

SUMMARY STATEMENT

State of Idaho v. Dustin Jade Morgan, Docket No. 44273

In a case arising out of Minidoka County, the Idaho Court of Appeals reversed the orders of the district court denying Dustin Jade Morgan's motion to dismiss and motion to reconsider, vacated the judgment of conviction, and remanded this case to the district court.

Before trial, Morgan filed a motion to dismiss, arguing the State violated Idaho Code § 19-3501 because the State failed to obtain an indictment or information within six months of Morgan's arrest. The district court denied Morgan's motion to dismiss as well as Morgan's motion to reconsider. On appeal, Morgan argued the district court erred when it denied his motion to dismiss because he was arrested in 2010 and the State did not file the information until 2015.

The Court of Appeals held that the district court used the wrong legal authority and the incorrect standard when ruling on Morgan's motion to dismiss and motion to reconsider. The district court also failed to make sufficient factual findings for the Court of Appeals to determine whether Morgan was arrested in 2010.