

SUPREME COURT OF UTAH

State v. Schmidt

Schmidt, 2015 UT 65 (Utah 2015) · No. No. 20130326 · Decided August 10, 2015

SUMMARY

The Utah Supreme Court reversed a magistrate’s dismissal of charges against Jacob James Schmidt at the preliminary-hearing stage. The court held that Utah’s bindover standard requires only sufficient evidence to support a reasonable belief that the defendant committed the charged offenses, with reasonable inferences drawn in favor of the prosecution. The magistrate exceeded her limited discretion by disregarding the alleged victim’s testimony based on inconsistencies, prior denials, and lack of eyewitness corroboration.

CASE DETAILS

COURT	Supreme Court of Utah
WRITING FOR THE COURT	Chief Justice Durrant; Associate Chief Justice Lee; Justice Durham; Justice Parrish; Judge Stephen L. Roth
JURISDICTION	Utah
DECIDED	August 10, 2015
DOCKET	No. 20130326
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	The State appealed the magistrate's decision at a preliminary hearing to dismiss eleven criminal charges and refuse to bind Schmidt over for trial.
STANDARD OF REVIEW	Bindover determinations are mixed questions of law and fact entitled to some limited deference. The deference is commensurate with the magistrate's limited discretion at a preliminary hearing; departure from the correct legal standard exceeds that discretion.
PRECEDENTIAL VALUE	Published Utah Supreme Court opinion; precedential.
PARTIES	State of Utah v. Jacob James Schmidt

TOPICS

- preliminary hearing
- probable cause
- criminal procedure
- appellate procedure
- standard of review

PRACTICE AREAS

criminal procedure

appellate procedure

criminal evidence

QUESTIONS PRESENTED

1. What evidentiary standard governs a defendant's bindover at a Utah preliminary hearing?
2. May a magistrate weigh conflicting evidence and choose a defense-favorable inference at the preliminary-hearing stage?
3. Did the magistrate exceed her limited discretion by disregarding C.E.'s testimony and dismissing the charges rather than binding Schmidt over for trial?

HOLDINGS

1. The State need only present evidence sufficient to support a reasonable belief that an offense was committed and that the defendant committed it. This probable-cause standard is the same standard applicable to obtaining an arrest warrant and does not require evidence sufficient to support a conviction beyond a reasonable doubt.
2. A magistrate must view the evidence in the light most favorable to the prosecution and draw all reasonable inferences in its favor. When the evidence supports plausible inferences for both sides, the magistrate may not weigh the evidence or select the defense-favorable inference; that task belongs to the fact-finder at trial.
3. The magistrate exceeded her discretion by disregarding C.E.'s testimony and dismissing the charges. C.E.'s testimony, considered with corroborating evidence and reasonable prosecution-favorable inferences, supported a reasonable belief that Schmidt committed the charged offenses.

KEY QUOTATIONS

“In practice, that means a magistrate must bind a defendant over for trial if the prosecution presents evidence sufficient “to support a reasonable belief that an offense has been committed and that the defendant committed it.”” (¶ 17)

“It is therefore not appropriate for a magistrate to evaluate “the totality of the evidence in search of the most reasonable inference” at a preliminary hearing. Our justice system entrusts that task to the fact-finder at trial.” (¶ 18)

“At the preliminary hearing stage, even if C.E.’s allegations appear facially implausible, the magistrate lacked discretion to disregard them in light of other evidence that corroborated aspects of her basic story, and C.E.’s testimony provides a reasonable basis to believe that Mr. Schmidt committed the offenses at issue.” (¶ 43)

FACTUAL BACKGROUND

Schmidt lived with C.E.'s mother and her children beginning in 2002, when C.E. was eleven, and became engaged to C.E.'s mother before moving out in 2006. C.E. later reported that Schmidt had sexually abused her repeatedly from 2002 through 2006, including vaginal and anal intercourse and other sexual conduct. At the

preliminary hearing, C.E.'s account included inconsistencies and prior denials, but family members and the investigating detective provided testimony corroborating aspects of her account and her relationship with Schmidt.

PROCEDURAL HISTORY

The State charged Schmidt with aggravated sexual abuse of a child, attempted and completed sodomy offenses, rape of a child, and rape. After a preliminary hearing, the magistrate dismissed all charges, concluding that the prosecution's evidence was too contradictory, inconsistent, and unbelievable to support probable cause. The Utah Supreme Court reversed and remanded for further proceedings.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Remanded for further proceedings consistent with the opinion, including application of the probable-cause bindover standard.

CASES CITED

- State v. Clark, 2001 UT 9, 20 P.3d 300
- State v. Ramirez, 2012 UT 59, 289 P.3d 444
- State v. Maughan, 2013 UT 37, 305 P.3d 1058
- State v. Virgin, 2006 UT 29, 137 P.3d 787
- State v. Anderson, 612 P.2d 778 (Utah 1980)
- State v. Pledger, 896 P.2d 1226 (Utah 1995)
- State v. Hernandez, 2011 UT 70, 268 P.3d 822
- State v. Robbins, 2009 UT 23, 210 P.3d 288
- State v. Studham, 572 P.2d 700 (Utah 1977)
- State v. Curtis, 2013 UT App 287, 317 P.3d 968
- State v. Poole, 871 P.2d 531 (Utah 1994)
- Texas v. Brown, 460 U.S. 730 (1983)