

BOISE, FRIDAY, APRIL 16, 2021 AT 8:50 A.M.

IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO,

Plaintiff-Respondent,

v.

JEREMY V. GUZMAN,

Defendant-Appellant.

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Docket No. 48480

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

Eric D. Frederickson, State Appellate Public Defender, Boise, for Appellant.

Lawrence G. Wasden, Idaho Attorney General, Boise, for Respondent.

Jeremy V. Guzman appeals from a decision and order of the Kootenai County district court relinquishing jurisdiction over him and imposing the remainder of his prison sentence. Guzman received a unified sentence of sixteen years of incarceration after pleading guilty to one count of lewd conduct with a minor under the age of sixteen. However, the district court retained jurisdiction over Guzman for a period of up to one year to decide whether to place him on probation after he received sex offender treatment. At Guzman's jurisdictional review hearing, the district court decided not to place Guzman on probation, relinquished jurisdiction over him, and entered an order imposing the remainder of his sentence. On appeal, Guzman argues that the district court abused its discretion in relinquishing jurisdiction over him solely because he did not participate in a second psychosexual evaluation and polygraph examination before the jurisdictional review hearing. He further argues that the district court violated his right to due process by failing to preserve an adequate record for appeal. The State argues that the district court did not base its decision to relinquish jurisdiction solely upon Guzman's failure to participate in a second evaluation and polygraph, and did not otherwise abuse its discretion in relinquishing jurisdiction based upon the evidence before it. The State also argues that Guzman was not prejudiced by any failure of the district court to preserve several letters for the record on appeal because they are immaterial to Guzman's arguments on appeal.