

**SUMMARY STATEMENT**

*State of Idaho v. Billy Lee Joslin, Jr.*

Docket No. 45629

Billy Lee Joslin, Jr. was charged with felony rape and attempted strangulation. The State filed a motion in limine, pursuant to Idaho Rule of Evidence 404(b), seeking to admit evidence that in 2006 Joslin allegedly entered the home of his ex-wife, strangled her until she was unconscious, and raped her. The district court issued a memorandum decision granting the State's motion. At trial, the State presented evidence regarding the injuries sustained by the victim, which included the testimony of eighteen witnesses, including the victim. Joslin's ex-wife testified as well regarding the alleged strangulation and rape that occurred in 2006. The jury found Joslin guilty of rape and attempted strangulation, and Joslin appealed.

On appeal, the Idaho Court of Appeals held that even if the district court erred when it allowed Joslin's ex-wife to testify, the error was harmless. The Court of Appeals considered the trial record as a whole and concluded that absent any alleged error in admitting the ex-wife's testimony, it was clear beyond a reasonable doubt that Joslin would have been convicted after the jury heard testimony from seventeen other witnesses regarding the victim's injuries and the events in question. Because the result in the case would have been the same even without the district court's alleged error, the Court of Appeals affirmed the district court's judgment of conviction.