

## **SUMMARY STATEMENT**

*State v. Baxter*

Docket No. 45343

In this appeal, the Idaho Supreme Court affirmed Roy Ayers Baxter Jr.'s judgment of conviction entered in the Ada County district court. The Court held that the district court did not abuse its discretion by denying Baxter's motion to withdraw his guilty plea, concluding Baxter had not shown a just reason to withdraw his plea. While Baxter argued the State's post-plea communications with the domestic violence evaluator entitled him to withdraw his plea, the Court disagreed. The Court held that the district court appropriately tempered the liberal application of its discretion in light of Baxter's apparent motive to avoid receiving an increased sentence by withdrawing his plea. Baxter moved to withdraw his plea only after the domestic violence evaluator increased his risk to reoffend, the presentence investigation report recommended a rider program, and the State filed new, unrelated charges for fraudulent misappropriation of personal identifying information and petit theft against Baxter. Because the district court did not abuse its discretion by denying Baxter's motion to withdraw his plea, the Court affirmed.