

BOISE, WEDNESDAY, JUNE 8, 2022 at 8:50 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO,)	
)	
Plaintiff-Respondent,)	
)	
v.)	Docket No. 49461
)	
MICHANGLO SMITH,)	
)	
Defendant-Appellant.)	
_____)	

Appeal from the District Court of the Fourth Judicial District of the State of Idaho, Ada County. Lynn G. Norton, District Judge.

Eric D. Fredericksen, State Appellant Public Defender, for Appellant.

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

In this appeal, Michanglo Smith challenges multiple decisions made by the district court across two trials. Smith also challenges the order of restitution entered against him after the second jury trial. During the first trial, a jury found Smith guilty of felony domestic battery, misdemeanor assault, and misdemeanor false imprisonment. However, the jury was unable to reach a decision on the attempted strangulation charge. The State re-tried Smith on that charge, and after a second trial, a jury found him guilty of attempted strangulation.

Smith timely appealed, and the Court of Appeals was assigned his consolidated cases. On appeal, Smith argued that the district court erred in the first trial by: admitting evidence of a prior encounter between Smith and a State's witness that was irrelevant and overly prejudicial; denying Smith's motion for a mistrial; allowing the State to reopen its case-in-chief; and admitting testimony of an incident in which a stranger sexually propositioned Smith that was irrelevant. Next, Smith argued that the district court erred in the second trial by admitting testimony from a witness on the effect of bruising on darker skin when the State did not comply with expert disclosure requirements. Finally, Smith argued the order of restitution for the victim's lost wages was not supported by substantial evidence.

The Court of Appeals determined the district court did not err on any of Smith's challenges and affirmed the judgments of conviction and order of restitution. Smith timely petitioned for review to the Idaho Supreme Court based on the same challenges listed above. The Court granted Smith's petition for review.