

SUMMARY STATEMENT

Steven Eugene Roberts, III v. State
Docket No. 44817

After a failed direct appeal, Steven Eugene Roberts filed a petition for post-conviction relief, raising claims that could have been raised on direct appeal but were not. Roberts also presented a claim that his appellate counsel rendered ineffective assistance by not pursuing the aforementioned issues on direct appeal. The district court summarily dismissed Roberts' claims as forfeited under *Bias v. State* to the extent that they could have been raised on direct appeal. The district court also determined that Roberts' claim of ineffective assistance of appellate counsel for failure to raise an issue of fundamental error on direct appeal was barred by *Mintun v. State*. Roberts appealed, arguing that the district court's application of *Bias* and *Mintun* created a class of unreviewable claims. The Idaho Court of Appeals affirmed the district court's order summarily dismissing Roberts' petition on the basis that Roberts, in addition to failing to include a statement of issues in his opening brief, failed to assign specific error to the district court or cite to any authority supporting his argument.