

SUMMARY STATEMENT

State v. Temple
Docket No. 48174

This case concerned whether a district court abused its discretion in quashing a subpoena served in the criminal case, which sought attorney billing records from a pending divorce proceeding, and whether the district court erred in refusing to instruct the jury on the legal duty to report allegations of child abuse. The State charged Darren Temple with one count of lewd and lascivious conduct with a minor and one count of sexual battery following a report from Temple's stepdaughter that he had molested her in the fall of 2014. Following trial, the jury convicted Temple on the sexual battery charge. Temple appealed his judgment of conviction, arguing the district court's quashing of his subpoena and refusal to deliver his proposed jury instruction on the statutory duty to report child abuse hindered his ability to impeach the witnesses against him.

The Idaho Supreme Court affirmed Temple's judgment of conviction. The Court held that any error in the district court's order quashing Temple's subpoena was harmless. Next, the Court held that the district court properly declined to deliver Temple's proposed jury instruction because the instruction could have misled the jury, was adequately covered by other instructions, and constituted an impermissible commentary on the evidence.

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