

IN THE UTAH COURT OF APPEALS

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State of Utah,)	MEMORANDUM DECISION
)	(Not For Official Publication)
Plaintiff and Appellee,)	
)	Case No. 20040918-CA
v.)	
)	F I L E D
Genaro Pantoja Corvera,)	October 27, 2005
)	
Defendant and Appellant.)	2005 UT App 458

Second District, Farmington Department, 011702002
The Honorable Thomas L. Kay

Attorneys: Scott L. Wiggins, Salt Lake City, for Appellant
Mark L. Shurtleff and Kris C. Leonard, Salt Lake
City, for Appellee

Before Judges Davis, McHugh and Orme.

PER CURIAM:

Genaro Pantoja Corvera appeals the district court's order denying his motion for new trial. We affirm.

A district court may "grant a new trial in the interest of justice if there is any error or impropriety which had a substantial adverse effect upon the rights of a party." Utah R. Crim. P. 24(a). The decision to grant a new trial is a matter within the discretion of the district court. See State v. Menzies, 845 P.2d 220, 224 (Utah 1992). Accordingly, "we will not reverse a ruling denying a new trial absent a clear abuse of that discretion." Id. (quotations and citations omitted). "Generally, we will not find abuse of discretion unless, given the applicable facts and law, the trial court's decision is unreasonable." Id. Granting such deference is appropriate, as "the judge who presided over the trial is in a far better position to determine whether the record adequately reflects the proceedings." Id.

Corvera argued below that his right to a fair trial was impeded because an interpreter may have misinterpreted the word "knife," and because certain jurors could not hear the

interpreter during the course of Corvera's testimony. The district court held that there was insufficient evidence to find that Corvera's right to a fair trial was prejudiced and specifically held that there was "no evidence that the jury was prejudiced in any way in relation to the translation of the word knife or in relation to the speaking volume of the translators."

Corvera now argues that the district court erred when it denied his motion for new trial because it failed to apply "close judicial scrutiny." Corvera does not explain how or why this concept applies to the case at hand and offers no helpful analysis of the cases cited for this proposition. This is inadequate under rule 24(a)(9) of the Utah Rules of Appellate Procedure.

"It is well established that a reviewing court will not address arguments that are not adequately briefed." State v. Thomas, 961 P.2d 299, 304 (Utah 1998). Corvera's argument regarding "close judicial scrutiny" is "devoid of any 'meaningful analysis.'" State v. Garner, 2002 UT App 234, ¶12, 852 P.3d 467 (quoting State v. Marquez, 2002 UT App 127, ¶10, 54 P.3d 637). "Implicitly, rule 24(a)(9) requires not just bald citation to authority but development of that authority and reasoned analysis based on that authority. We have previously stated that this court is not 'a depository in which the appealing party may dump the burden of argument and research.'" Thomas, 961 P.2d at 304 (quoting State v. Bishop, 753 P.2d 439, 450 (Utah 1988)).

Corvera cites certain cases and quotes a few constitutional provisions, but fails to analyze "what this authority requires and . . . how the facts of [his] case satisfy these requirements." Id. at 305. He presents no meaningful analysis dealing with the application of any of these citations to this case. See State v. Helmick, 2000 UT 70, ¶7, 9 P.3d 164. When a party does not offer any meaningful analysis regarding a claim, we decline to reach the merits. See Thomas, 961 P.2d at 305.

In addition, Corvera has failed to show that the district court abused its discretion when it ruled that there was "no evidence that the jury was prejudiced in any way in relation to the translation of the word knife or in relation to the speaking volume of the translators." The only evidence presented in support of the motion for new trial was the affidavit of Corvera's trial counsel. At oral argument, the district court noted the limited evidentiary value of this affidavit and the complete absence of other evidence to support the motion. On appeal, Corvera once again cites to the attorney affidavit as the basis for reversal of the district court's order denying a new

trial. Given what was before the district court, we are unable to hold that the district court abused its discretion.¹

Accordingly, we affirm the order denying Corvera's motion for new trial.

James Z. Davis, Judge

Carolyn B. McHugh, Judge

Gregory K. Orme, Judge

¹Rule 606(b) of the Utah Rules of Evidence sets forth the limited circumstances when juror affidavits may be filed in the event an inquiry is made as to the validity of a verdict. See Utah R. Evid. 606(b). However, Corvera did not submit any juror affidavits to the district court in support of his motion for new trial. Thus, the district court was without an evidentiary basis to rule upon Corvera's motion.