

BOISE, WEDNESDAY, OCTOBER 7, 2026, AT 11:15 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO,

Plaintiff-Respondent,

V.

ALAA DALFI,

Defendant-Appellant.

Docket No. 51699

Appeal from the District Court of the Fourth Judicial District of the State of Idaho, Ada County. Samuel A. Hoagland, District Judge and Joseph Borton, District Judge.

Attorneys of Idaho, Boise, for Appellant.

Raúl R. Labrador, Idaho Attorney General, Boise, for Respondent.

Alaa Dalfi appeals from his judgment of conviction for two counts of rape under Idaho Code section 18-6101(3). In 2022, Dalfi and T.A. entered into an arranged marriage following a traditional Muslim ceremony. T.A. moved from Utah to Idaho with Dalfi and testified that they agreed to refrain from having a sexual relationship until after they obtained a civil marriage and she had enrolled in college. However, only a few weeks after T.A. moved to Boise with Dalfi, she testified that he raped her on two separate occasions several days apart. He then returned her to her family in Utah at the end of the month and they have since divorced. After going to a rape recovery center in Utah, T.A. reported the two assaults to the Boise Police Department and Dalfi was charged with two counts of rape. Following a jury trial, he was convicted of both.

On appeal, Dalfi contends that the district court erred in several ways which require reversal of his conviction. First, he argues that the district court abused its discretion by refusing to allow him to play recordings of voicemails left by T.A. which were in Arabic. Second, Dalfi argues that there was insufficient evidence to support the convictions, because of a discrepancy between the dates alleged in the charges and the dates identified in T.A.'s testimony, and because he contends that T.A. was not a credible witness. Third, Dalfi asserts that the discrepancy between the dates alleged in the charges and the jury instructions created a fatal variance and requires reversal. He also argues that the jury instructions erroneously referred to T.A. as a "victim," which directed the jury to assume a factual finding on a disputed essential element of the charges. Fourth, Dalfi argues that there were several instances of prosecutorial misconduct which require reversal, including impermissible "we know" statements, improper opinion statements regarding witness

credibility, references to Dalfi's decision not to testify and his failure to make certain statements to police, and disparagement of defense counsel and Dalfi. Finally, Dalfi asserts that the excessive injection of religious issues into the proceedings deprived him of a fair trial.