

IN THE DISTRICT COURT OF THE _____
JUDICIAL DISTRICT OF THE STATE OF IDAHO, IN AND FOR THE
COUNTY OF _____.

STATE OF IDAHO)	
_____)	
Plaintiff,)	FINDINGS OF THE COURT IN
vs.)	CONSIDERING DEATH PENALTY
_____)	UNDER SECTION 19-2515,
Defendant.)	IDAHO CODE.

Defendant having (been found guilty by a jury) (entered a plea of guilty) of the criminal offense of murder in the first degree, which under the law authorizes the imposition of the death penalty, the jury having been waived, and the court having held a special sentencing proceeding for the purpose of hearing all relevant evidence and argument of counsel in aggravation and mitigation of the offense; NOW THEREFORE the court hereby makes the following findings:

- 1. Conviction. That the defendant while represented by counsel was found guilty of the offense of murder in the first degree (by jury verdict) (pursuant to a plea of guilty).
- 2. Sentencing Hearing. That a sentencing hearing was held on _____, and that at the hearing, in the presence of the defendant, the court heard relevant evidence in aggravation and mitigation of the offense and arguments of counsel.
- 3. Facts and Arguments Found in Mitigation.
[Summarize and Itemize]
- 4. Facts and Arguments Found in Aggravation.
[Summarize and Itemize]
- 5. Statutory Aggravating Circumstances Found Under Section 19-2515(9), Idaho Code.
[Describe in detail if any are found.]
- 6. Reasons Why Death Penalty Was Imposed.
[State the findings and reasons why the court finds no mitigating circumstances would make the imposition of the death penalty unjust.]

OR

- 7. Reasons Why Death Penalty Was Not Imposed.
[State the findings and reasons why the court finds the mitigating circumstances outweigh the gravity of any aggravating circumstances so as to make unjust the imposition of the death penalty.]

CONCLUSION

The death penalty (should) (should not) be imposed on the defendant for the capital offense of which he was convicted.

DATED _____

District Judge