

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 46375

STATE OF IDAHO,	)	
	)	
Plaintiff-Respondent,	)	Filed: September 6, 2019
	)	
v.	)	Karel A. Lehrman, Clerk
	)	
CALEB EVERETT ELLIS,	)	THIS IS AN UNPUBLISHED
	)	OPINION AND SHALL NOT
Defendant-Appellant.	)	BE CITED AS AUTHORITY
	)	

---

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Deborah A. Bail, District Judge.

Judgment of conviction and unified sentence of fifteen years, with a minimum period of confinement of two years, for robbery, affirmed.

Fyffe Law, Boise; Robyn A. Fyffe, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

---

Before GRATTON, Chief Judge; HUSKEY, Judge;  
and BRAILSFORD, Judge

---

PER CURIAM

Caleb Everett Ellis pleaded guilty to robbery, Idaho Code §§ 18-6501, 18-6502. The district court imposed a unified fifteen-year sentence, with two years determinate, suspended the sentence, and retained jurisdiction. Ellis appeals, contending that the district court abused its discretion by declining to retain jurisdiction

Sentencing is a matter for the trial court’s discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. See *State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). That discretion

includes the trial court's decision regarding whether a defendant should be placed on probation and whether to retain jurisdiction. I.C. § 19-2601(3); *State v. Reber*, 138 Idaho 275, 278, 61 P.3d 632, 635 (Ct. App. 2002); *State v. Lee*, 117 Idaho 203, 205-06, 786 P.2d 596-97 (Ct. App. 1990). The record in this case shows that the district court properly considered the information before it and determined that retaining jurisdiction was not appropriate. We hold that Ellis has failed to show that the district court abused its discretion when imposing sentence.

Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion. Therefore, Ellis's judgment of conviction and sentence are affirmed.