

SUMMARY STATEMENT

State v. Roberts

Docket No. 48486-2020; Consolidated Docket Nos. 48511-2020; 49440-2022; 49441-2022;
49442-2022; 49443-2022; 49444-2022; 49445-2022; 49446-2022

Lance A. Roberts appealed from the district court's decision on intermediate appeal affirming the magistrate court's decision denying his Idaho Criminal Rule 35 motion in a misdemeanor DUI case, denying his Idaho Criminal Rule 35 motions in his felony DUI cases, and dismissing his petitions for post-conviction relief in his felony DUI cases. The Idaho Supreme Court affirmed the district court's decisions.

Roberts' motions sought to amend multiple judgments of conviction from the past two decades for driving under the influence. Roberts' challenges all related back to his April 1998 conviction for a second "adult" misdemeanor DUI, which he claims should have been charged as a second "juvenile" misdemeanor DUI. Roberts argues that the erroneous conviction had a domino-effect on his subsequent DUIs over the next eighteen years, some of which were charged as felonies. He contends that the improper felonies then resulted in a determination that he was a persistent violator of the law, which made him subject to a sentencing enhancement in his most recent felony DUI case. Roberts filed Idaho Criminal Rule 35 motions and post-conviction petitions in multiple criminal cases, seeking to amend his prior DUI convictions and eliminate the persistent violator sentencing enhancement. The district court denied his motions and dismissed the petitions because neither an Idaho Criminal Rule 35 motion nor a petition for post-conviction relief authorized the trial court to grant the requested relief.

On appeal, Roberts conceded that the district court properly applied existing law but asked the Idaho Supreme Court to carve out an exception to Idaho Criminal Rule 35(a) and to interpret Idaho Code section 19-4901(a), which governs post-conviction relief claims, to allow Roberts to amend his prior DUI convictions.

The Court declined to do so and affirmed the district court. The Court concluded that Roberts failed to timely pursue other avenues to correct his allegedly improper April 1998 conviction and that Roberts failed to demonstrate a compelling reason to deviate from decades of Idaho appellate caselaw holding that a defendant cannot revisit an underlying conviction via a Rule 35(a) motion. Next, the Court held that Idaho Code section 19-4901(a)(1) of Idaho's Post-Conviction Procedure Act does not allow Roberts to amend his criminal conviction because Roberts failed to file his petition within one year of his conviction and because he failed to directly appeal his conviction.

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