

State v. Amaya

Case Number

S-19-0189

Case Audio

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Call Date

October 31, 2019

Case Time

9:00 AM

Court Number

Lincoln

Case Location

Lincoln

Court Type

District Court

Case Summary

S-19-0189 State of Nebraska v. Jay D. Amaya (Appellant)

Lincoln County District Court, Judge Michael E. Piccolo

Attorneys: Stacy M. Foust (Office of the Attorney General, for Appellee); Robert W. Kortus (Nebraska Commission on Public Advocacy, for Appellant)

Criminal: Motion to dismiss; DNA testing

Proceedings below: The trial court sustained the State's motion to dismiss, reasoning in part that it was "utterly unable to find that the results from the DNA specimens tested" provide such pertinent or vital information that would exonerate or exculpate the Appellant.

Issues: Whether the trial court erroneously sustained the State's motion to dismiss and 1) denied new sentencing; 2) held that test results were not such a nature that had they been offered and admitted prior to the entry of pleas or sentencing and the results of these prior proceedings would have produced a substantially different result; and 3) held that DNA testing results did not completely exonerated Appellant and were not highly exculpatory.

Schedule Code

SC
