

SUMMARY STATEMENT

State v. Reyes
Docket No. 48628

Mario Reyes (Reyes) appeals a jury verdict convicting him of domestic battery, attempted strangulation, and aggravated assault stemming from an altercation with his wife, Marina Reyes (Marina). Reyes asserted that several evidentiary issues rendered his trial unfair. Reyes appealed his conviction to the Idaho Court of Appeals, which affirmed. The Idaho Supreme Court granted review.

On review, the Idaho Supreme Court first noted that two errors were acknowledged by the State on appeal: first, the State conceded that it was error for one of the prosecutors to list similar prior charges against Reyes in front of the jury; second, the State conceded that it was also error for one the prosecutors to elicit testimony from Reyes that he was on probation on the night of the altercation and was also in violation of his probation terms by consuming alcohol and being present in a bar. Next, the Idaho Supreme Court held that the district court erred when it determined that Marina was unavailable to testify at trial and allowed her preliminary hearing testimony to be read into the record. The Court then held that one of the prosecutor's comments that Marina was "scared" of Reyes during closing argument was improper and constituted prosecutorial misconduct. The Court further held that the district court did not abuse its discretion in allowing the State to ask why a witness to the altercation asked police to lie about who called 911. Finally, due to the Court's determination that numerous errors had been committed at Reyes' trial, the Court held that the cumulative error doctrine required that Reyes receive a new trial. The Idaho Supreme Court vacated Reyes' convictions.

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