

## **SUMMARY STATEMENT**

*State v. Doe*, Docket No. 47158

John Doe was twenty years old when the State filed a petition in juvenile court alleging that he committed two counts of lewd conduct against a minor under sixteen years of age. In the petition, the state alleged that Doe abused two young children when Doe was between the ages of thirteen and sixteen. On the same day the State filed its petition, the State filed a motion to waive jurisdiction under section 20-508 of the Juvenile Corrections Act (“JCA”) so that Doe could be prosecuted in district court as an adult. Doe filed a motion to dismiss the petition, arguing that more than four years had passed since the alleged conduct underlying the charges, and that JCA petitions are subject to the four-year residual statute of limitation for civil actions set out in Idaho Code section 5-224. The juvenile court denied Doe’s motion to dismiss and granted the State’s motion to waive jurisdiction. Doe appealed to the district court, arguing the juvenile court erred by denying his motion to dismiss and therefore should not have reached the motion to waive jurisdiction. The district court affirmed the decision of the juvenile court. Doe then appealed to this Court. The Supreme Court affirmed the decision of the district court because it held that JCA petitions are not subject to the limitation in Idaho Code section 5-224.

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