

SUMMARY STATEMENT
State of Idaho v. Matthew Wayne Dills
Docket No. 50365

In this case arising out of Ada County, the Court of Appeals affirmed Matthew Wayne Dills' judgment of conviction and sentence for domestic violence or battery in the presence of a child and being a persistent violator. Dills was charged following an altercation with his ex-wife that occurred while a child was present. Following a finding of guilt by a jury, Dills admitted to being a persistent violator. At the sentencing hearing, the State informed the district court that the presentence investigation report (PSI) incorrectly stated Dills' age and that he had been convicted of domestic violence with traumatic injury rather than domestic violence in the presence of a child. The district court issued an order amending the information in the PSI. Dills was then sentenced to a unified term of ten years, with a minimum period of confinement of three years.

On appeal, Dills argued that the district court abused its discretion by failing to redline the corrected portions of his PSI after accepting the changes and by failing to attach its order to the PSI contained in the appellate record. Dills also argued the district court abused its discretion by imposing an excessive sentence in light of the mitigating factors such as his abusive childhood, sobriety, physical health, ability to maintain gainful employment, and positive support system. The Court of Appeals held that the district court's order to correct the specific portions of the PSI was sufficient to create an adequate record for appeal and ensure an accurate PSI. The Court of Appeals also held that Dills failed to demonstrate that the district court abused its discretion in imposing sentence.

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