

SUMMARY STATEMENT

State v. Horn, Docket No. 50788

Kaylee Horn appealed from the judgment entered upon her convictions for possession of methamphetamine and drug paraphernalia, and being a persistent violator. She challenged the denial of her motion to suppress evidence gathered from a probation officer's search of her residence despite objecting to his entry at the door. Horn also challenged the admission of her co-occupant's videotaped statements, implying that they mutually shared ownership and control of the drugs and drug paraphernalia found in their home. The Idaho Supreme Court affirmed the district court's decisions, denying both of Horn's challenges on appeal. The Court did so because Horn's co-occupant had signed a Fourth Amendment waiver pursuant to obtaining probation. As such, the probation officer was legally allowed to enter the home despite Horn's objection. The Court further held that it was error for the district court to admit the video evidence of Horn's co-occupant's statements—but that such an error was harmless in the face of the rest of the evidence admitted at trial.

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