

SUPREME COURT OF THE STATE OF MONTANA

State of Montana v. Devin J. Eystad

State v. D. Eystad, 386 Mont. 291, 2017 MT 29 (2017) · No. DA 15-0550 · Decided February 21, 2017

SUMMARY

The Montana Supreme Court affirmed the denial of Devin J. Eystad's motion to dismiss misdemeanor traffic charges for violation of his constitutional right to a speedy trial. Applying the Barker v. Wingo framework as adopted in Montana, the Court attributed most of the delay to Eystad's failure to appear and voluntary absence from proceedings, and found no actual prejudice or governmental bad faith.

CASE DETAILS

COURT	Supreme Court of the State of Montana
WRITING FOR THE COURT	Chief Justice Mike McGrath; Mike McGrath; James Jeremiah Shea; Beth Baker; Laurie McKinnon; Jim Rice
JURISDICTION	Montana
DECIDED	February 21, 2017
DOCKET	DA 15-0550
DISPOSITION	affirmed
PROCEDURAL POSTURE	Defendant appealed the District Court's affirmance of a justice court order denying his motion to dismiss misdemeanor criminal charges for violation of the right to a speedy trial.
STANDARD OF REVIEW	On appeal from a district court's review of a justice court of record, the Montana Supreme Court independently examines the record to determine whether the justice court's factual findings were clearly erroneous, whether discretionary rulings constituted an abuse of discretion, and whether legal conclusions were correct.
PRECEDENTIAL VALUE	published
PARTIES	Devin J. Eystad v. State of Montana

TOPICS

speedy trial sixth amendment criminal procedure appellate procedure standard of review

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the justice court properly denied Eystad's motion to dismiss the criminal charges based on an alleged violation of his constitutional right to a speedy trial.
2. Whether the delay attributable to Eystad's voluntary failure to appear and the absence of demonstrated prejudice defeated his speedy-trial claim.

HOLDINGS

1. Eystad was not denied his constitutional right to a speedy trial. Although the delay was sufficient to trigger a speedy-trial inquiry, the delay was primarily attributable to Eystad's voluntary absence from the proceedings, he showed no meaningful interest in a prompt trial, and he failed to establish actual prejudice.
2. When reviewing a justice court of record through the district court, the Montana Supreme Court independently examines the record under the clearly erroneous, abuse-of-discretion, and correctness standards applicable to factual findings, discretionary rulings, and legal conclusions.

KEY QUOTATIONS

“A speedy trial analysis is structured around four factors: the length of the delay; the reasons for the delay; the accused’s response to the delay; and the prejudice to the accused as a result of the delay.” (¶ 13)

“Defendants who fail to appear for court proceedings or who voluntarily absent themselves to avoid prosecution will not be heard on a claim of presumed prejudice resulting from the self-induced delay.” (¶ 21)

FACTUAL BACKGROUND

The State charged Eystad in February 2009 with driving with a suspended license and driving without a license plate and directed him to appear for arraignment. Eystad failed to appear twice, resulting in suspension of his driver's license and issuance of an arrest warrant. He was arrested approximately three years later, moved to dismiss for lack of a speedy trial, and presented no evidence of actual prejudice, disruption, oppressive incarceration, reputational harm, economic hardship, or impairment of his defense.

PROCEDURAL HISTORY

The State charged Eystad in 2009 with driving with a suspended license and driving without a license plate. After Eystad failed to appear for arraignment, the justice court suspended his license and issued an arrest warrant. He was arrested in April 2012, moved to dismiss for lack of a speedy trial, and entered a plea agreement after the motion was denied. The District Court affirmed the justice court in 2015, and the Montana Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- Stanley v. Lamire, 2006 MT 304, ¶¶ 24-26, 334 Mont. 489, 148 P.3d 643
- State v. Warclub, 2005 MT 149, ¶ 23, 327 Mont. 352, 114 P.3d 254
- State v. Ariegwe, 2007 MT 204, ¶¶ 20, 111, 338 Mont. 442, 167 P.3d 815
- Barker v. Wingo, 407 U.S. 514, 530, 92 S. Ct. 2182, 2191-92 (1972)
- State v. Hodge, 2014 MT 308, ¶¶ 15, 20-25, 377 Mont. 123, 338 P.3d 8
- State v. Stops, 2013 MT 131, ¶ 40, 370 Mont. 226, 301 P.3d 811
- State v. Houghton, 2010 MT 145, ¶ 23, 357 Mont. 9, 234 P.3d 904
- State v. Lacey, 2010 MT 6, ¶ 18, 355 Mont. 31, 224 P.3d 1247
- State v. Longhorn, 2002 MT 135, ¶¶ 12-14, 310 Mont. 172, 49 P.3d 48
- State v. Valesquez, 2016 MT 216, ¶ 9, 384 Mont. 447, 377 P.3d 1235