

SUMMARY STATEMENT

State v. Knight

Docket No. 52929

Benjamin Charles Knight appealed his judgment of conviction entered after a jury found him guilty of three counts of unlawful possession of a firearm. While responding to a reported disturbance at Knight's residence, officers learned that Knight was a convicted felon. They later discovered three firearms in the home.

Throughout the criminal proceedings, Knight told the district court he could not afford an attorney and repeatedly requested "effective assistance of counsel." The district court encouraged Knight to apply for a public defender, and Knight responded that he did not want someone to represent him but needed legal counsel, which he asserted was his constitutional right. Ultimately, the district court appointed "shadow counsel" to assist Knight during jury selection and at trial but continued to refer to Knight as self-represented. Knight appeared without counsel throughout the pretrial stages of the case and filed many pro se motions, including a motion to suppress that was denied following an evidentiary hearing.

On appeal, Knight argued the district court violated his Sixth Amendment right to counsel because the district court made no effort to determine whether he voluntarily, knowingly, and intelligently waived that right and exercised a right to represent himself at trial instead. He also challenged the district court's denial of his motion to suppress, arguing he was unlawfully seized when the officers responded to a report of a disturbance at his residence.

The Idaho Supreme Court vacated the judgment of conviction and remanded for further proceedings. The Court first held that Knight was self-represented, and the appointment of "shadow counsel" did not satisfy Knight's Sixth Amendment's right to counsel, because "shadow counsel" did not control or manage Knight's defense. The Court then held that Knight did not knowingly, intelligently, or voluntarily waive his right to appointed counsel. Finally, because the Court concluded Knight was unconstitutionally without counsel throughout his pretrial proceedings, the Court permitted Knight to re-file his motion to suppress on remand if he so desires.

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