

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 46755

STATE OF IDAHO,)
) Filed: August 5, 2019
Plaintiff-Respondent,)
) Karel A. Lehrman, Clerk
v.)
) THIS IS AN UNPUBLISHED
KASSANDRA NICOLE YOUNG,) 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. Deborah A. Bail, District Judge.

Order relinquishing jurisdiction, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Ben P. McGreevy, Deputy Appellate Public Defender, Boise, for appellant.

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

Before HUSKEY, Judge; LORELLO, Judge;
and BRAILSFORD, Judge

PER CURIAM

Kassandra Nicole Young pled guilty to felony possession of a controlled substance, Idaho Code § 37-2732(c), and misdemeanor providing false information to law enforcement, I.C. § 18-5413(2). For the possession charge, the district court imposed a unified sentence of seven years with two years determinate, suspended the sentence, and placed Young on probation. Young subsequently violated the terms of her probation, and the district court revoked probation and ordered execution of the sentence. The district court retained jurisdiction, and Young was sent to participate in the rider program. Young completed her rider and was placed on probation.

Young again violated the terms of her probation, and the district court revoked probation, executed Young's sentence, and retained jurisdiction a second time.

After Young completed her second rider, the district court relinquished jurisdiction. Young appeals, claiming that the district court erred by refusing to grant probation.

We note that the decision to place a defendant on probation or whether, instead, to relinquish jurisdiction over the defendant is a matter within the sound discretion of the district court and will not be overturned on appeal absent an abuse of that discretion. *State v. Hood*, 102 Idaho 711, 712, 639 P.2d 9, 10 (1981); *State v. Lee*, 117 Idaho 203, 205-06, 786 P.2d 594, 596-97 (Ct. App. 1990). The record in this case shows that the district court properly considered the information before it and determined that probation was not appropriate. We hold that Young has failed to show that the district court abused its discretion in relinquishing jurisdiction. The order of the district court relinquishing jurisdiction and Young's sentence are affirmed.