

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 51301

STATE OF IDAHO,)
) **Filed: August 28, 2024**
 Plaintiff-Respondent,)
) **Melanie Gagnepain, Clerk**
 v.)
) **THIS IS AN UNPUBLISHED**
 SAMANTHA MESHELL ADRIAN,) **OPINION AND SHALL NOT**
) **BE CITED AS AUTHORITY**
 Defendant-Appellant.)
)
 _____)

Appeal from the District Court of the First Judicial District, State of Idaho, Kootenai County. Hon. John T. Mitchell, District Judge.

Order relinquishing jurisdiction, 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

Samantha Meshell Adrian pled guilty to possession of a controlled substance, Idaho Code § 37-2732(c)(1), and major contraband within a correctional facility, I.C. § 18-2510(3). For each conviction, the district court imposed a concurrent, unified sentence of four years, with a minimum period of incarceration of two years, but after a period of retained jurisdiction, the court suspended the sentences and placed Adrian on probation. Subsequently, Adrian admitted to violating the terms of the probation, and the district court again retained jurisdiction, and Adrian was sent to participate in the rider program. After Adrian completed this rider, the district court relinquished jurisdiction. Adrian appeals, claiming that the district court erred by relinquishing jurisdiction.

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 Adrian has failed to show that the district court abused its discretion in relinquishing jurisdiction.

The order of the district court relinquishing jurisdiction is affirmed.