

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 51360

STATE OF IDAHO,	)	
	)	Filed: November 14, 2025
Plaintiff-Respondent,	)	
	)	Melanie Gagnepain, Clerk
v.	)	
	)	THIS IS AN UNPUBLISHED
MARLO RAYMOND CAMPOS,	)	OPINION AND SHALL NOT
	)	BE CITED AS AUTHORITY
Defendant-Appellant.	)	

Appeal from the District Court of the Third Judicial District, State of Idaho, Canyon County. Hon. Matthew J. Roker, District Judge.

Order revoking probation, affirmed.

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

Hon. Raúl R. Labrador, Attorney General; Amy J. Lavin, Deputy Attorney General, Boise, for respondent.

MELANSON, Judge Pro Tem

Marlo Raymond Campos appeals from the district court's order revoking his probation. We affirm.

I.

FACTUAL AND PROCEDURAL BACKGROUND

On March 30, 2022, Campos threatened a woman and her fifteen-year-old daughter with a knife. Campos entered a guilty plea to aggravated assault, and the district court sentenced him to a unified term of two years, with a minimum period of confinement of one year. However, the district court suspended the sentence and placed Campos on probation. That afternoon, Campos reported to the probation office and was ultimately charged with additional offenses based on his behavior at that office. The State then sought revocation of Campos's probation. The district court held a hearing and revoked Campos's probation. Following the disposition on the probation

violation, a hearing regarding restitution was also conducted. The district court entered an order requiring Campos to pay restitution to the victim in the amount of \$300. Campos appeals.

II.

ANALYSIS

Campos' notice of appeal and amended notice of appeal indicate he was appealing from "the Disposition Judgment, Probation Violation(s) entered on November 9, 2023." Campos asserted that he intended to raise two issues on appeal: "whether the [district] court abused its discretion by finding [he] has violated the terms and/or conditions of his probation in this matter" and "whether the [district] court abused its discretion by imposing [his] original sentence in this matter."

In his appellant's brief, Campos does not present any argument or authority addressing the probation violation. Idaho Appellate Rule 17(e) provides that a notice of appeal must contain the designation of appeal and a copy of the judgment or order appealed from. Pursuant to I.A.R. 11(c), in criminal proceedings an appeal may be made as a matter of right from final judgments of conviction and any order made after judgment affecting the substantial rights of the defendant or the State. However, a party waives an issue on appeal if either authority or argument is lacking. *State v. Zichko*, 129 Idaho 259, 263, 923 P.2d 966, 970 (1996). Therefore, we will not address the issue of the order revoking Campos's probation.

On November 6, 2023, following a hearing on restitution, the district court entered an order requiring Campos to pay restitution which was separate from the order revoking probation. Campos's appellate brief focuses only on restitution and argues that the district court erred. Restitution is not included in the order Campos appealed from--the order revoking probation. An order for restitution is an appealable order under I.A.R. 11(c)(9), as it is an order made after judgment affecting the substantial rights of the defendant. Because Campos did not appeal the order for restitution, we will not address any arguments regarding the restitution order.

III.

CONCLUSION

Campos did not present any argument on appeal regarding the order revoking his probation. Campos did not appeal the order for restitution; therefore, we need not address it. Accordingly, the order revoking Campos' probation is affirmed.

Judge LORELLO and Judge TRIBE, **CONCUR.**