

SUMMARY STATEMENT

State v. Huckabay, Docket No. 48109

On a petition for review from the Idaho Court of Appeals, defendant John Huckabay appealed his criminal conviction of felony unlawful possession of a moose. The primary question before this Court was one of statutory interpretation: whether Idaho Code section 36-1401(c)(3) required the unlawful killing, possessing, or wasting of more than one animal to constitute a felony offense. The Idaho Supreme Court determined that the statute plainly applied to the unlawful killing, possessing, or wasting of a single animal. The Court then affirmed the judgment of the district court because the indictment appropriately charged Huckabay with a felony offense under Idaho Code section 36-1401(c)(3).

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