

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 51022

STATE OF IDAHO,)
)
) **Filed: May 21, 2024**
)
) **Plaintiff-Respondent,**)
) **Melanie Gagnepain, Clerk**
)
) **v.**)
) **THIS IS AN UNPUBLISHED**
) **NATHAN JOHN WRIGHT,**) **OPINION AND SHALL NOT**
) **BE CITED AS AUTHORITY**
) **Defendant-Appellant.**)
)
)

Appeal from the District Court of the First Judicial District, State of Idaho, Bonner County. Hon. Lamont C. Berecz, District Judge.

Disposition judgment following probation violation, extending probation for three years, affirmed.

Erik R. Lehtinen, State Appellate Public Defender; Sally J. Cooley, Deputy Appellate Public Defender, Boise, for appellant.

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

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

PER CURIAM

Nathan John Wright pled guilty to felony driving under the influence (found guilty of two or more violations within ten years), Idaho Code § 18-8005(6). The district court imposed a unified sentence of two years, with a minimum period of incarceration of one year, suspended the sentence, and placed Wright on probation. Subsequently, Wright admitted to violating the terms of his probation, and the district court continued Wrights’ probation for an additional three years. On appeal, Wright does not challenge the district court’s decision to revoke probation, but argues only that the district court abused its discretion by extending Wright’s probation by three years.

The trial court's decision to extend or otherwise modify the length of probation is reviewed for an abuse of discretion. *State v. Gibbs*, 162 Idaho 782, 785, 405 P.3d 567, 570 (2017). When a trial court's discretionary decision is reviewed on appeal, the appellate court conducts a multi-tiered inquiry to determine whether the trial court: (1) correctly perceived the issue as one of discretion; (2) acted within the boundaries of such discretion; (3) acted consistently with any legal standards applicable to the specific choices before it; and (4) reached its decision by an exercise of reason. *State v. Herrera*, 164 Idaho 261, 270, 429 P.3d 149, 158 (2018).

Wright argues that the district court abused its discretion when it failed to reach its decision by the exercise of reason in light of the mitigating evidence presented to the district court. This Court will consider the elements of the record before the trial court relevant to the revocation of probation issues which are properly made part of the record on appeal. *State v. Morgan*, 153 Idaho 618, 621, 288 P.3d 835, 838 (Ct. App. 2012). A review of the records shows that Wright has failed to show the district court abused its discretion by extending Wright's probation for three years.

Therefore, the district court's order extending Wright's probation for an additional three years is affirmed.