

SUMMARY STATEMENT

State of Idaho v. Daniel William Leary – Docket No. 43097

In a case arising out of Ada County, the Idaho Supreme Court affirms the district court's judgment revoking probation and imposing Daniel Leary's sentence. Leary appealed the district court's judgment arguing that the district court erred in calculating the credit for time served to which he is entitled. Leary argued that the 2015 amendments to Idaho Code sections 18-309 and 19-2603 (the "Credit Statutes") should be given retroactive effect such that he should be credited for all time served on previous drug court bench warrants, which were a condition of probation. This Court affirms the district court's judgment because the amended Credit Statutes were not enacted at the time the district court calculated the credit for time served to which Leary was entitled. Moreover, this Court holds that the language of the amended Credit Statutes is unambiguous and not retroactive.