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IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT OF  
THE STATE OF IDAHO, IN AND FOR THE COUNTY OF ADA

STATE OF IDAHO,	)	
	)	
Plaintiff,	)	<b>Case No. CR01-21-34839</b>
	)	
vs.	)	<b>STATE'S RESPONSE TO</b>
	)	<b>DEFENDANT'S MOTION FOR</b>
AARON ANSON VON EHLINGER,	)	<b>RELEASE ON HIS OWN</b>
	)	<b>RECOGNIZANCE OR FOR THE</b>
Defendant.	)	<b>SETTING OF BOND PENDING</b>
	)	<b>FURTHER PROCEEDINGS</b>

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**COMES NOW**, Katelyn M. Farley, Deputy Prosecuting Attorney for the County of Ada, State of Idaho, and objects to Defendant's Motion for Release on his Own Recognizance or for the Setting of Bond Pending Further Proceedings.

Idaho Criminal Rule 46 guides the Court's determination regarding bail, and weighs heavily against setting any bail for Defendant in this case. The State notes initially that Defendant does not have a right to bail following the jury's verdict of guilty of Count I of the Information to the crime of rape, a violation of Idaho Code § 18-6101. *See* I.C.R. 46(a)(1). As such, any reference to Defendant's property ownership status, sources of income, and/or financial arrangements with his defense attorney are irrelevant in the instant Motion. Additionally, the factors outlined in Idaho Criminal Rule 46(c)(6) specifically weigh heavily against setting a bail in this case. A jury convicted Defendant of a violent charge involving aggravating factors of sexual violence, and the

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possible penalty Defendant faces as a result is life in prison. I.C.R. 46(c)(6). Moreover, the State has additional concerns pertinent to Defendant's motion, as follows.

First, the State is aware of two separate occasions where Defendant has been outside the United States since the State issued the warrant in this case on September 9, 2021. Second, the statement in Defendant's Motion that "the Defendant does not have any other criminal history" is inaccurate. Although misdemeanors and unrelated to the current conduct, to correct the record it is important to note that Defendant has been convicted of inattentive driving in 2009, possession of a controlled substance and possession of drug paraphernalia in 2012, and reckless driving in 2013. A count of carrying a concealed weapon under the influence was dismissed in connection with the 2013 reckless driving case. These cases occurred prior to Defendant legally changing his name. Finally, Defendant testified at trial that he owns multiple firearms. The instant conviction and active no contact order render Defendant a prohibited possessor of firearms. *See* 18 USC § 922(g)(8), I.C. §§ 18-3316, 310. The State has not been made aware of any steps Defendant has taken to devoid his life of firearms.

The State respectfully requests the Court continue to hold Defendant without bond pending sentencing in this case and deny Defendant's Motion without a hearing.

**DATED** this the 19 day of May 2022.

**JAN M. BENNETTS**  
Ada County Prosecuting Attorney



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By: Katelyn M. Farley  
Deputy Prosecuting Attorney


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## CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 19, 2022, I caused to be served, a true and correct copy of the foregoing State's Response to Defendant's Motion for Release on his Own Recognizance or for the Setting of Bond Pending Further Proceedings on the following parties in the manner noted below:

**Jon R. Cox PO Box 1828 Boise, ID 83701**

- By Depositing copies of the same in the United States mail, postage prepaid, first class.
- By depositing copies of the same in the Interdepartmental Mail.
- By informing the office of said individual(s) that said copies were available for pickup at the Office of the Ada County Prosecutor.
- By faxing copies of the same to said attorney(s) at the facsimile number: \_\_\_\_\_
- By e-mailing copies of the same to \_\_\_\_\_
- By hand delivering copies of the same to defense counsel
- By serving copies of the same via iCourt e-File and Serve



\_\_\_\_\_  
Legal Assistant