

Uldaho Law

Digital Commons @ Uldaho Law

Not Reported

Idaho Supreme Court Records & Briefs

7-31-2020

State v. Stradley Appellant's Brief Dckt. 47398

Follow this and additional works at: https://digitalcommons.law.uidaho.edu/not_reported

Recommended Citation

"State v. Stradley Appellant's Brief Dckt. 47398" (2020). *Not Reported*. 6519.
https://digitalcommons.law.uidaho.edu/not_reported/6519

This Court Document is brought to you for free and open access by the Idaho Supreme Court Records & Briefs at Digital Commons @ Uldaho Law. It has been accepted for inclusion in Not Reported by an authorized administrator of Digital Commons @ Uldaho Law. For more information, please contact annablaine@uidaho.edu.

ERIC D. FREDERICKSEN
State Appellate Public Defender
I.S.B. #6555

ANDREA W. REYNOLDS
Deputy State Appellate Public Defender
I.S.B. #9525
322 E. Front Street, Suite 570
Boise, Idaho 83702
Phone: (208) 334-2712
Fax: (208) 334-2985
E-mail: documents@sapd.state.id.us

IN THE SUPREME COURT OF THE STATE OF IDAHO

STATE OF IDAHO,)	
)	
Plaintiff-Respondent,)	NO. 47398-2019
)	
v.)	ADA COUNTY NO. CR01-18-52928
)	
TAYLOR SCOTT STRADLEY,)	
)	APPELLANT'S BRIEF
Defendant-Appellant.)	
_____)	

STATEMENT OF THE CASE

Nature of the Case

Taylor Scott Stradley appeals from the district court's order relinquishing jurisdiction over him and executing his aggregate unified sentence of seven years, with two years fixed. He contends the district court abused its discretion when it relinquished jurisdiction over him because his behavior on his rider did not warrant relinquishment.

Statement of Facts and Course of Proceedings

Mr. Stradley was charged by Information with two counts of felony possession of a controlled substance, misdemeanor possession of a controlled substance, possession of drug

paraphernalia, providing false information to law enforcement, and grand theft. (R., pp.30-31.) He entered into an agreement with the State pursuant to which he agreed to plead guilty to one count of felony possession of a controlled substance and grand theft, and the State agreed to dismiss the other charges. (R., pp.32-41.) The district court accepted Mr. Stradley's guilty plea and sentenced him to two unified terms of seven years, with two years fixed, to be served concurrently. (R., pp.32, 50.) The district court suspended the sentences and placed Mr. Stradley on probation. (R., p.50.) The judgment of conviction was entered on February 7, 2019. (R., pp.49-55.)

On April 5, 2019, the State filed a motion for bench warrant for probation violation, alleging Mr. Stradley violated his probation in numerous respects. (R., pp.56-72.) Mr. Stradley admitted to violating his probation by failing to submit to a urinalysis test on a specific date; associating with Brandy Martinez; using methamphetamine; and absconding from supervision. (Tr., p.5, L.24 – p.6, L.11.) Mr. Stradley and the prosecutor jointly recommended that the district court revoke Mr. Stradley's probation, execute his sentence, and retain jurisdiction. (Tr., p.4, Ls.14-17, p.7, Ls.2-4, p.8, Ls.7-8.) The district court followed the joint recommendation. (Tr., p.9, Ls.12-14.) The order revoking probation, judgment of conviction, and order of retained jurisdiction was entered on June 12, 2019. (R., pp.80-82.)

Following a hearing, the district court relinquished jurisdiction over Mr. Stradley. (R., p.84.) The order relinquishing jurisdiction was entered on September 18, 2019, and Mr. Stradley filed a timely notice of appeal on September 19, 2019. (R., pp.85-89) Mr. Stradley

later filed a motion pursuant to Idaho Criminal Rule 35 for a reduction of sentence, and the district court denied the motion.¹ (R., pp.92-94, 99-100.)

ISSUE

Did the district court abuse its discretion when it relinquished jurisdiction over Mr. Stradley?

ARGUMENT

The District Court Abused Its Discretion When It Relinquished Jurisdiction Over Mr. Stradley

This Court reviews a district court’s decision to relinquish jurisdiction for an abuse of discretion. *See State v. Latneau*, 154 Idaho 165, 166 (2013); *see also* I.C. § 19-2601(4). When a discretionary decision is reviewed on appeal, the appellate court conducts a multi-tiered inquiry to determine whether the lower court: (1) correctly perceived the issue as one of discretion; (2) acted within the boundaries of such discretion; (3) acted consistently with any legal standards applicable to the specific choices before it; and (4) reached its decision by an exercise of reason. *State v. Herrera*, 164 Idaho 261, 270 (2018). The district court abused its discretion when it relinquished jurisdiction over Mr. Stradley because it did not reach its decision by an exercise of reason.

Mr. Stradley never had an opportunity to begin his rider programming, as he was removed from the programming before attending his first core class. (Presentence Investigation Report (“PSI”), p.209.) Mr. Stradley had received three written warnings (two for sleeping during program hours, and one for signing up for an activity and failing to attend), and was then involved in an altercation with another inmate. (PSI, p.209.) Counsel for Mr. Stradley explained to the district court at the rider review hearing that there were nine individuals “who were

¹ Mr. Stradley does not challenge the district court’s decision denying his Rule 35 motion in light of *State v. Huffman*, 144 Idaho 201, 203 (2007).

messing around,” and a couple of them—not including Mr. Stradley—were fighting. (Tr., p.12, Ls.2-7.) Mr. Stradley acknowledged he was engaging in horseplay, but denied being involved in a fight. (Tr., p.12, Ls.8-20.)

Mr. Stradley requested that the district court give him “a continued opportunity on the program.” (Tr., p.12, Ls.21-22.) The district court should have granted this request, considering the instant offenses were Mr. Stradley’s first felony convictions, and he was just [REDACTED] at the time of sentencing. (PSI, p.18.) The fact that Mr. Stradley was allegedly involved in an altercation, which he denied constituted a fight, does not mean he does not deserve a chance at programming. The district court abused its discretion in relinquishing jurisdiction over Mr. Stradley as his behavior on his rider did not warrant relinquishment.

CONCLUSION

Mr. Stradley respectfully requests that this Court vacate the district court’s order relinquishing jurisdiction over him and remand this case to the district court.

DATED this 31st day of July, 2020.

/s/ Andrea W. Reynolds
ANDREA W. REYNOLDS
Deputy State Appellate Public Defender

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of July, 2020, I caused a true and correct copy of the foregoing APPELLANT’S BRIEF to be served as follows:

KENNETH K. JORGENSEN
DEPUTY ATTORNEY GENERAL
E-Service: ecf@ag.idaho.gov

/s/ Evan A. Smith
EVAN A. SMITH
Administrative Assistant

AWR/eas