

SUPREME COURT OF THE STATE OF IDAHO

Irwin Ryan Ray Adams v. State

158 Idaho 530 (2015) · No. 41912 · Decided March 19, 2015

SUMMARY

The Idaho Supreme Court affirmed the summary dismissal of Irwin Ryan Ray Adams’s post-conviction relief petition following his conviction for felony vehicular manslaughter. The court held that Adams failed to establish a genuine issue of material fact showing prejudice from counsel’s failure to present accident-reconstruction testimony or investigate and present evidence concerning the vehicle’s mechanical condition.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Supreme Court of the State of Idaho                                                                                                                                                                                                                                                                                                                                                                                                  |
| WRITING FOR THE COURT | Burdick, Chief Justice; Eismann, Justice; Jones, Justice; Horton, Justice; Kidwell, Justice Pro Tem                                                                                                                                                                                                                                                                                                                                  |
| JURISDICTION          | Idaho                                                                                                                                                                                                                                                                                                                                                                                                                                |
| DECIDED               | March 19, 2015                                                                                                                                                                                                                                                                                                                                                                                                                       |
| DOCKET                | 41912                                                                                                                                                                                                                                                                                                                                                                                                                                |
| DISPOSITION           | affirmed                                                                                                                                                                                                                                                                                                                                                                                                                             |
| PROCEDURAL POSTURE    | Adams petitioned the Idaho Supreme Court for review of the Idaho Court of Appeals' affirmance of the Jerome County district court's summary dismissal of his post-conviction relief petition alleging ineffective assistance of trial counsel.                                                                                                                                                                                       |
| STANDARD OF REVIEW    | On a petition for review, the Idaho Supreme Court directly reviews the lower court's decision while giving serious consideration to the Court of Appeals' views. Review of summary dismissal of a post-conviction petition asks whether the pleadings, depositions, admissions, and affidavits establish a genuine issue of material fact. Summary dismissal is reviewed under the procedural principles governing summary judgment. |
| PRECEDENTIAL VALUE    | precedential                                                                                                                                                                                                                                                                                                                                                                                                                         |
| PARTIES               | Irwin Ryan Ray Adams v. State of Idaho                                                                                                                                                                                                                                                                                                                                                                                               |

TOPICS

state post-conviction relief

post-conviction relief

ineffective assistance

expert testimony

appellate procedure

## PRACTICE AREAS

post-conviction relief

criminal procedure

ineffective assistance of counsel

appellate procedure

evidence

## QUESTIONS PRESENTED

1. Whether the district court properly summarily dismissed Adams's ineffective-assistance claim based on counsel's failure to present accident-reconstruction expert Carl Cover's testimony.
2. Whether the district court properly summarily dismissed Adams's ineffective-assistance claim based on counsel's failure to investigate and present evidence concerning mechanical limitations of Adams's vehicle.
3. Whether the post-conviction materials established a genuine issue of material fact regarding prejudice under Strickland.

## HOLDINGS

1. The district court properly concluded that Cover's proposed testimony was speculative, conclusory, and unsupported by the facts in the record, and therefore would have been inadmissible and insufficient to establish a genuine issue of material fact or a reasonable probability of a different trial result.
2. The district court properly concluded that the proposed mechanic's testimony did not establish a reasonable probability that the jury's verdict would have been different.
3. Summary dismissal was proper because Adams failed to present a genuine issue of material fact that, if resolved in his favor, would entitle him to post-conviction relief.

## KEY QUOTATIONS

*"A post-conviction relief claim based on ineffective assistance of counsel will only avoid summary dismissal where the defendant establishes the existence of material issues of fact as to whether: (1) counsel's performance was objectively deficient and; (2) the deficiency prejudiced the defendant's case."* (536-537)

*"Expert opinion that is speculative, conclusory, or unsubstantiated by facts in the record does not assist the jury in rendering its verdict and, therefore, is inadmissible as evidence."* (540)

*"Given the overwhelming evidence supporting the jury's verdict, we conclude that it is not reasonably probable that the mechanic's testimony would have changed the outcome of the trial."* (542)

## FACTUAL BACKGROUND

Adams lost control of his vehicle while traveling at a high speed, crashed, and caused the death of his passenger. The State's accident-reconstruction evidence indicated that Adams was traveling approximately 108 miles per hour in a 50-mile-per-hour zone, while Adams contended that he was traveling no faster than 75 miles per hour

and that another vehicle had caused the crash. Trial counsel did not present retained accident-reconstruction expert Carl Cover or evidence concerning alleged mechanical limitations of Adams's vehicle.

## PROCEDURAL HISTORY

Adams was convicted by a jury of felony vehicular manslaughter and later filed a post-conviction petition alleging that trial counsel failed to present accident-reconstruction testimony and evidence concerning mechanical limitations of his vehicle. The district court summarily dismissed the petition, the Court of Appeals affirmed, and the Idaho Supreme Court granted review and affirmed.

## DISPOSITION

affirmed

## CASES CITED

- State v. Purdum, 147 Idaho 206, 207, 207 P.3d 182, 183 (2009)
- Pizzuto v. State, 146 Idaho 720, 724, 202 P.3d 642, 646 (2008)
- Hauschulz v. State, 144 Idaho 834, 838, 172 P.3d 1109, 1113 (2007)
- State v. Payne, 146 Idaho 548, 561, 199 P.3d 123, 136 (2008)
- State v. Yakovac, 145 Idaho 437, 443, 180 P.3d 476, 482 (2008)
- Kelly v. State, 149 Idaho 517, 522, 236 P.3d 1277, 1282 (2010)
- Strickland v. Washington, 466 U.S. 668, 687, 694-96 (1984)
- Aragon v. State, 114 Idaho 758, 762, 760 P.2d 1174, 1178 (1988)
- State v. Porter, 130 Idaho 772, 792, 948 P.2d 127, 147 (1997)
- Ivey v. State, 123 Idaho 77, 80, 844 P.2d 706, 709 (1992)
- State v. Row, 131 Idaho 303, 312, 955 P.2d 1082, 1091 (1998)
- Murray v. State, 156 Idaho 159, 164, 321 P.3d 709, 714 (2014)
- Clark v. Arnold, 769 F.3d 711, 728 (9th Cir. 2014)
- Bromley v. Garey, 132 Idaho 807, 811, 979 P.2d 1165, 1169 (1999)
- Coombs v. Curnow, 148 Idaho 129, 140, 219 P.3d 453, 464 (2009)
- Karlson v. Harris, 140 Idaho 561, 565, 97 P.3d 428, 432 (2004)
- Loomis v. City of Hailey, 119 Idaho 434, 437, 807 P.2d 1272, 1275 (1991)
- Weeks v. E. Idaho Health Servs., 143 Idaho 834, 838, 153 P.3d 1180, 1184 (2007)
- Baker v. State, 142 Idaho 411, 422, 128 P.3d 948, 959 (Ct. App. 2005)