

SUMMARY STATEMENT

Rachael Louise Meyer v. State of Idaho

Docket No. 49608

In this case arising out of Ada County, the Court of Appeals affirmed the district court's judgment summarily dismissing Rachael Louise Meyer's petition for post-conviction relief. After being found guilty of trafficking in heroin following a consent search of her purse during a traffic stop that yielded the controlled substance, Meyer filed a petition for post-conviction relief that alleged her trial counsel was ineffective by failing to argue in a motion to suppress that Meyer's consent was tainted by an unlawful seizure that allegedly occurred when she set aside her purse pursuant to an officer's direction. The State and Meyer each moved for summary disposition. The district court summarily dismissed Meyer's petition for post-conviction relief, concluding her motion to suppress would have been denied even if trial counsel had argued Meyer's consent to search was tainted.

On appeal, Meyer argued that summarily dismissing her petition for post-conviction relief was error, asserting that the suppression argument proposed therein would have been meritorious. Thus, according to Meyer, she was entitled to post-conviction relief on her ineffective assistance of counsel claim.

The Court of Appeals held that Meyer failed to show error in the summary dismissal of her post-conviction petition because the suppression argument her counsel was allegedly ineffective for not pursuing would have failed. Specifically, the Court of Appeals held that requiring a passenger ordered out of a vehicle during a lawful traffic stop to set aside a purse, absent consent to search it, is a mere inconvenience eclipsed by legitimate officer safety concerns. Consequently, Meyer failed to show error in the district court's conclusion that separating her from her purse did not result in an unlawful seizure that tainted her consent to the search of her purse.

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