

SUMMARY STATEMENT

State of Idaho v. Tyler Shawn Clapp

Docket No. 47446

In 2002, Tyler Shawn Clapp was charged with driving under the influence, driving with a suspended license, and encouraging a minor to come within the purview of the Juvenile Corrections Act by providing the minor alcohol. Ultimately, the State dismissed the charges. In 2019, Clapp filed an Idaho Court Administrative Rule 32(i) motion to seal and expunge the criminal record. Clapp neither requested a hearing nor noticed his motion for hearing. The district court denied Clapp's motion in a written order holding, as an initial matter, that the court was not required to hold a hearing under I.C.A.R. 32 because Clapp did not request or notice his motion for a hearing. In addition, the district court held that Clapp's motion failed on the merits because the public interest in disclosure predominated over the privacy interest raised by Clapp.

On appeal, Clapp argued that the district court erred by denying his motion to seal the record. Specifically, Clapp contended that the district court erred (1) procedurally because, based on the language of I.C.A.R. 32(i) and controlling case law, it was mandatory that the district court hold a hearing on Clapp's motion to seal the record, and (2) substantively because the public's interest in disclosure of a record containing dismissed charges did not outweigh Clapp's privacy interest.

First, the Idaho Court of Appeals examined the plain language of I.C.A.R. 32(i) which states that the district court "shall" hold a hearing "after the moving party gives notice to all parties." Based on its analysis of I.C.A.R. 32(i), the Court reasoned that a hearing is required only after the moving party gives notice of the hearing to all parties. Because Clapp failed to request or notice his motion for a hearing, the Court of Appeals concluded that the district court did not err by denying Clapp's I.C.A.R. 32(i) without conducting a hearing. Second, the Court concluded that the district court did not err by denying Clapp's motion on its merits because Clapp's motion was bare and conclusory and Clapp failed to carry his burden to show that his privacy interest in sealing the record predominated over the public's interest in disclosure. Consequently, the Court of Appeals affirmed the district court's order denying Clapp's I.C.A.R. 32(i) motion.

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