

SUMMARY STATEMENT

State v. Ewing, Docket No. 50452

Clyde K. Ewing appealed from his judgment of conviction for first-degree felony murder, committed during the perpetration or attempted perpetration of a robbery and/or burglary. Clyde argued the district court: (1) erred in denying his motion to dismiss based on a violation of his statutory right to a speedy trial; (2) violated his rights under the Confrontation Clause of the Sixth Amendment by permitting the prosecutor to introduce a video recording of a police interview of a witness who died before trial; (3) abused its discretion in admitting as substantive evidence a compilation video prepared by a police officer, with symbols and notations added by the officer; and (4) deprived Clyde of a fair trial because these errors, taken together, constitute cumulative error. The Idaho Supreme Court affirmed, holding that the district court did not abuse its discretion by denying Clyde's motion to dismiss on speedy trial grounds because the COVID-19 pandemic constituted good cause for the delay of the trial. The Court also recognized that, though Clyde's rights under the Confrontation Clause were violated, the error was harmless. Affirming the district court, the Idaho Supreme Court held that it was not an abuse of discretion to admit a compilation video at trial with symbols and notations added by law enforcement. Finally, because Clyde only established error under the Confrontation Clause, without demonstrating a second error, the cumulative error doctrine does not apply.

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