

SUMMARY STATEMENT

Stanley Phillip Sweet v. State of Idaho
Docket No. 49981

In this case arising out of Boundary County, the Court of Appeals affirmed a decision of the district court, on intermediate appeal from the magistrate court, affirming the judgment denying Stanley Phillip Sweet's petition for post-conviction relief. The State charged Sweet with misdemeanor domestic battery in the presence of a minor child. After being found guilty by a jury, Sweet appealed his conviction, which was subsequently affirmed. Thereafter, Sweet filed a petition for post-conviction relief, alleging numerous ineffective assistance of trial counsel claims. Following an evidentiary hearing, the magistrate court denied post-conviction relief. The district court affirmed on intermediate appeal.

Sweet again appealed, arguing the district court erred in affirming the magistrate court's decision denying his post-conviction petition because he proved that his trial counsel was ineffective. The Court held that Sweet failed to show error because he failed to argue the appropriate standard of prejudice related to his ineffective assistance of counsel claims. The Court also rejected a claim that Sweet's trial counsel was ineffective for failing to introduce evidence from prior proceedings to impeach the victim at trial because the claim was not raised in Sweet's petition and was instead raised for the first time on appeal.

Finally, the Court rejected Sweet's cumulative error claim because Sweet failed to cite any authority related to cumulative error and because a necessary predicate to a finding of cumulative error is a finding of more than one error, which Sweet failed to establish.

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