

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 49736

STATE OF IDAHO,

Plaintiff-Respondent,

v.

JAMES FRANKLIN SNYDER,

Defendant-Appellant.

Filed: March 14, 2023

Melanie Gagnepain, Clerk

**THIS IS AN UNPUBLISHED
OPINION AND SHALL NOT
BE CITED AS AUTHORITY**

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

Order granting I.C.R. 35 motion for reduction of sentence, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Kiley A. Heffner, Deputy Appellate Public Defender, Boise, for appellant.

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

Before LORELLO, Chief Judge; HUSKEY, Judge;
and BRAILSFORD, Judge

PER CURLIAM

James Franklin Snyder pled guilty to possession of a controlled substance. I.C. § 37-2732(c)(1). In exchange for his guilty plea, an additional charge and an allegation that he is a persistent violator were dismissed. The district court sentenced Snyder to a unified term of seven years, with a minimum period of confinement of three years. The district court suspended the sentence and placed Snyder on probation. Snyder admitted to violating the terms of his probation. The district court revoked probation, ordered execution of his sentence, but retained jurisdiction. Following completion of his rider, the district court again suspended the sentence and placed him

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Remittitur

Docket No. 49736-2022

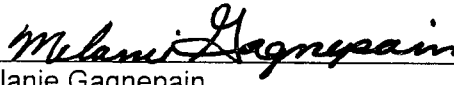
Kootenai County District Court
CR28-19-6825

TO: First Judicial District, County of Kootenai

The Court having announced its Unpublished Opinion in this cause March 14, 2023, and the Supreme Court having denied Appellant's Petition for Review on March 21, 2023; therefore;

IT IS ORDERED that the District Court shall forthwith comply with the directive of the Unpublished Opinion, if any action is required.

Dated: March 21, 2023



Melanie Gagnepain
Clerk of the Courts

Appendix C

Decision of Idaho Supreme Court

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The Appellant having filed a Petition for Review on briefs previously submitted on March 14, 2023, seeking review of the Unpublished Opinion of the Court of Appeals released March 14, 2023; therefore, after due consideration,

IT IS ORDERED that Appellant's Petition for Review is DENIED.

Dated March 21, 2023

By Order of the Supreme Court

Melanie Gagnepain
Melanie Gagnepain
Clerk of the Courts

Appendix A

Idaho state ~~and~~ ~~appeals~~ ^{TRIAL COURT} ds

KOOTENAI County District Court

NOTICE OF RIGHT TO APPEAL

YOU, JAMES FRANKLIN SNYDER, ARE HEREBY NOTIFIED that you have a right to appeal this order to the Idaho Supreme Court. Any notice of appeal must be filed within forty-two (42) days of the entry of the written order in this matter.


YOU ARE FURTHER NOTIFIED that if you are unable to pay the costs of an appeal, you have the right to apply for leave to appeal in forma pauperis or to apply for the appointment of counsel at public expense. If you have questions concerning your right to appeal, you should consult your present lawyer.

DATED this 10TH day of NOVEMBER, 2022.


John T. Mitchell, District Judge

CERTIFICATE OF MAILING

I hereby certify that on the 10 day of November, 2022 copies of the foregoing Order were mailed, postage prepaid, or sent by facsimile or interoffice mail to:

<input checked="" type="checkbox"/> Defense Attorney - Nicole Huddleston <u>pdfax@kcgov.us</u>	KOOTENAI County Sheriff	Defendant, In Court
<input checked="" type="checkbox"/> Prosecuting Attorney - <u>kcpai.courts@kcgov.us</u>	Idaho Department of Correction	CLERK OF THE DISTRICT
<input checked="" type="checkbox"/> Probation & Parole, _____	[certified copy faxed to (208) 327-7445]	COURT KOOTENAI COUNTY
Community Service (Interoffice Mail)	IDOC CCD, fax (208) 658-2186	BY: 
KOOTENAI County Auditor (Interoffice Mail)		Deputy
GLOBAL DRUG TESTING via FAX : 664-6045		
IDOC, CCD, IDOC DIST 1 : <u>Dist1@idoc.idaho.gov; Ccdsentencingd1@idoc.idaho.gov; centralrecords@idoc.idaho.gov</u>		

riderorders@idoc.idaho.gov

**Additional material
from this filing is
available in the
Clerk's Office.**