

IN THE SUPREME COURT
STATE OF NORTH DAKOTA

2023 ND 70

State of North Dakota,

Plaintiff and Appellee

v.

Travis Lee Jacobs,

Defendant and Appellant

No. 20220280

Appeal from the District Court of Morton County, South Central Judicial District, the Honorable Douglas A. Bahr, Judge.

AFFIRMED.

Per Curiam.

Kendra M. Richard, Assistant State's Attorney, Mandan, ND, for plaintiff and appellee.

William D. Woodworth, Bismarck, ND, for defendant and appellant.

State v. Jacobs
No. 20220280

Per Curiam.

[¶1] Travis Lee Jacobs appeals from a district court’s criminal judgment finding him guilty of endangering by fire or explosion and violation of an order prohibiting contact. Jacobs argues the evidence presented at trial was insufficient to support the jury’s verdict as to both charges, and the district court erred by not excusing a prospective juror for cause during voir dire. Viewing the evidence in the light most favorable to the verdict, we conclude sufficient evidence exists that could allow a jury to draw a reasonable inference in favor of conviction on both charges. Additionally, the court did not abuse its discretion by not excusing a prospective juror for cause. The juror in question provided several assurances he could remain impartial. The court did not err by relying on those assurances. *See State v. Garnder*, 2016 ND 161, ¶ 5, 883 N.W.2d 471 (citing *State v. Olson*, 274 N.W.2d 190, 193 (N.D. 1978)) (holding a district court should not readily discount the assurances of a juror as to his impartiality, and the burden rests on the party challenging for cause to overcome those assurances of impartiality). We summarily affirm under N.D.R.App.P. 35.1(a)(3) and (4).

[¶2] Jon J. Jensen, C.J.
Daniel J. Crothers
Lisa Fair McEvers
Jerod E. Tufte
William A. Neumann, S.J.

[¶3] The Honorable William A. Neumann, S.J., sitting in place of Bahr, J., disqualified.