

IN THE UTAH COURT OF APPEALS

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State of Utah, in the interest	)	MEMORANDUM DECISION
of C.R., a person under	)	(Not For Official Publication)
eighteen years of age.	)	
_____	)	Case No. 20040281-CA
	)	
C.R.,	)	F I L E D
	)	(November 10, 2005)
Appellant,	)	
	)	<span style="border: 1px solid black; padding: 2px;">2005 UT App 486</span>
v.	)	
	)	
State of Utah,	)	
	)	
Appellee.	)	

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Eighth District Juvenile, Vernal Department, 170075  
The Honorable Larry A. Steele

Attorneys: Michael L. Humiston, Heber City, for Appellant  
Mark L. Shurtleff and Joanne C. Slotnik, Salt Lake  
City, for Appellee

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Before Judges Bench, Davis, and Orme.

BENCH, Associate Presiding Judge:

Appellant C.R. appeals a juvenile court judgment of wanton destruction of protected wildlife, a third degree felony if committed by an adult, in violation of Utah Code section 23-20-4. See Utah Code Ann. § 23-20-4 (Supp. 2005). Among other issues, C.R. asserts that the State did not have jurisdiction over this case because he was hunting in Indian Country. "Whether the juvenile court had jurisdiction is a question of law which we review under a correction of error standard." Department of Human Servs. v. B.R., 2002 UT App 25, ¶6, 42 P.3d 390 (quotations and citations omitted).

The facts of this case are, in all relevant respects, identical to the facts in State v. Reber, 2005 UT App 485. In that case, this court held that the State lacked jurisdiction to prosecute a violation of section 23-20-4 when committed in "Indian Country." See id.

As in Reber, we vacate the judgment in this case for lack of jurisdiction.

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Russell W. Bench,  
Associate Presiding Judge

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WE CONCUR:

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James Z. Davis, Judge

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Gregory K. Orme, Judge