

## SUMMARY STATEMENT

*State of Idaho v. Wendy Kathleen Caudill*  
Docket No. 50179

Wendy Kathleen Caudill appeals from her judgment of conviction for felony possession of a controlled substance, Idaho Code § 37-2732(c). On appeal, Caudill challenges the district court's denial of her motion to suppress and the denial of her motion to dismiss based on an alleged violation of her speedy trial rights. Specifically, Caudill asserts that the district court abused its discretion when it denied her motion to suppress for being untimely. She argues there was excusable neglect for the untimely motion that she demonstrated a meritorious claim. Further, Caudill asserts that the district court erred when it denied her motion to dismiss because the delay of her trial violated her constitutional rights to a speedy trial. The State asserts the district court did not err because there was no excusable neglect for the untimely motion to suppress and the district court properly applied and balanced the *Barker*<sup>1</sup> factors in determining that Caudill's speedy trial rights were not violated.

The Court of Appeals affirmed the conviction, holding the district court did not abuse its discretion in finding that the motion to suppress was untimely. The Court held that the relevant inquiry is not the merits of the motion, but whether it was filed within the time set by the rules or order of the trial court. As to the speedy trial issue, the Court held that the majority of delay was justified by the COVID-19 pandemic and the Idaho Supreme Court's emergency orders suspending jury trials. Therefore, the district court did not err in its analysis of the *Barker* factors and denial of Caudill's motion to dismiss.

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

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<sup>1</sup> *Barker v. Wingo*, 407 U.S. 514 (1972).