

## **SUMMARY STATEMENT**

*Rome v. State*  
Docket No. 45140

The Idaho Supreme Court affirmed the Kootenai County district court's dismissal of Sonny Rome's petition for post-conviction relief. Rome was convicted of aiding and abetting a burglary in March 2016. The Court held: (1) the district court did not abuse its discretion in its ruling that Rome's request for judicial notice lacked the necessary information required by the former rule 201(d) of the Idaho Rules of Evidence because Rome failed to specifically refer to the adjudicative facts he wished to be noticed; (2) the district court did not err by concluding that trial counsel's failure to request a lesser-included-offense jury instruction did not constitute ineffective assistance of counsel because (a) accessory after the fact is not a lesser-included offense under the statutory theory and (b) Rome supplied an insufficient record to determine whether accessory after the fact was a lesser-included offense under the pleading theory.