

## SUMMARY STATEMENT

*State v. Buehler*

Docket No. 50701-2023

The Idaho Supreme Court affirmed Cyrus Wolf Buehler's judgment of conviction for aggravated driving under the influence.

Buehler appealed his judgment of conviction for aggravated driving under the influence. Buehler was involved in a collision with an oncoming bicyclist while making a left-hand turn. Buehler was arrested after he failed a field sobriety test and a breath test indicated his blood alcohol concentration ("BAC") exceeded the legal limit. The Idaho Court of Appeals affirmed Buehler's conviction. Buehler then filed a Petition for Review of that decision, which the Idaho Supreme Court granted.

Buehler's appeal primarily concerned various motions in limine he filed prior to trial. Buehler sought to introduce evidence of the victim's conduct prior to the crash and expert testimony to support his theory of the case that the victim was at fault for the collision. The district court denied Buehler's motions in limine, finding that the victim's conduct was not relevant to the charge of aggravated DUI. On appeal, Buehler argued that the district court erred because evidence of the victim's conduct and the expert testimony established that the victim's conduct was an intervening, superseding cause of the collision.

Buehler also challenged the district court's decision to admit evidence of his BAC. Buehler argued the district court erred by allowing the State to admit evidence of Buehler's test results because the officer's certification to operate the breathalyzer device had expired approximately one week before he administered the tests to Buehler.

The Idaho Supreme Court held that the district court did not err in its rulings excluding evidence concerning the victim's conduct on the day of the collision. The Court held that, while a defendant charged with aggravated DUI may dispute the element of causation by presenting evidence of an intervening, superseding cause, Buehler's evidence failed to establish such a cause. The Court held that the district court did not err in admitting evidence of Buehler's BAC because the State may establish the foundation for the admission of the evidence through expert testimony.

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