

SUMMARY STATEMENT

State v. Clark

Docket No. 47210

William Clark appeals from a judgment of conviction on two felony counts of unlawful entry. In January of 2019, Clark fled from officers as they tried to execute a warrant for his arrest. During the officers' pursuit of Clark, he entered two separate, nearby trailer houses. The State charged Clark with violating Idaho Code section 18-7034(2), which enhances misdemeanor unlawful entry to a felony if the perpetrator commits the unlawful entry while being pursued by a peace officer. After a bench trial, the district court found Clark guilty on both counts of felony unlawful entry, concluding that the officers' pursuit to execute the arrest warrant constituted "fresh pursuit" as defined in Idaho Code section 19-705.

Clark appeals, arguing that pursuit to execute an arrest warrant does not constitute "fresh pursuit." Clark also argued that the State presented insufficient evidence to convict him of the felony enhancement. The Idaho Supreme Court affirmed the decision of the district court. The Court first held that "fresh pursuit," as defined in Idaho Code section 19-705, includes pursuit to execute an arrest warrant. The Court also held that the State presented sufficient evidence to prove the felony enhancement to unlawful entry.

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