

**BOISE, MONDAY NOVEMBER 4, 2024, AT 8:50A.M.**

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

<b>STATE OF IDAHO,</b>	)	
	)	
<b>Plaintiff-Respondent,</b>	)	
	)	
<b>v.</b>	)	<b>Docket No. 50087</b>
	)	
<b>AARON ANSON VON EHLINGER,</b>	)	
	)	
<b>Defendant-Appellant.</b>	)	

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Appeal from the District Court of the Fourth Judicial District of the State of Idaho, Ada County. Michael Reardon, District Judge.

Erik R. Lehtinen, State Appellate Public Defender, Boise for Appellant.

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

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Defendant Aaron Anson Von Ehlinger was convicted of rape by an Ada County Jury. On appeal, he asserts that the judgment of conviction should be vacated due to constitutional and evidentiary errors committed during his trial.

Von Ehlinger raised three issues on appeal. First, he challenges the admission of a FACES of Hope nurse’s testimony that repeated statements made to her by the victim during an examination. He argues that such statements were testimonial in nature, and were therefore admitted in violation of his Sixth Amendment rights under the Confrontation Clause because he was afforded no opportunity to cross-examine the victim, who did not testify at trial. Second, he argues that the district court erred by overruling defense counsel’s objection to a leading question asked by the State during direct examination of the nurse. Finally, he contends that the State failed to offer sufficient admissible evidence to sustain his conviction.