

## SUMMARY STATEMENT

*State v. Ingraham*

Docket No. 48522

After a traffic stop and search, defendant Stacy Lee Ingraham was charged with possession of methamphetamine, possession of marijuana, possession of drug paraphernalia, destruction of evidence, and grand theft by possession of stolen property. Subsequent to conviction, the State sought a sentencing enhancement under Idaho Code section 19-2514 because of Ingraham's status as a persistent violator, which the district court allowed the jury to consider.

Ingraham appealed her convictions and sentences, arguing she was denied her right to a public trial under both the Idaho and U.S. constitutions because of the changes in trial procedures during the COVID-19 pandemic. She also asserted that the district court erred by publishing a video exhibit to the jury after it began deliberations. Additionally, she contended the district court erred in allowing the jury to consider a prior felony conviction for purposes of a persistent violator enhancement where that conviction had previously been "deemed" a misdemeanor pursuant to Idaho Code section 19-2604.

Today, the Court affirms the judgment of conviction in part but vacates the part of the judgment imposing sentence and remands for further proceedings because we agree that the district court erred in allowing the jury to consider Ingraham's prior felony conviction after it had been deemed a misdemeanor under Idaho Code section 19-2604.

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