

SUMMARY STATEMENT
State of Idaho v. Joshua Eric Molina
Docket No. 50150

In this case arising out of Twin Falls County, the Court of Appeals affirmed Joshua Eric Molina's judgment of conviction for three counts of felony injury to a child, one count of misdemeanor injury to a child, and first degree murder of his girlfriend's twenty-month-old daughter. A jury trial was held in 2020. Several witnesses testified including Molina's girlfriend and Molina's roommate. Molina was found guilty of one count of felony injury to a child and one count of misdemeanor injury to a child as a lesser-included offense. The jury was unable to reach a verdict on the remaining charges, resulting in a mistrial on those counts.

A second jury trial was held in 2022, and Molina's girlfriend and Molina's roommate again appeared as witnesses. Molina was ultimately found guilty of all the remaining counts. On appeal, Molina asserts the district court abused its discretion when concluding that prior trial testimony of his girlfriend and his roommate was admissible as prior consistent statements pursuant to Idaho Rule of Evidence 801(d)(1).

During the second trial, Molina objected to the admission of his girlfriend's prior testimony; however, he failed to articulate he was making a hearsay objection. Consequently, the Court of Appeals concluded Molina failed to preserve his claim that the district court erred by admitting his girlfriend's prior trial testimony. Molina failed to show the district court abused its discretion when it admitted Molina's roommate's prior testimony. The Court of Appeals also concluded the district court properly admitted Molina's roommate's prior consistent statements to rehabilitate the roommate's credibility as a witness. Moreover, even assuming error in the admission of the challenged testimony, any alleged errors were harmless.

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