

SUMMARY STATEMENT

State v. Alvarado

Docket No. 47341

This appeal addresses a defendant's Sixth Amendment right to conflict free counsel. Alfredo Alvarado ("Alvarado") appealed a judgment of conviction for attempted strangulation and domestic violence inflicting traumatic injury, arguing that his rights were violated because his public defender had previously represented an adverse witness on a felony charge. After disclosing the conflict, Alvarado's attorney asked that he and the public defender's office be permitted to decline any future representation of the witness. However, Alvarado argued on appeal that counsel continued to have an actual conflict of interest because his ongoing ethical duties to the witness/former client prevented him from effectively cross-examining the witness. Alvarado argued this resulted in a structural defect in the trial, which necessitated overturning his convictions. In the alternative, Alvarado argued his unified aggregate sentence of 20 years to life was excessive.

The Idaho Supreme Court held that Alvarado failed to show a fundamental error in his counsel's representation and, therefore, his Sixth Amendment right to conflict free counsel was not violated. Accordingly, the Supreme Court upheld his convictions. The Supreme Court also held that the district court did not abuse its discretion in sentencing Alvarado to 20 years to life.

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