

## SUMMARY STATEMENT

*State v. Pendleton*

Docket No. 50078

This appeal arose from a police dog's alert on a defendant's vehicle and the defendant's subsequent attempts to obtain records through discovery concerning the dog's history and its reliability. The district court ordered the State to produce the requested records and the Idaho Supreme Court affirmed this order.

The drug dog, Edo, alerted on Defendant Shawna Pendleton's vehicle during a routine traffic stop. Videos of this incident and prior incidents raised questions about the reliability of Edo's performance and whether he was conditioned to alert. Through a series of discovery requests, Pendleton sought additional videos and police reports from past stops to challenge Edo's reliability and establish whether Edo was actually performing or had been conditioned to alert. The district court, over repeated objections from the State, ultimately granted Pendleton's motion to compel the evidence on finding it material to her defense.

The Idaho Supreme Court affirmed the district court's decision on determining that (1) Pendleton established that the requested evidence was material to the defense, (2) the production of four months' worth of Edo's reports and videos was not unduly burdensome, and (3) the requested evidence was within the prosecutor's possession, custody, or control.

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