

SUMMARY STATEMENT

Steven Anthony Pomrenke v. State of Idaho
Docket No. 48161

In this case arising out of Jerome County, the Court of Appeals affirmed the district court's judgment summarily dismissing Steven Anthony Pomrenke's petition for post-conviction relief. After being found guilty of vehicular manslaughter, Pomrenke filed a petition for post-conviction relief in which he asserted various allegations of ineffective assistance of counsel. The State and Pomrenke each moved for summary disposition. The district court summarily dismissed Pomrenke's petition for post-conviction relief.

On appeal, Pomrenke argued that summarily dismissing his petition for post-conviction relief was error, asserting the record established a prima facie case that his trial counsel was ineffective by failing to call witnesses to support an involuntary intoxication defense; failing to request a jury instruction on the unconscious act defense; foregoing an opening statement; and giving an inadequate closing statement. Pomrenke further argued that he was entitled to a presumption of prejudice because his trial counsel failed to subject the State's case to meaningful adversarial testing.

The Court of Appeals held that Pomrenke failed to present evidence generating a genuine issue of fact on any of his claims of ineffective assistance of trial counsel. The Court of Appeals further held that, because Pomrenke failed to support his allegations of ineffective assistance, his argument that he was entitled to a presumption of prejudice also failed.

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