

STATE v. GUERRA
Docket No. 48193

Danielle Merideth Guerra was charged with driving under the influence of drugs in violation of Idaho Code section 18-8004(1)(a), with enhanced penalties under section 18-8005(4) for a second DUI violation within a ten-year period. At trial, without the labels being admitted and over Guerra's objection, the magistrate court admitted Officer DeLeon's testimony as to warnings on Guerra's medication bottles, including a warning to "take due caution when operating motor vehicles." The jury convicted Guerra of driving under the influence. Guerra later filed a motion to set aside the jury verdict under Idaho Criminal Rule 29(c)(1) or, in the alternative, grant a new trial under Idaho Criminal Rule 34(a). The magistrate court denied Guerra's motion, and the district court affirmed the magistrate court's evidentiary rulings, denial of the motion, and judgment of conviction. Guerra appealed the district court's decision to the Idaho Supreme Court. On appeal, Guerra contended that the magistrate court erred when it denied her motion, and when it made a number of evidentiary rulings. The Idaho Supreme Court affirmed the district court's decision on all rulings except one.

First, the Court held the district court did not err by affirming the magistrate court's denial of Guerra's motion to set aside the verdict or, in the alternative, grant a new trial. Second, the Court held the district court did not err when it upheld the magistrate court's rulings concerning the timeliness of the State's disclosure of evidence or the admitting of evidence relating to Guerra's blood draw.

However, the Court reversed the district court's decision affirming the magistrate court's admission of Officer DeLeon's testimony as to the motor vehicle warning label. Officer DeLeon's testimony as to the warning was hearsay, and the magistrate court improperly admitted the evidence for the non-hearsay purpose of notice to Officer DeLeon. In addition, the district court improperly affirmed the magistrate court when it relied on the alternative non-hearsay purpose of notice to Guerra. Because the State failed to proffer an exception to the rule against hearsay, or offer a relevant non-hearsay purpose, the testimony was improperly admitted over Guerra's objection.

The Court held this was not harmless error. Statements made by multiple jurors during voir dire demonstrated the testimony as to the motor vehicle warning tended to solidify causation in some jurors' minds. The effect of the error was not minimal as compared to the probative force of the record, thus, the error contributed to the verdict rendered. The Court affirmed the district court's decision in part, reversed in part, and remanded the matter to the district court with instructions to vacate the judgment of conviction and remand to the magistrate court for further proceedings.

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