

SUPREME COURT OF MONTANA

State v. Boniek

2014 MT 313N (Mont. 2014) · No. DA 14-0137 · Decided November 25, 2014

SUMMARY

The Montana Supreme Court affirmed Joel Boniek’s convictions for obstructing a peace officer, resisting arrest, and fleeing or eluding a peace officer. The court rejected his challenges concerning evidentiary limits, jurisdiction, police authority, sufficiency of the evidence, probable cause, sentencing, and due process. The opinion is a noncitable memorandum opinion issued under the court’s internal operating rules.

CASE DETAILS

COURT	Supreme Court of Montana
WRITING FOR THE COURT	Justice James Jeremiah Shea; Chief Justice Mike McGrath; Justice Michael E. Wheat; Justice Laurie McKinnon; Justice Beth Baker
JURISDICTION	Montana
DECIDED	November 25, 2014
DOCKET	DA 14-0137
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from the Sixth Judicial District Court’s affirmance of convictions entered by the Park County Justice Court.
STANDARD OF REVIEW	The court reviewed evidentiary rulings for abuse of discretion, sufficiency of the evidence under whether any rational trier of fact could find the essential elements beyond a reasonable doubt when viewing the evidence in the light most favorable to the prosecution, particularized suspicion under the totality of the circumstances, and the criminal sentence only for legality within statutory parameters.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Joel Boniek v. State of Montana

TOPICS

- criminal procedure
- appellate procedure
- evidence
- probable cause
- standard of review

PRACTICE AREAS

criminal law

criminal procedure

appellate practice

QUESTIONS PRESENTED

1. Whether the Justice Court abused its discretion by granting the State's motion in limine and excluding subjects Boniek sought to present to the jury.
2. Whether the Justice Court abused its discretion by denying Boniek's pretrial filings, including his petition for a writ of quo warranto, for failure to cite relevant authority.
3. Whether Montana courts lacked personal or subject-matter jurisdiction over Boniek and the charged offenses.
4. Whether Boniek's property rights justified his refusal to obey law-enforcement commands and whether the statute empowering the fire chief was unconstitutional.
5. Whether the deputy county attorney lacked authority because of alleged credential or vacancy defects.
6. Whether sufficient evidence supported the convictions.
7. Whether officers had particularized suspicion to conduct the traffic stop and probable cause to arrest Boniek.
8. Whether the Justice Court's subsequent sentencing and the District Court's corrective order were proper.
9. Whether Boniek was denied due process.
10. Whether the delayed entry of the written judgment rendered the sentence illegal.

HOLDINGS

1. The Justice Court did not abuse its discretion by granting the State's motion in limine to exclude irrelevant or potentially confusing subjects from trial.
2. The court will not develop legal research or analysis for a party who fails to cite relevant authority supporting the requested relief.
3. Montana state courts had personal and subject-matter jurisdiction over Boniek and the charged offenses.
4. Sufficient evidence supported the jury's convictions because a reasonable jury could find the elements of Boniek's crimes beyond a reasonable doubt.
5. The officers had particularized suspicion to justify the traffic stop, and that suspicion ripened into probable cause to arrest Boniek.
6. The District Court properly corrected the Justice Court's erroneous subsequent sentence because it conflicted with the sentence orally pronounced at trial.
7. The delay in entering the written judgment did not render Boniek's sentence illegal or require reversal because it did not affect his substantial rights or prevent a timely appeal.

KEY QUOTATIONS

"this case is decided by memorandum opinion and shall not be cited and does not serve as precedent." (§ 1)

“The Justice Court and District Court did not abuse their discretion, and the legal issues of this case are controlled by settled Montana law, which the Justice Court and District Court correctly interpreted.” (¶ 20)

FACTUAL BACKGROUND

During an emergency roadblock established because of an active wildfire, Boniek drove backward on Highway 89 and entered Caledonia Road from private property rather than stopping. After a trooper observed Boniek fishtail and speed on the gravel road, Boniek continued driving despite activated lights and siren, evaded an officer's blocking vehicle, and was eventually stopped by another deputy. Boniek failed to comply with commands to show his hands and place them behind his back, resisted being handcuffed, and reached toward what appeared to be a holster; officers then subdued him and removed a loaded .45 Colt Derringer from his hip.

PROCEDURAL HISTORY

A Park County Justice Court jury convicted Boniek of obstructing a peace officer, resisting arrest, and fleeing or eluding a peace officer. The Justice Court imposed fines and a suspended jail sentence followed by probation. Boniek raised numerous issues in the Sixth Judicial District Court, which affirmed the convictions. He then appealed to the Montana Supreme Court, which affirmed.

DISPOSITION

affirmed

CASES CITED

- In re S. T., 2008 MT 19, ¶ 9, 341 Mont. 176, 176 P.3d 1054
- State v. Cybulski, 2009 MT 70, ¶ 13, 349 Mont. 429, 204 P.3d 7
- State v. Stasso, 172 Mont. 242, 248, 563 P.2d 562, 565 (1977)
- State v. Reim, 2014 MT 108, ¶ 28, 374 Mont. 487, 323 P.3d 880
- State v. Field, 2005 MT 181, ¶ 15, 328 Mont. 26, 116 P.3d 813
- Brown v. State, 2009 MT 64, ¶¶ 20, 22, 349 Mont. 408, 203 P.3d 842
- Hulse v. DOJ, Motor Vehicle Div., 1998 MT 108, ¶ 13, 289 Mont. 1, 961 P.2d 75
- State v. Lane, 1998 MT 76, ¶ 45, 288 Mont. 286, 957 P.2d 9
- State v. Tirey, 2010 MT 283, ¶ 19, 358 Mont. 510, 247 P.3d 701
- State v. Ferguson, 2005 MT 343, ¶¶ 121-123, 330 Mont. 103, 126 P.3d 463