

## **SUMMARY STATEMENT**

*State v. Cartwright*

Docket No. 47440

Thomas Reese Cartwright (“Cartwright”) appealed his judgment of conviction for felony enticing a child through the use of the internet. Police arrested Cartwright outside a 7-11 convenience store, where he was attempting to meet a 14-year-old girl with whom he had been exchanging sexual messages. In reality, the girl was an undercover detective. Cartwright argued the district court erred when it denied his motion to dismiss because Idaho Code section 18-1509A is unconstitutionally overbroad on its face. Cartwright also argued the district court erred when it refused to instruct the jury on entrapment. The Idaho Supreme Court concluded that section 18-1509A is not unconstitutionally overbroad because the intent element sufficiently limits the conduct proscribed by the statute. The Court also concluded the district court did not err in refusing to instruct the jury on the entrapment defense because Cartwright failed to establish that the intent to commit the crime originated with the State. For these reasons, the Idaho Supreme Court affirmed Cartwright’s conviction.

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