

**BOISE, MONDAY, APRIL 7, 2025, AT 10:00 A.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. 52035</b>
	)	
<b>STERLING NICHOLAS MCGUIRE</b>	)	
	)	
<b>Defendant-Appellant.</b>	)	
_____	)	

Appeal from the District Court of the Seventh Judicial District of the State of Idaho, Bonneville County. Dane H. Watkins, Jr., District Judge.

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

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

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Sterling McGuire appeals his judgment of conviction for battery on a law enforcement officer and resisting or obstructing an officer. Following a call for service at a convenience store in Idaho Falls, officers took McGuire to a crisis center. The crisis center is a voluntary community resource available for those who need a place to stay for the night, including homeless people. A short time later, officers returned to the crisis center in response to a call for service regarding McGuire. Officers told McGuire he needed to either complete the intake process or leave, but he could not stay in the lobby indefinitely. McGuire did not respond, so officers attempted to escort him off the premises. An altercation ensued when the officers attempted to pick McGuire up and remove him from the premises. One officer was struck in the face. Another officer suffered a sprained wrist.

The State charged McGuire with felony assault on a law enforcement officer and misdemeanor resisting or obstructing an officer. The case proceeded to a jury trial. McGuire moved for a mistrial based on statements made by the prosecutor during closing argument. The district court denied the motion for mistrial and the jury found McGuire guilty of both counts. McGuire appeals his conviction arguing there was insufficient evidence to support the conviction and that the denial of his mistrial motion constituted reversible error.