IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 51917

STATE OF IDAHO,	)	
	)	**Filed: November 2, 2026**
Plaintiff-Respondent,	)	
	)	**Melanie Gagnepain, Clerk**
v.	)	
	)	**THIS IS AN UNPUBLISHED**
MICHAEL A. RALSTIN,	)	**OPINION AND SHALL NOT**
	)	**BE CITED AS AUTHORITY**
Defendant-Appellant.	)	
	)	

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Annie O. McDevitt, District Judge.

Judgment of conviction for lewd conduct with a minor under the age of sixteen years and sexual abuse of a child under the age of sixteen years, affirmed.

Erik R. Lehtinen, State Appellate Public Defender; Brian R. Dickson, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Raúl R. Labrador, Attorney General; Allison C. Jaros, Deputy Attorney General, Boise, for respondent.

PETTY, Judge

Michael A. Ralstin appeals from his judgment of conviction for lewd conduct with a minor under the age of sixteen years and sexual abuse of a child under the age of sixteen years. Ralstin argues the district court abused its discretion by admitting testimony about the victim's disclosure of sexual abuse over Ralstin's objection. For the reasons stated below, we affirm.

I.
FACTUAL AND PROCEDURAL BACKGROUND

Ralstin married Stephanie Shaffer in 2015, and Shaffer and her three children moved into Ralstin's trailer. However, Shaffer and Ralstin separated in 2016, and Shaffer and the children moved out. Eventually, the children were removed from Shaffer's care and placed in foster care.

In January 2019, one of Shaffer's children, S.N. began living full-time with a foster family who adopted him later that year. In September 2022, S.N. got into trouble at school for having a

marijuana vape pen in class. At home that evening, S.N. went to his adoptive mother's (mother) room very upset. S.N. was crying and having difficulty speaking. S.N. told his mother there were things that he had never told anyone because he was scared. S.N. then disclosed to his mother that he had been raped by Ralstin while living with him. Following S.N.'s disclosure, his mother called a child abuse helpline and made a report to law enforcement.

Ralstin was charged with lewd conduct with a minor under the age of sixteen years, Idaho Code § 18-1508, and sexual abuse of a child under the age of sixteen years, I.C. § 18-1506. The case proceeded to trial. At trial, Ralstin objected to testimony by S.N.'s mother describing S.N.'s disclosures and argued that it was inadmissible hearsay. The State initially argued that the testimony was being offered under the "excited utterance" hearsay exception in Idaho Rule of Evidence 803(2).[1] The district court sustained Ralstin's hearsay objection, and stated it anticipated that the testimony was going to be offered for the effect on the listener. The district court stated, "I don't want to go into the details, but you can get enough there to talk about what she did next." The State then proceeded to ask S.N.'s mother whether S.N. had made disclosures. The mother responded that S.N. did make disclosures, and Ralstin made another hearsay objection before the mother described what S.N. had said. In response, the State argued that S.N.'s statements should be admitted "based on [the district court's] ruling and the effect on the listener" so that S.N.'s mother could say what she did next. Ralstin's hearsay objection was overruled, and the testimony was permitted. Ralstin was found guilty of lewd conduct with a minor under the age of sixteen years and sexual abuse of a child under the age of sixteen years by the jury and judgment was entered. Ralstin appeals.

II.
STANDARD OF REVIEW

A trial court's conclusion that an out-of-court statement qualifies as hearsay under I.R.E. 801(c), when offered or admitted for the truth of the matter asserted, is reviewed de novo. *State v. Roman-Lopez*, 171 Idaho 585, 59-92, 524 P.3d 864, 870-71 (2023). If, however, an out-of-court statement is offered or admitted for a purpose other than its truth, then the trial court's decision whether to admit the statement is reviewed for an abuse of discretion. *Id*. When a trial court's discretionary decision is reviewed on appeal, the appellate court conducts a multi-tiered

[1] On appeal, the State concedes that the excited utterance exception was not proper.

inquiry to determine whether the trial court: (1) correctly perceived the issue as one of discretion; (2) acted within the boundaries of such discretion; (3) acted consistently with any legal standards applicable to the specific choices before it; and (4) reached its decision by an exercise of reason. *State v. Herrera*, 164 Idaho 261, 270, 429 P.3d 149, 158 (2018).

III.
ANALYSIS

Ralstin argues that the district court erred by allowing the State to introduce S.N.'s hearsay statements for an irrelevant non-hearsay purpose. Specifically, he asserts that the effect that S.N.'s statements had on his mother was not relevant. The State argues the district court did not abuse its discretion by overruling Ralstin's hearsay objections. The State also asserts that Ralstin's relevance argument is not preserved for appeal. Finally, the State argues that even if it was error to admit the testimony, any error was harmless.

A. Ralstin's relevance objection was not preserved for review.

Before turning to the merits of this case, we first address the issue of preservation. The State argues that because Ralstin only objected to the testimony on hearsay grounds, and not on relevance grounds, the issue of relevance is not preserved for appeal. Ralstin argues that his relevance objection is preserved because "[t]he applicable Idaho Supreme Court precedent expressly allows a party to present additional argument and authority in support of their position on the preserved substantive issue on appeal."

