

SUPREME COURT OF SOUTH DAKOTA

State v. Reinhardt

2016 S.D. 11 (2016) · No. #27194 · Decided February 3, 2016

SUMMARY

The South Dakota Supreme Court affirmed Troy Lee Reinhardt’s simple-assault conviction and habitual-offender sentence. The court held that Reinhardt was not entitled to a definitive ruling on his requested self-defense instruction at the close of the State’s evidence because jury instructions are settled at the close of all evidence. The court also held that admission of fingerprint cards from prior Iowa and Nebraska arrests did not violate the Sixth Amendment Confrontation Clause because the cards were non-testimonial physical evidence.

CASE DETAILS

COURT	Supreme Court of South Dakota
WRITING FOR THE COURT	Zinter, Justice; Gilbertson, Chief Justice; Kern, Justice; Severson, Justice; Wilbur, Justice
JURISDICTION	South Dakota
DECIDED	February 3, 2016
DOCKET	#27194
DISPOSITION	affirmed
PROCEDURAL POSTURE	Reinhardt appealed his conviction for simple assault and his adjudication and sentencing as a habitual offender.
PRECEDENTIAL VALUE	Published opinion; precedential
PARTIES	Troy Lee Reinhardt v. State of South Dakota

TOPICS

[sixth amendment](#) [evidence](#) [self defense](#) [criminal procedure](#) [appellate procedure](#)

PRACTICE AREAS

[criminal law](#) [criminal procedure](#) [constitutional law](#) [evidence](#) [appellate procedure](#)

QUESTIONS PRESENTED

1. Whether the circuit court was required to make a definitive ruling on Reinhardt's requested self-defense jury instruction at the close of the State's evidence.
2. Whether admission of certified fingerprint cards from prior arrests violated Reinhardt's Sixth Amendment Confrontation Clause rights.

HOLDINGS

1. A defendant is not entitled to settlement or a definitive ruling on a requested jury instruction mid-trial at the close of the State's evidence; under SDCL 23A-25-4, instructions are settled at the close of all evidence and before final argument.
2. Fingerprint cards generated as a routine administrative step incident to arrest are physical, non-testimonial evidence and their admission does not violate the Sixth Amendment Confrontation Clause.

KEY QUOTATIONS

“Instructions shall be settled out of the presence of the jury at the close of the evidence but prior to final argument.” (¶5)

“Fingerprint cards are not a solemn declaration or affirmation made for the purpose of establishing or proving some fact.” (¶8)

FACTUAL BACKGROUND

Reinhardt punched another person in the lobby of the Minnehaha County Jail and claimed that he acted in self-defense after being pushed. The circuit court initially determined that the State's evidence was insufficient to support a self-defense instruction, but after Reinhardt testified, the court gave the instruction and the jury convicted him. During the later habitual-offender court trial, the State introduced fingerprint cards from Iowa and Nebraska, and a Sioux Falls Crime Laboratory examiner testified that the fingerprints matched Reinhardt's fingerprints taken after the South Dakota assault.

PROCEDURAL HISTORY

Following a two-day jury trial, Reinhardt was convicted of simple assault arising from an altercation in the Minnehaha County Jail. The circuit court declined to settle a self-defense jury instruction at the close of the State's evidence but gave the instruction after all evidence was presented. In a subsequent court trial on the habitual criminal information, the court admitted certified fingerprint cards from Iowa and Nebraska, found the prior convictions attributable to Reinhardt, and sentenced him as a habitual offender. The South Dakota Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- Crawford v. Washington, 541 U.S. 36, 51, 54, 124 S. Ct. 1354, 1364-65, 158 L. Ed. 2d 177 (2004)

- Maryland v. King, Maryland v. King, 569 U.S. 435, 456, 465, 133 S. Ct. 1958, 1972, 1977, 186 L. Ed. 2d 1 (2013)
- United States v. Williams, 720 F.3d 674, 699 (8th Cir. 2013)
- United States v. Dale, 494 F. App'x 317, 318 (4th Cir. 2012)
- United States v. Thornton, 209 F. App'x 297, 299 (4th Cir. 2006)
- Melendez-Diaz v. Massachusetts, 557 U.S. 305, 308, 129 S. Ct. 2527, 2529, 174 L. Ed. 2d 314 (2009)
- Bullcoming v. New Mexico, 564 U.S. 647, 652, 131 S. Ct. 2705, 2709, 180 L. Ed. 2d 610 (2011)

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