

SUMMARY STATEMENT

State v. Harrell

Docket No. 48839-2021

The Idaho Supreme Court affirmed Rodney Carlton Harrell's judgment of conviction for trafficking in methamphetamine, trafficking in marijuana, and possession of drug paraphernalia. Harrell and two others were driving in Kootenai County when they were stopped by law enforcement. A subsequent search of the vehicle uncovered more than 3.5 pounds of marijuana, more than 200 grams of methamphetamine, drug paraphernalia, firearms, and ammunition. The State charged Harrell with trafficking in methamphetamine, trafficking in marijuana, and possession of drug paraphernalia.

Harrell moved to suppress all evidence seized during the traffic stop, arguing that officers had violated his rights against unreasonable search and seizure. The district court denied Harrell's motion to suppress.

Harrell's trial was rescheduled several times due to the COVID-19 pandemic. In response to the pandemic, this Court issued a series of emergency orders governing trial proceedings. The orders set forth several deviations from Idaho's rules of criminal procedure, including a reduction in the number of peremptory challenges in certain criminal cases. Harrell objected to the reduced number of peremptory challenges as violative of the Idaho Constitution and United States Constitution, which Harrell alleged guaranteed him a specific number of peremptory challenges. The district court overruled his objection and the jury convicted Harrell of all charges. Harrell appealed to the Idaho Supreme Court.

On appeal, Harrell argued that the district court (1) erred in denying his motion to suppress, and (2) erred in overruling his objection to the reduced number of peremptory challenges. The Supreme Court affirmed the district court on both issues.

The Court affirmed the district court's denial of Harrell's motion to suppress based on its previous decision involving the driver of the vehicle, *State v. Stonecypher*, 170 Idaho 156, 508 P.3d 1230 (2022). The Court concluded that Harrell failed to establish a reason for the Court to render a different decision in his case than that reached in *Stonecypher*.

The Court also affirmed the district court's decision overruling Harrell's objection to the reduction in peremptory challenges. Neither the Idaho Constitution nor the United States Constitution guaranteed Harrell a specific number of peremptory challenges. The district court, therefore, did not err in overruling Harrell's objection. Accordingly, the Court affirmed Harrell's judgment of 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.