, Chacon argued that the district court erred by trying all three charges for which he was convicted in a single proceeding and by improperly admitting prejudicial evidence of his prior acts. Specifically, Chacon argued that the district court failed to properly consider the prejudice that would arise from trying the charges against him in a single proceeding and, regarding the prior acts evidence, argued that evidence of his heroin use and possession of drug paraphernalia on the day of his arrest admitted during trial was inadmissible under I.R.E. 404(b). The Court of Appeals held that Chacon failed to show prejudice resulting from the trial of all the charges in a single proceeding. The Court further held that Chacon's arguments under I.R.E. 404(b) were not preserved and that any error in the admission of the challenged prior acts evidence was harmless. Consequently, Chacon's judgment of conviction was affirmed.

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