

## SUMMARY STATEMENT

*State v. Lankford*

Docket No. 47522

This appeal concerns the first-degree murder conviction of Mark Henry Lankford for the 1983 murders of Robert and Cheryl Bravence at a campground in the woods near Grangeville, Idaho. Errors in Lankford's first two trials in 1984 and 2008 resulted in those convictions being vacated. At the conclusion of Lankford's third trial in 2019, he was again convicted on two counts of first-degree murder. He received consecutive life sentences.

On appeal to the Idaho Supreme Court, Lankford argued three points of error: (1) that the district court abused its discretion when it allowed the State to question Lankford's brother about statements the brother made on a late-disclosed prison phone recording; (2) that the evidence from the third trial was insufficient to support his conviction when the "law of the case doctrine" is applied to his case; and (3) that the district court erred in denying Lankford's motion to dismiss for a speedy trial violation.

The Idaho Supreme Court concluded that the district court did not err in its decision regarding the late-disclosed prison recording. Further, the Court concluded the law of the case doctrine was inapplicable to this Court's comments about the evidence in a previous appeal from the 2008 trial because the specific comments articulated neither "a principle nor a rule of law" that would invoke the doctrine. Finally, the Court determined that Lankford's speedy trial rights were not violated, given that most of the delays were necessitated by Lankford's own actions. Accordingly, the Idaho Supreme Court affirmed Lankford'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.\*\*\****