

BOISE, THURSDAY, NOVEMBER 12, 2020 AT 11:10 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

AZAD HAJI ABDULLAH,)	
)	
Petitioner-Appellant,)	
)	
v.)	Docket No. 46497
)	
STATE OF IDAHO,)	
)	
Respondent.)	
_____)	

Appeal from the District Court of the Fourth Judicial District of the State of Idaho, Ada County, Cheri C. Copsey, District Judge.

Kormanik & Sneed, LLP, Boise, for Appellant.

Lawrence G. Wasden Idaho Attorney General, Boise, for Respondent.

This appeal concerns a successive petition for post-conviction relief in a capital case. In 2004, a jury found Azad Haji Abdullah (“Abdullah”) guilty of first-degree murder, first-degree arson, three counts of attempted first-degree murder, and felony injury to a child. Abdullah was sentenced to death for first-degree murder and to a total of 80 years imprisonment for the remaining convictions. Abdullah filed a petition for post-conviction relief, which was dismissed by the district court in 2011. Abdullah then filed a consolidated appeal in November 2011 that included a direct appeal from his convictions and sentences and an appeal from the district court’s dismissal of his petition for post-conviction relief. This Court, in *State v. Abdullah*, 158 Idaho 386, 348 P.3d 1 (2015), affirmed the convictions, sentences, and denial of post-conviction relief.

In 2013—after the district court had dismissed the petition for post-conviction relief, but prior to this Court’s ruling in *Abdullah*—Abdullah filed a successive petition for post-conviction relief. The district court stayed the proceedings, however, pending the outcome of Abdullah’s consolidated appeal. The stay was lifted after this Court issued its ruling in *Abdullah*. The successive petition for post-conviction relief was subsequently amended. Abdullah also filed a pro se supplement to the successive petition for post-conviction relief in 2017 that was incorporated with the successive petition. The successive petition and supplement include numerous claims of ineffective assistance of appellate counsel. The district court determined that Abdullah was not entitled to post-conviction relief and issued an order dismissing the successive petition in September 2018. Abdullah timely appealed to this Court.