

CASE STATEMENT

No. 19-0971

Clay County No. FECR018393

STATE OF IOWA,
Plaintiff-Appellee-Applicant,

vs.

MICHAEL JAMES JONES,
Defendant-Appellant-Resister.

Court of Appeals opinion writer: Doyle, PJ.

Trial Judge: Nancy L. Whittenburg, J.

Appellate Counsel:
Pamela Wingert of Wingert Law Office, Spirit Lake, for appellant.

Thomas J. Miller, Attorney General, Zachary Miller, Assistant Attorney General, and Kristi J. Busse, County Attorney, for appellee.

Trial Counsel:
Michael H. Johnson of Johnson Law Firm, Spirit Lake, for appellant.

Kristi J. Busse, County Attorney, for appellee.

Ready date: 6-10-20

General case description: The State seeks further review of the court of appeals decision reversing and remanding Michael James Jones's convictions following a jury trial for possession of methamphetamine and marijuana. The court agreed with Jones's argument that there was insufficient evidence to support the convictions on the basis Jones's mere proximity to the drugs alone cannot support a finding of constructive possession.

DISCUSSION:

The court granted further review to address whether the State presented sufficient evidence to prove the defendant had actual possession of the drugs.

Oral Argument: 15-15-5

Case statement prepared by Ann Wittgraf on 2-25-21.