

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 46948

STATE OF IDAHO,)
) **Filed: December 10, 2019**
) **Plaintiff-Respondent,**)
) **Karel A. Lehrman, Clerk**
v.)
) **THIS IS AN UNPUBLISHED**
WILLIAM ARNOLD RAINS,) **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. Lynn G. Norton, District Judge.

Order relinquishing jurisdiction and judgment of conviction for felony domestic violence, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Jenny C. Swinford, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Kenneth K. Jorgensen, Deputy Attorney General, Boise, for respondent.

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

PER CURIAM

William Arnold Rains pled guilty to felony domestic violence. Idaho Code §§ 18-903(a), 18-918(2). Following his plea, Rains was sentenced to a unified term of six years with two years determinate. The district court suspended the sentence and placed Rains on supervised probation for six years with specific conditions. Subsequently, Rains admitted to violating the conditions of his probation. The district court revoked Rains' probation, executed his underlying sentence, and retained jurisdiction. Following a jurisdictional review hearing, the district court relinquished jurisdiction.

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 Rains has failed to show that the district court abused its discretion in relinquishing jurisdiction.

The order of the district court relinquishing jurisdiction is affirmed.