

JOHN THOMAS
ISB #6727
Office of the Public Defender
Bonneville County
605 N. Capital Ave.
Idaho Falls, ID 83402
Telephone: (208) 529-1350 ext. 1105

IN THE DISTRICT COURT OF THE SEVENTH JUDICIAL DISTRICT OF THE
STATE OF IDAHO, IN AND FOR THE COUNTY OF BONNEVILLE

CHRISTOPHER TAPP,)	
)	
Petitioner,)	Case No. CV-
)	
vs.)	
)	VERIFIED PETITION FOR
STATE OF IDAHO,)	POST CONVICTION RELIEF
)	
Respondent,)	
_____)	

I. INTRODUCTION:

1. Petitioner, Mr. Christopher Tapp, currently resides at 130 E 18th Street, Idaho Falls, Idaho.
2. On January 13, 1997, the State of Idaho, through the Bonneville County Prosecuting Attorney, charged Mr. Tapp with a felony violation of I.C. §18-205 accessory to a felony/ harboring a wanted felon. That case was dismissed on January 17, 1997. The case number associated with this charge is CR-1996-165
3. On January 30, 1997, the State of Idaho, through the Bonneville County Prosecuting Attorney, charged Mr. Tapp again with a felony violation of I.C. §18-205 accessory to a felony/ harboring a wanted felon. That case was dismissed on February 3, 1997. The case number associated with this charge is CR-1997-420-FE.
4. On February 3, 1997, the State of Idaho, through the Bonneville County Prosecuting Attorney, charged Mr. Tapp with a felony violation of I.C. § 18-4001 Murder in the First Degree, I.C. § 18-6101 Rape, and I.C. 19-2520 use of a deadly weapon in the commission

of a felony. The case number associated with these charges is CR-1997-481-FE.

5. On May 12, 1998 a jury trial was commenced. Mr Tapp was found guilty by jury on May 28, 1998.
6. On December 11, 1998, the District Court for the Seventh Judicial District in the State of Idaho, Bonneville County, the Honorable Ted Wood presiding (“District Court”) imposed a Judgement of Conviction finding Mr. Tapp Guilty of Murder in the First Degree, Rape and Use of a Deadly Weapon during the commission of a felony as charged in the information and sentenced Mr. Tapp to a unified term in count one of Life plus 15 years (deadly weapons enhancement) a fixed term of 30 years, and count two a term of 20 years with a fixed term of 10 years.
7. Mr. Tapp has appealed his conviction to the Supreme Court of Idaho. His conviction was affirmed on July 20, 2000.
8. Mr. Tapp filed five previous Petitions for Post Conviction Relief based on various theories.
9. Mr. Tapp now files a sixth successive Petition for Post- Conviction Relief based on new evidence That Christopher Tapp is actually innocent.

FIRST CAUSE OF ACTION: Pursuant to Idaho Code §19-4901(6), new evidence has been discovered which negates the conviction of Christopher Tapp as charged and convicted in CR- 1997-481.

10. On May 16, 2019, the Bonneville County Prosecuting Attorney and the Idaho Fall Police Department held a press conference announcing that they had positively identified Brian Leigh Dripps as the source of the suspect DNA, including all of the semen and incriminating skin cell evidence left at 444 I street in Idaho Falls, Idaho which was collected on June 13, 1996 in an investigation into the murder of Angie Dodge.

11. The Idaho Falls Police Department had subsequently interviewed Brian Leigh Dripps in connection with the positive identification of his DNA found at the scene, and Dripps admitted to the rape and murder of Angie Dodge.
12. During his confession of the Rape and Murder of Angie Dodge, Mr. Dripps admitted that he acted alone. Furthermore, Dripps acknowledged that he did not know Chris Tapp nor had he ever met Mr. Tapp in his life.
13. It is the belief of the Defendant that the Idaho Falls Police Department and the Bonneville County Prosecutors office have vetted the Dripps confession and have corroborated the information gained from the confession and have found Mr. Tapp had nothing to do with the rape or murder of Angie Dodge.

PRAYER FOR RELIEF

14. The Petitioner hereby requests pursuant to I.C. 19-4901(6) that the Court find that Chris Tapp is actually innocent of the rape and murder of Angie Dodge and further requests that the Court vacate the conviction originally entered in CR-1997-481-FE for all charges including rape and murder as well as the weapons enhancement pursuant to Mr. Tapp's actual innocence.
15. The Petitioner further requests that the Court amend its order in CV-2016-2549 which was based on the Interest of Justice, to now reflect the actual innocence of Mr. Tapp based on the new evidence described in paragraphs 10 through 13 of this petition as if recited verbatim herein.

DATED this 10 day of July, 2019.



John Thomas
Attorney for Petitioner

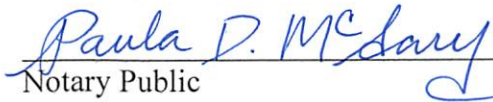
VERIFICATION OF PETITIONER

I, Christopher Tapp, being duly sworn upon oath, asy that I have subscribed to the foregoing petition; that I know the contents thereof; and that the matters and allegations therein set forth are true to the best of my knowledge.



Chris Tapp

SUBSCRIBED AND SWORN TO before me this 10 day of July, 2019.

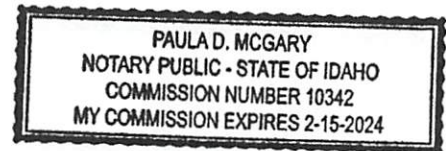


Notary Public

Notary Public for the State of Idaho

Residing at : Ammon, Idaho

My Commission expires on: 2-15-2024



PAUL D. MCGARY
NOTARY PUBLIC - STATE OF IDAHO
COMMISSION NUMBER 10312
MY COMMISSION EXPIRES 2-12-2024