

## SUMMARY STATEMENT

*Hooley v. State, Docket No. 48846*

Thomas Hooley appealed from the district court's summary dismissal of his petition for post-conviction relief. In 2014, Hooley was convicted of aiding and abetting aggravated battery and kidnapping in the first degree. Hooley petitioned for post-conviction relief in 2019, asserting that (1) he was actually innocent and (2) the prosecution withheld favorable evidence in contravention of *Brady v. Maryland*, 373 U.S. 83 (1963). The district court concluded that Hooley's actual innocence claim was time-barred and further concluded the claim failed on the merits. While the district court found that Hooley's *Brady* claim was timely, the court ultimately determined that claim failed on the merits as well. As a result of its conclusions, the district court summarily dismissed the petition without an evidentiary hearing. The Idaho Supreme Court held that the district court did not err in summarily dismissing Hooley's petition for post-conviction as untimely because his claim of actual innocence did not toll the statute of limitations to bring a post-conviction claim. The Court also held that the district court did not err in dismissing Hooley's *Brady* claim without an evidentiary hearing because Hooley unreasonably delayed in filing his claim after discovering new evidence.

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