"For an objection to be preserved for appellate review, either the specific ground for the objection must be clearly stated, or the basis of the objection must be apparent from the context." *State v. Hall*, 163 Idaho 744, 772, 419 P.3d 1042, 1070 (2018). "An objection to the admission of evidence on one basis does not preserve a separate and different basis for excluding the evidence." *Id.* "When an objection is made, the trial court is only asked to determine the validity of that objection; it is not asked to determine whether there is another objection that would have been sustained had it been made." *Id.*

> On appeal, we review whether the trial court erred. If the objection is made on a specific ground, the trial court is simply asked to decide whether that particular objection is a valid reason for excluding the evidence. If the trial court correctly overrules that objection, it has not erred.

Thomson v. Olsen, 147 Idaho 99, 105-06, 205 P.3d 1235, 1241-42 (2009). "If the objecting party made the wrong objection, that is not error by the trial court." *Id.*

Ralstin made several hearsay objections in response to the mother's testimony. Ralstin never made a relevance objection nor was one apparent from the context. Therefore, by failing to object to the statement's relevance, Ralstin failed to preserve the issue for review on appeal.

B. Mother's testimony was not hearsay because it was admitted to show its effect on the listener.

Ralstin argues that the district court erred by allowing the mother to testify about S.N.'s initial disclosure of sexual abuse for a non-hearsay purpose, specifically the effect on the listener. The State argues that the testimony was not offered as direct evidence of Ralstin's guilt but rather to explain the timing and circumstances of S.N.'s delayed disclosure.

Hearsay is defined as a statement, other than one made by the declarant while testifying at the trial or hearing, offered in evidence to prove the truth of the matter asserted. I.R.E. 801(c); *State v. Gomez*, 126 Idaho 700, 704, 889 P.2d 729, 733 (Ct. App. 1994). Hearsay is inadmissible unless otherwise provided by an exception in the Idaho Rules of Evidence or other rules of the Idaho Supreme Court. I.R.E. 802. It is well established that out-of-court statements are not barred by the hearsay rule when offered to show their effect on the listener. *State v. Siegel*, 137 Idaho 538, 540, 50 P.3d 1033, 1035 (Ct. App. 2002).

Ralstin argues that *State v. Field*, 144 Idaho 559, 165 P.3d 273 (2007) is analogous here. There, Field was found guilty by a jury of lewd conduct and sexual battery. *Id.* at 563, 165 P.3d at 277. At trial, Field made a hearsay objection to two out-of-court statements that the victim made to her sister and mother about being sexually abused by Field. The State argued that the statements were properly admitted, either because they were not hearsay, they fell under the I.R.E. 803(24) catch-all exception, or because they qualified as an excited utterance under I.R.E. 803(2). Originally, however, the State argued that the statements were not hearsay because they were not introduced to prove the truth of the matter asserted, only to show the effect on the listener, specifically, that the statements prompted the victim's mother to call the police. *Id.* at 567, 165 P.3d at 281. The Idaho Supreme Court held that the statements were inadmissible and that the statements were not properly admitted to show the effect on the listener because the State did not demonstrate that the statements were relevant in determining Field's guilt. *Id.* Here, Ralstin did not object to the admission of the statements on relevance grounds, only on hearsay grounds. Therefore, *Field* does not govern the outcome here because Ralstin did not make a relevancy objection.

Ralstin also relies on *Ybarra v. Legislature by Bedke*, 166 Idaho 902, 466 P.3d 421 (2020). There, the Idaho Supreme Court addressed a case of original jurisdiction filed by the Idaho Superintendent of Public Instruction requesting writs of mandamus and prohibition against the Idaho Legislature and the Idaho State Board of Education. The Superintendent filed declarations that contained hearsay and the Legislature filed a motion to strike those statements. *Id.* at 907-08, 466 P.3d at 426-27. The Superintendent argued that the statements were not being used for the truth of the matters asserted but were offered instead to show her state of mind. *Id.* The Court found that the Superintendent's state of mind was not material to the constitutional questions in the case and excluded the statements because they were not relevant. *Id.* at 908 466 P.3d at 427.

Ralstin's reliance on *Ybarra* is misplaced. The Court there was not reviewing the decision of a trial court in its appellate capacity, but rather, it was ruling on a hearsay objection in an original proceeding. When a hearsay objection was raised, the Court sustained the objection on relevance grounds which is within the Court's discretion. Thus, *Ybarra* does not stand for the proposition that by making a hearsay objection, a party in a case is also making a relevance objection. Again, Ralstin's argument fails here because he did not raise a relevance objection below and, therefore, that issue is not preserved for review on appeal.

The district court did not err by admitting the mother's testimony because it was offered to show the effect on the listener. The testimony was offered to show why the mother called law enforcement. In addition, there was no objection by Ralstin that the testimony was not relevant. For these reasons, we hold that the district court did not abuse its discretion when admitting the mother's testimony.

IV.
CONCLUSION

Ralstin has failed to show that the district court abused its discretion in overruling his hearsay objection and admitting the statements of the victim's mother. Ralstin's judgment of conviction for lewd conduct with a minor under the age of sixteen years and sexual abuse of a child under the age of sixteen years is affirmed.

Chief Judge TRIBE and Judge FLEMING, **CONCUR**.