

## **SUMMARY STATEMENT**

*State of Idaho v. Vincent M. Slaninka, Jr.*

Docket No. 49060

In this case arising out of Ada County, the Court of Appeals affirmed Vincent M. Slaninka, Jr.'s judgment of conviction for trafficking in heroin, possession of a controlled substance, and possession of drug paraphernalia. Prior to trial, Slaninka filed two motions to suppress and the district court denied both motions. On the morning of trial, Slaninka moved to continue the trial to allow him to file a third motion to suppress. The district court denied the motion to continue. A jury found Slaninka guilty of trafficking in heroin, possession of a controlled substance, and possession of drug paraphernalia.

On appeal, Slaninka argued that the district court violated his due process rights by not considering his third motion to suppress and abused its discretion by denying his motion to continue. Because the record showed that Slaninka had been afforded more opportunities to file his motion to suppress than required by I.C.R. 12(d), the Court held that he failed to show a due process violation. The Court further held that Slaninka failed to show the district court erred in denying the motion to continue. The district court exercised reason and acted consistently with the applicable legal standards in denying the motion to continue because the district court considered the difficulties that Slaninka's counsel encountered in litigating the case, but noted that the information relevant to the proposed third motion to suppress had been available to Slaninka "for some time" prior to trial and that he had not shown there was new information that had recently come to light that would support the third motion to suppress.

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