

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 46102

STATE OF IDAHO,)
)
 Plaintiff-Respondent,)
)
 v.)
)
 TALENA LYNN HAMPTON,)
)
 Defendant-Appellant.)
)

Appeal from the District Court of the Fifth Judicial District, State of Idaho, Twin Falls County. Hon. Michael P. Tribe, District Judge.

Eric D. Fredericksen, State Appellate Public Defender; Jenevieve C. Swinford, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Jeffery D. Nye, Deputy Attorney General, Boise, for respondent.

Talena Lynn Hampton appeals from her judgment of conviction entered after a jury found her guilty of grand theft, conspiracy to commit grand theft, and aggravated assault. Hampton asserts (1) the district court abused its discretion by admitting evidence of a third party posting bonds for her in two other counties; (2) the district court erred by denying her motion for a mistrial; and (3) the State presented insufficient evidence for a conviction of aggravated assault with a deadly weapon.

During trial, a State witness mentioned Hampton's outstanding bail bonds. Hampton objected as to relevancy, but the district court admitted the testimony on other evidentiary grounds. Next, the same witness testified about Hampton's previous arrest warrants. Hampton objected and moved for a mistrial. The district court denied Hampton's motion. Thereafter, another State witness, a police officer, testified about Hampton's previous drug purchase. Hampton objected; the district court sustained the objection; and Hampton asked the district court to consider this testimony as an additional basis to support her mistrial motion. After the State rested, Hampton moved for a judgment of acquittal on the charge of aiding and abetting, claiming the State did not produce sufficient evidence for a jury to convict Hampton on that charge. The district court denied the motion. The jury found Hampton guilty as charged. Hampton timely appeals.