

SUMMARY STATEMENT

Docket No. 52335

State v. Buck

This is an appeal arising from a first-degree murder conviction. In January of 2020, Emerson C. Buck IV (“Buck”) was charged with murdering his paternal uncle, James Buck, in a two-bedroom trailer in Garden City. During voir dire, the prosecutor used a peremptory strike to remove the only Black juror in the venire. This juror had earlier expressed that he did not wish to serve due to his personal circumstances. Because both Buck and the juror were Black, Buck challenged the strike, citing *Batson v. Kentucky*, 476 U.S. 79 (1986). Applying *Batson*, the district court denied the challenge, concluding that regardless of whether a prima facie showing of discriminatory intent had been made, the State had a legitimate reason for exercising its peremptory strike that did not amount to purposeful discrimination. After a six-day jury trial and four hours of deliberation, the jury found Buck guilty.

Buck’s appeal was assigned to the Idaho Court of Appeals, which affirmed the district court. Buck then petitioned the Idaho Supreme Court to review the Court of Appeals’ ruling, which was granted. On review, Buck raised four points of error. First, Buck maintained that the district court committed reversible error by denying his *Batson* challenge. Second, Buck argued that he was denied his constitutional right to a fair trial because the district court impermissibly limited defense counsel’s cross-examination of a detective who investigated the case. Third, Buck contended the district court wrongly prevented him from arguing an alibi defense at closing argument. Last, Buck argued that taken cumulatively, these errors deprived him of a fair trial.

On review, the Idaho Supreme Court upheld Buck’s conviction. First, correcting a ruling from the Court of Appeals’ decision, the Court held that under *Hernandez v. New York*, 500 U.S. 352 (1991), it was permissible for the district court to bypass the first step of *Batson* (establishing of a prima facie case of discrimination) because:

when the prosecutor offers a race-neutral explanation for the strike pursuant to the second step of *Batson*, and the trial court concludes that there was no discriminatory intent under *Batson*’s third step, it is unnecessary for a trial court to return to the first step and conduct a further inquiry to ascertain the race of the prospective juror.

Thus, the district court did not err by denying Buck’s *Batson* challenge without clearly concluding that he had made a prima facie showing of discriminatory impact. The Court went on to conclude that the district court correctly found that the State provided two race-neutral reasons for exercising its challenge to remove the juror: (1) the juror had indicated that he did not want to serve and expressed concern about pressing life circumstances (school, work, and a pregnant girlfriend) distracting him; and (2) the juror’s demeanor during voir dire indicated that he was not paying attention and was not engaged in the process.

The Supreme Court also affirmed the district court on the remaining issues. The Court concluded that the district court properly barred Buck’s attempt to introduce speculative evidence of an alternate perpetrator because “all Buck could offer regarding alternate perpetrator evidence were ‘mere inferences’ or innuendos that someone else could have committed the crime.” As to Buck’s attempts to introduce evidence of an alibi for the first time in his closing argument, the

Court concluded that “there was no evidence in the record that Buck was taking a walk when James was murdered.” Finally, the Court concluded that in the absence of any demonstrated error, the doctrine of cumulative error was not applicable.

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