

SUMMARY STATEMENT

State v. Bujak

Docket No. 49921-2022

The Idaho Supreme Court affirmed the district court's denial of John Thomas Bujak's request for credit for time served. Bujak pleaded guilty to grand theft pursuant to an Idaho Criminal Rule 11 plea agreement. The district court entered an order withholding judgment and placed Bujak on probation subject to certain conditions. One condition was that Bujak was ordered to serve thirty days in jail, which the district court ordered could be served in intervals or all at once. Bujak scheduled his jail time on weekends.

For his first jail stay, Bujak reported on a Friday morning and was released approximately forty-eight hours later, on Sunday morning. After learning that he would receive credit for two days of jail time, Bujak moved the district court for credit for time served pursuant to Idaho Code section 18-309 and Idaho Criminal Rule 35(c), arguing that he should receive three days credit because he served time over the course of three calendar days. The district court denied Bujak's motion, concluding that Bujak was required to serve thirty, twenty-four-hour periods in jail. Bujak appealed, arguing that the district court erred in denying his motion for credit for time served because Idaho Code sections 18-309 and 19-2603 required that the district court award him one day of credit for each partial day of jail time he served.

The Court affirmed the district court's order denying Bujak's Rule 35(c) motion. The Court concluded that neither section 18-309 nor section 19-2603 addressed credit for time served as a condition of probation entered pursuant to an order withholding judgment. Instead, Idaho Code section 19-2601(3) applied, and under that statute, the district court's probation order governed the terms of Bujak's probation. The Court held that the district court reasonably interpreted its order to require that Bujak serve thirty, twenty-four-hour periods in jail. As a result, the district court did not err in denying Bujak's motion.

This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.