

SUMMARY STATEMENT

State v. Salazar-Cabrera, Docket No. 52207

Pompeyo Salazar-Cabrera appealed the district court's intermediate appellate decision affirming his judgment of conviction and sentence for misdemeanor vehicular manslaughter. Salazar-Cabrera argued that it was error for the magistrate court judge to impose jail time for his misdemeanor vehicular manslaughter conviction because a different magistrate court judge had previously promised Salazar-Cabrera that he would not receive jail time for such a conviction. Salazar-Cabrera argued that the district court erred by affirming the magistrate court judge's decision to impose jail time because doing so controverted the law of the case doctrine.

The Idaho Supreme Court affirmed the district court's intermediate appellate decision affirming the magistrate court's sentencing. The Court held that the law of the case doctrine did not bind a new sentencing judge to a prior judge's pre-sentencing statements. As such, only the magistrate court judge that promised no jail time was bound by such a promise. The Court noted that the new sentencing judge made no such promise and concluded that the magistrate court did not err by imposing jail time. The Court then affirmed the district court's decision to affirm the magistrate court's sentencing.

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