

BOISE, THURSDAY, JANUARY 16, 2024, AT 9:00 A.M.

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 50857

STATE OF IDAHO,)
)
 Plaintiff-Respondent,)
)
 v.)
)
 RYAN MATTHEW SAMFORD,)
)
 Defendant-Appellant.)
)

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Steven J. Hippler, District Judge.

Erik R. Lehtinen, State Appellate Public Defender; Kiley A. Heffner, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Raúl R. Labrador, Attorney General; Kenneth K. Jorgensen, Deputy Attorney General, Boise, for respondent.

Ryan Matthew Samford appeals from his judgment of conviction for attempted strangulation and felony domestic battery. Deputies responded to a report of a domestic dispute and arrested Samford. The following day, the victim was interviewed by a detective and made statements about the altercation. The victim also went to the hospital and her medical records contain statements victim made regarding the altercation.

While incarcerated, Samford indicated to another person that it would be beneficial to his case if Sanford continued to cultivate a fake relationship with the victim, which he did. Prior to trial, the State moved to admit the victim’s prior statements based on the doctrine of forfeiture by wrongdoing. Under this doctrine, a party forfeits hearsay and confrontation objections to admissibility by wrongful conduct designed to prevent a witness’s testimony. The State argued that Samford’s manipulation of the victim following the altercation resulted in the victim testifying at the preliminary hearing that she has very little memory of the altercation. The district court concluded that a determination of whether the victim was available under the forfeiture by wrongdoing analysis would be determined at trial.

At trial, the State called the victim as a witness. Following some of her testimony, the State moved for an official ruling on the motion regarding forfeiture by wrongdoing. The district court

granted the motion and admitted the victim's interview with the detective and the medical records. On cross-examination, Samford testified the victim sent him pictures of models that he used to barter items with other inmates.

Samford was found guilty of both counts. On appeal, he challenges the admission of evidence admitted under the doctrine of forfeiture by wrongdoing and argues the district court abused its discretion when it permitted questioning about the victim sending Samford pictures.