

State v. Huerta

Case Number

A-17-0562

Court Number

Buffalo

Call Date

May 15, 2018

Case Time

1:00 PM

Case Audio

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Case Summary**A-17-562, State of Nebraska v. Jose Huerta (Appellant)**

Buffalo County, District Court Judge William T. Wright

Attorney for Appellant: David W. Jorgensen (Nye, Hervert, Jorgensen, & Watson, P.C.)

Attorney for Appellee: Douglas J. Peterson and Austin N. Relph (Attorney General's Office)

Criminal Action: First Degree Sexual Assault of a Child

Action Taken by Trial Court: A jury found Appellant guilty of first degree sexual assault of a child. The district court subsequently sentenced Appellant to six to eight years' imprisonment.

Assignments of Error on Appeal: On appeal, Appellant alleges that the district court erred in (1) allowing evidence of consensual sexual contact between Appellant and another female on the night of the incident; (2) allowing expert testimony concerning the results of DNA testing; and (3) failing to properly instruct the jury at the close of the evidence. In addition, Appellant alleges that he received ineffective assistance of counsel in various respects.

Case Location

North Platte

Court Type

District Court

Schedule Code

A1

Panel Text

Moore, Chief Judge, Arterburn, and Welch, Judges
