

**BOISE, MONDAY, JANUARY 13, 2025 AT 8:50 A.M.**

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

|                              |   |                                      |
|------------------------------|---|--------------------------------------|
| <b>STATE OF IDAHO,</b>       | ) |                                      |
|                              | ) | <b>Docket Nos. 50333 &amp; 50715</b> |
| <b>Plaintiff-Respondent,</b> | ) |                                      |
|                              | ) |                                      |
| <b>v.</b>                    | ) |                                      |
|                              | ) |                                      |
| <b>AMMON EDWARD BUNDY,</b>   | ) |                                      |
|                              | ) |                                      |
| <b>Defendant-Appellant.</b>  | ) |                                      |

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Gerald F. Schroeder, Senior Judge; David D. Manweiler, Magistrate Judge; Kira Dale, Magistrate Judge.

Idaho Injury Law Group, PLLC, Boise, for Appellant.

Raúl R. Labrador, Idaho Attorney General, Boise, for Respondent.

---

Ammon Edward Bundy appeals from the district court’s intermediate appellate decisions affirming his convictions for misdemeanor criminal trespass and misdemeanor resisting and obstructing an officer in two cases that have been consolidated for appeal. Bundy timely appealed.

On appeal, Bundy argues that Idaho’s criminal trespass statute is (1) unconstitutionally vague as applied to his conduct, (2) unconstitutionally overbroad as applied to his conduct, and (3) inapplicable to public property. He also contends that the criminal trespass statute, along with the statutes granting authority to the Director of Administration to control access to the public areas of the Capitol Building and grounds violate the separation of powers doctrine. Finally, Bundy argues that the district court erred in affirming his convictions for resisting and obstructing because he maintains his arrests for trespass were unlawful and he was passively resisting arrest in both cases.

The State argues that the district court did not err when it affirmed Bundy’s convictions because Bundy failed to establish that Idaho’s criminal trespass statute is unconstitutionally vague or overbroad as applied to his conduct. The State maintains that Idaho’s criminal trespass statute does apply to public property and that Bundy’s conduct falls within the statute. The State also argues that Bundy has not established that the criminal trespass statute and the statutes granting the Director of Administration authority to control access to public areas of the Capitol Building violate the separation of powers doctrine. Finally, the State argues that Bundy’s arrests for resisting and obstructing an officer were lawful in both cases.