

SUMMARY STATEMENT

State v. Smith, Docket No. 48358

On a petition for review from the Idaho Court of Appeals, defendant Melonie Dawn Smith appealed her criminal conviction for first degree murder and destruction, alteration, or concealment of evidence. The Idaho Supreme Court affirmed. First, the Court affirmed the district court's denial of Smith's motion to suppress after concluding that the imminent risk of destruction of evidence and the protective sweep exceptions to the warrant requirement permitted the officers' warrantless entry into Smith's home. In addition, the Court affirmed the district court's determination that the inevitable discovery doctrine applied. Second, the Court held the district court did not abuse its discretion when it overruled Smith's hearsay objection to certain testimony offered at trial because it was not introduced for the truth of the matter asserted, rather, the State introduced the testimony to contradict another witness. Third, the Court held Smith failed to prove fundamental error in the admission of a video or the prosecutor's comments during closing argument.

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