

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 49224

STATE OF IDAHO, )  
 )  
 Plaintiff-Respondent, ) **Filed: December 23, 2022**  
 )  
 v. ) **Melanie Gagnepain, Clerk**  
 ) **THIS IS AN UNPUBLISHED**  
 LANCE CHARLES ANDERSON, ) **OPINION AND SHALL NOT**  
 ) **BE CITED AS AUTHORITY**  
 Defendant-Appellant. )  
 )  
 )

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Appeal from the District Court of the Second Judicial District, State of Idaho, Lewis County. Hon. Gregory Fitzgerald, District Judge.

Appeal from order revoking probation, dismissed.

Eric D. Fredericksen, State Appellate Public Defender; Justin M. Curtis, Deputy Appellate Public Defender, Boise, for appellant.

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

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

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PER CURIAM

Lance Charles Anderson pleaded guilty to aggravated assault, Idaho Code § 18-901. The district court imposed a unified sentence of five years, with three years determinate, but after a period of retained jurisdiction, suspended the sentence and placed Anderson on probation. Anderson admitted to violating the terms of his probation a second time, and the district court revoked probation and ordered execution of a reduced unified sentence of five years, with two and one-half years determinate. Subsequently, Anderson moved to dismiss his case because the district court “was without jurisdiction to impose his sentence, because he is an Indian and the offense occurred in Indian country.” The district court dismissed the case. On appeal, “[m]indful of the

fact that his case has been dismissed,” Anderson continues to argue the district court erred by revoking probation.

A case becomes moot when the issues presented are no longer live or the defendant lacks a legally cognizable interest in the outcome. *Murphy v. Hunt*, 455 U.S. 478, 481 (1982); *Bradshaw v. State*, 120 Idaho 429, 432, 816 P.2d 986, 989 (1991). The only relief Anderson has requested on appeal cannot be granted because his case has been dismissed and he is no longer on probation. Therefore, any judicial relief from this Court would have no effect on either party. *See id.*

Accordingly, Anderson’s appeal from the order revoking probation is dismissed.