

## SUMMARY STATEMENT

*Johnson v. State*

*No. 42857*

The Idaho Supreme Court affirmed the Blaine County district court's dismissal of Sarah Johnson's petition for post-conviction relief. Johnson was convicted of the 2003 murder of her parents. The Court held: (1) Johnson was not entitled to DNA testing under Idaho Code section 19-4902 because the testing she requested was either not "new technology" or did not have the potential to prove it was more probable than not she was innocent; (2) The U.S. Supreme Court cases of *Miller v. Alabama*, 132 S.Ct. 2455 (2012) and *Montgomery v. Louisiana*, 136 S.Ct. 718 (2016), did not provide her relief from her fixed life sentences; and (3) *Murphy v. State*, 156 Idaho 389, 327 P.3d 365 (2014), which holds that ineffective assistance of post-conviction counsel does not constitute a sufficient reason for filing a successive post-conviction petition in state court, remains good law in Idaho, despite the U.S. Supreme Court ruling in *Martinez v. Ryan*, 132 S.Ct. 1309 (2012), which allows such claims in federal court.