

SUMMARY STATEMENT

State v. John Doe

Docket No. 49619

This appeal concerned whether Idaho Code section 20-528 permits a juvenile defendant to bring an interlocutory appeal as a matter of right from a magistrate court's denial of a motion to suppress.

Residents in a Meridian neighborhood reported a "suspicious" sedan parked on the street. Officers found three juvenile occupants in a vehicle matching the report's description. John Doe was an occupant in the backseat. While Doe was being questioned, police dispatch informed the officers that there were four outstanding arrest warrants for a juvenile of the same first name, physical description, and birthdate as Doe. Officers later found methamphetamine on his person during a pat search. He was charged with three drug related offenses: (1) possession of a controlled substance (methamphetamine, a felony), (2) possession of drug paraphernalia, and (3) being under the influence of a controlled substance.

Doe filed a motion to suppress the evidence, arguing the evidence was the product of an unlawful search under the Fourth Amendment. The motion was denied by the magistrate court. Doe then sought permission from the magistrate court to appeal its denial to the district court. The magistrate court denied Doe's request for permission to seek an appeal. Thereafter, Doe appealed the denial of the request to seek an appeal to the district court. The district court dismissed Doe's appeal, concluding that a permissive appeal was not available to Doe because he had not yet been adjudicated of any violation under the Juvenile Corrections Act. Doe then appealed to this Court, arguing that (1) by virtue of being charged, he was "within the purview" of the Juvenile Corrections Act and (2) Idaho Code section 20-528 permits a juvenile defendant to appeal a denied suppression motion as a matter of right.

The Idaho Supreme Court affirmed the district court's dismissal of Doe's interlocutory appeal, holding that Idaho Code section 20-528 does not allow for this type of appeal until the juvenile has been found to be "within the purview" of the Juvenile Corrections Act. The Court held that, under the plain language of the statute, "within the purview" means either an adjudication or an admission of guilt on the charges has taken place. Inasmuch as neither an adjudication nor an admission of guilt had yet occurred, Doe was not "within the purview of the act" and, accordingly, not entitled to appeal.

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