

**BOISE, MONDAY, MAY 13, 2024, AT 10:00A.M.**

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

<b>JOHN DAVID WURDEMANN,</b>	)	
	)	
<b>Petitioner-Appellant,</b>	)	
	)	
<b>v.</b>	)	<b>Docket No. 50403</b>
	)	
<b>STATE OF IDAHO,</b>	)	
	)	
<b>Respondent.</b>	)	

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Appeal from the District Court of the Third Judicial District of the State of Idaho, Canyon County. Andrea L. Courtney, District Judge.

Cooper & Elliott, LLC, Columbus, Ohio, Pro Hac Vice, and Strother Law Office, Eagle, Idaho, for Appellant.

Raúl R. Labrador, Idaho Attorney General, Boise, for Respondent.

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This case involves the requirements a claimant must satisfy under the Idaho Wrongful Conviction Act. John David Wurdemann was charged and later convicted for his alleged participation in a June 2000 attack in Canyon County, Idaho. However, Wurdemann was later granted a new trial after the district court concluded Wurdemann was denied his right to effective assistance of counsel. In 2017, this Idaho Supreme Court affirmed the district court’s grant of post-conviction relief which vacated Wurdemann’s conviction. *See Wurdemann v. State*, 161 Idaho 713, 390 P.3d 439 (2017). Wurdemann has not been retried.

In 2021, Governor Little signed S.B. No. 1027, making the Idaho Wrongful Conviction Act law. The act provides a statutory right to compensation for claimants who have been “convicted and subsequently imprisoned for one (1) or more crimes that such person did not commit.” I.C. § 6-3502(1). In order to bring a claim under the Idaho Wrongful Conviction Act, a claimant must satisfy seven statutory requirements by the preponderance of the evidence.

Shortly after the act was passed, in June 2021, Wurdemann filed a petition in the district court for the third judicial district pursuant to the Idaho Wrongful Conviction Act, seeking monetary compensation and a certificate of innocence, as provided in the act. The State opposed, arguing that Wurdemann was not factually innocent of the crime.

After a period of discovery, the State moved for summary judgment, arguing that Wurdemann could not establish two of the statutory requirements. Addressing only the requirement from Idaho Code section 6-3502(2)(g), the district court agreed, concluding that there was not a genuine issue of material fact and that Wurdemann had not established “the basis

for reversing or vacating the conviction was not legal error unrelated to his factual innocence.” I.C. § 6-3502(2)(g). Having concluded that Wurdemann did not establish a requisite element of the claim and in the absence of a genuine issue of material fact, the district court granted the State’s motion for summary judgment. Wurdemann timely appealed to the Idaho Supreme Court.

On appeal, Wurdemann argues: (1) the district court erred in its grant of summary judgment on the basis that Wurdemann did not establish the requirement within Idaho Code section 6-3502(2)(g); (2) because the Idaho Wrongful Conviction Act is a remedial statute, the district court erred by not interpreting it broadly; and (3) the district court erred in its conclusion that the basis for overturning Wurdemann’s conviction was “legal error unrelated to factual innocence.”