

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 42653

STATE OF IDAHO,) 2016 Unpublished Opinion No. 337
)
Plaintiff-Respondent,) Filed: January 21, 2016
)
v.) Stephen W. Kenyon, Clerk
)
JAIME JORDAN YBARRA,) THIS IS AN UNPUBLISHED
) OPINION AND SHALL NOT
Defendant-Appellant.) BE CITED AS AUTHORITY
)
_____)

Appeal from the District Court of the Third Judicial District, State of Idaho, Canyon County. Hon. Molly J. Huskey; Hon. James C. Morfitt, District Judges.

Judgment of conviction for eluding a peace officer, affirmed.

Sara B. Thomas, State Appellate Public Defender; Eric D. Fredericksen, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Mark W. Olson, Deputy Attorney General, Boise, for respondent.

Before MELANSON, Chief Judge; GUTIERREZ, Judge;
and GRATTON, Judge

PER CURIAM

Jaime Jordan Ybarra was convicted of eluding a peace officer, Idaho Code § 49-1404(2). Ybarra appealed his conviction, arguing that the district court erred when it allowed the jury to hear testimony that he was the “subject” or “person of interest” in an ongoing criminal investigation. In response, the State argued that Ybarra’s appellate claim had been waived by trial counsel. In Ybarra’s reply brief, he conceded that his claim was not preserved for appellate consideration and expressly withdrew the issue. Given Ybarra’s express withdrawal of his sole issue on appeal, we will conduct no further review. Thus, Ybarra’s judgment of conviction is affirmed.