

SUMMARY STATEMENT

Marsalis v. State, Docket No. 47438

The Idaho Supreme Court affirmed in part and reversed in part the Blaine County district court's summary dismissal of Jeffrey Marsalis's petition for post-conviction relief following his 2009 rape conviction. In his petition, Marsalis alleged that his trial counsel was ineffective for failing to (1) challenge the testimony of the State's expert witness regarding his and the victim's blood alcohol levels, (2) present favorable eyewitness testimony at trial, and (3) properly advise him of his speedy trial rights under the Interstate Agreement on Detainers (IAD). The district court summarily dismissed each of Marsalis's claims. The Court of Appeals reversed in part and affirmed in part. The State petitioned the Supreme Court for review, which the Court granted.

The Supreme Court affirmed the district court's summary dismissal of Marsalis's claim that trial counsel was ineffective for failing to call an allegedly favorable eyewitness at trial. However, the Court reversed and remanded the case for an evidentiary hearing on Marsalis's claim that trial counsel was ineffective for failing to challenge the underlying methodologies supporting the State's expert witness's testimony and for failing to present an expert witness to discuss the scientific basis behind Marsalis's blackout defense. The Court also remanded the case so the district court could provide Marsalis with twenty days' notice to respond to the court's grounds for dismissing Marsalis's claim that trial counsel was ineffective for failing to inform him of his speedy trial rights under the IAD.