

PRESS RELEASE

United States District Court, District of Idaho • James A. McClure Federal Building and U.S. Courthouse
550 West Fort Street • Boise, Idaho •

For Immediate Release

Date: March 22, 2019

Subject: *Joseph Edward Duncan, III v. United States of America*, 2:17-cv-0091-EJL
United States of America v. Joseph Edward Duncan, III, 2:07-cr-0023-EJL

The Honorable Edward J. Lodge, United States District Court Judge, has issued a lengthy Order in the case of *Joseph Edward Duncan, III vs. United States of America* denying Duncan's civil petition to vacate and/or set aside his sentences.

In December 2007, Duncan plead guilty to committing a number of crimes in northern Idaho during the spring of 2005; including three counts which carried the possibility of the death penalty. The Court conducted a death penalty proceeding and, on August 27, 2008, the Jury found Duncan to be eligible for the death penalty on all three of the death-eligible counts. The Court immediately imposed three death sentences on Duncan. Thereafter, on November 3, 2008, the Court sentenced Duncan to multiple terms of life imprisonment and terms of 120 months imprisonment on the remaining non-capital crimes.

Following additional proceedings which this Court resolved and the Ninth Circuit affirmed, Duncan filed this civil action under 28 U.S.C. § 2255 raising twelve post-conviction claims challenging his sentences in the criminal case. The Court's Order today denies Duncan's post-conviction claims and upholds Duncan's convictions and sentences on all counts with the exception of one, which the Court has taken under advisement pending the resolution of a legal question currently being considered by appellate courts. Duncan's sentences on two of the three death penalty counts are affirmed as are his multiple life sentences and additional terms of imprisonment on all of the non-capital crimes. The Court will decide the remaining claim as to the third death penalty count after the appellate courts have issued their rulings.