

SUMMARY STATEMENT

State of Idaho v. Wilbert Longhofer, Docket No. 44041

In a case arising out of Canyon County, the Idaho Court of Appeals affirmed the district court's decision to deny Wilbert Longhofer's motion in limine.

Before trial, Longhofer filed a motion in limine to exclude the alcohol breathalyzer test results. Longhofer argued the breathalyzer results should be excluded because the performance check did not meet the standards required by the Idaho Breath Alcohol Standard Operation Procedure manual. The district court held a hearing in which the State's expert witness explained why the breathalyzer results could be relied on, even if the standard operating procedure was not followed. After the hearing, the district court issued a written order denying Longhofer's motion in limine. On appeal, Longhofer argued the district court erred when it denied his motion in limine because the State's expert failed to testify why the procedural defects did not affect the reliability of the breathalyzer results.

The Court of Appeals held that the State's expert laid the necessary foundation to show the reliability of the breathalyzer results. Therefore, the district court did not err in denying Longhofer's motion in limine.