

BOISE, TUESDAY, MAY 14, 2024, AT 9:00 A.M.

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 50253

STATE OF IDAHO,)
)
 Plaintiff-Respondent,)
)
 v.)
)
 MARSHALL DEE HENDRICKS,)
)
 Defendant-Appellant.)
)

Appeal from the District Court of the Seventh Judicial District, State of Idaho, Bonneville County. Hon. Dane H. Watkins, Jr., District Judge.

Browning Law; Allen H. Browning, Idaho Falls, for appellant.

Hon. Raúl R. Labrador, Attorney General; Kenneth K. Jorgensen, Deputy Attorney General, Boise, for respondent.

Marshall Dee Hendricks appeals from his conviction for second degree murder and unlawful possession of a firearm. Hendricks argues the district court erred by excluding evidence Hendricks offered in support of his theory of self-defense.

Hendricks asserts the victim’s statements should have been presented to show the victim’s state of mind; testimony concerning specific instances of the victim’s prior misconduct should have been permitted; and Hendricks’ expert was improperly excluded from testifying. In addition, Hendricks claims he should have been able to testify about his personal knowledge of the victim’s prior bad acts; threatening statements by the victim should have been admitted; the verdict is not supported by the evidence; and he should be resentenced. The State argues the district court did not err but even if it did, any error was harmless.