

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 50967

STATE OF IDAHO,)
)
 Plaintiff-Respondent,) **Filed: May 8, 2024**
)
 v.) **Melanie Gagnepain, Clerk**
)
 AARON JAMES HOLT,) **THIS IS AN UNPUBLISHED**
) **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, affirmed.

Erik R. Lehtinen, State Appellate Public Defender; Kiley A. Heffner, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Raúl R. Labrador, Attorney General; Kenneth K. Jorgensen, Deputy Attorney General, Boise, for respondent.

Before HUSKEY, Judge; LORELLO, Judge;
and TRIBE, Judge

PER CURIAM

Aaron James Holt pled guilty to aggravated assault, Idaho Code §§ 18-901(b), -905(a). The district court imposed a unified sentence of five years, with one and one-half years determinate, suspended the sentence, and placed Holt on a term of probation. Subsequently, Holt admitted to violating the terms of the probation, and the district court consequently revoked probation, ordered execution of the original sentence, and retained jurisdiction. Following the jurisdictional review hearing, the district court revoked probation and executed the previously suspended sentence. Holt appeals, contending that the district court abused its discretion in relinquishing jurisdiction instead of allowing Holt to complete the period of retained jurisdiction or granting 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 Holt has failed to show that the district court abused its discretion in relinquishing jurisdiction.

The order of the district court relinquishing jurisdiction and Holt's sentence are affirmed.