

BOISE, FRIDAY, JUNE 10, 2022, AT 11:10A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO,)	
)	
Plaintiff-Appellant,)	
)	
v.)	Docket No. 48817
)	
DANIEL LEE MOORE,)	
)	
Defendant-Respondent.)	

Appeal from the District Court of the First Judicial District of the State of Idaho,
Boundary County. Barbara A. Buchanan, District Judge.

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

Bolton Law, PLLC, Coeur d'Alene, for Respondent.

On March 12, 2020, Dr. Brian Drake was killed in his chiropractic office after being shot through his window. On August 27, 2020, Dr. Daniel Lee Moore ("Moore") went to the Boundary County Sheriff's Office to speak with investigators regarding this incident. After making a confession, Moore was arrested and charged with second-degree murder. The district court suppressed the confession after finding that Moore's *Miranda* rights had been violated. The district court then dismissed the case, concluding that the State had relied on the confession in the preliminary hearing and lacked evidence to support a showing of probable cause. On appeal, the State concedes there was a *Miranda* violation, but argues that the district court's finding of a *Miranda* violation was insufficient to determine that Moore's statements were involuntary and coerced. The State also argues that the district court erred when it reviewed the admissibility of the evidence presented at the preliminary hearing rather than determining if the evidence in fact admitted supported the magistrate court's finding of probable cause.