

SUPREME COURT OF THE STATE OF IDAHO

State v. Robertson

Robertson · No. 52794 · Decided November 24, 2025

SUMMARY

The Idaho Supreme Court held that Sheryl D. Robertson did not knowingly and intelligently waive her constitutional right to a probation-revocation hearing by waiving a treatment-court termination hearing. Because the district court proceeded directly to disposition without holding an evidentiary probation-revocation hearing, the court vacated the order revoking probation and imposing a modified sentence. The case was remanded for further proceedings.

CASE DETAILS

COURT	Supreme Court of the State of Idaho
WRITING FOR THE COURT	Justice Brody; Chief Justice Bevan; Justice Moeller; Justice Zahn; Justice Meyer
JURISDICTION	Supreme Court of the State of Idaho
DECIDED	November 24, 2025
DOCKET	52794
DISPOSITION	vacated
PROCEDURAL POSTURE	Robertson petitioned the Idaho Supreme Court for review of a Court of Appeals decision affirming the revocation of her probation and execution of a modified sentence. The Supreme Court granted review and considered whether the district court violated due process by proceeding directly to disposition without a probation-revocation hearing after Robertson waived a treatment-court termination hearing.
STANDARD OF REVIEW	On petition for review, the Idaho Supreme Court acts as if the case were on direct appeal from the district court. It defers to factual findings supported by substantial and competent evidence but freely reviews the application of constitutional principles to those facts. The validity of a waiver is a mixed question of law and fact.
PRECEDENTIAL VALUE	published
PARTIES	Sheryl D. Robertson v. State of Idaho

TOPICS

due process

probation

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standard of review

PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Robertson knowingly, intelligently, and voluntarily waived her constitutional right to a probation-revocation hearing by signing forms waiving a treatment-court termination hearing.
2. Whether the district court violated the Fourteenth Amendment Due Process Clause by proceeding directly to disposition and revoking probation without first holding a probation-revocation hearing.
3. Whether review of the validity of Robertson's waiver was barred because the issue was not contemporaneously raised in the district court.

HOLDINGS

1. Robertson did not knowingly and intelligently waive her right to a probation-revocation hearing because the treatment-court Notification and Waiver forms did not clearly communicate that waiving the Wood Court termination hearing would also waive the probation-revocation hearing in the sentencing court.
2. The district court violated Robertson's Fourteenth Amendment due-process rights by revoking probation and imposing a modified sentence without first holding a probation-revocation hearing.
3. The Idaho Supreme Court could review the validity of Robertson's waiver even though she did not contemporaneously object in the district court.

KEY QUOTATIONS

“Because Robertson’s waiver of her right to a probation-revocation hearing was not made knowingly and intelligently, as the Constitution requires, we conclude that the district court failed to satisfy due process by proceeding directly to disposition without first holding such a hearing.” (1)

“As such, we conclude that the State has not carried its burden of demonstrating that Robertson made a knowing and intelligent waiver of the pre-revocation procedural rights to which she was entitled under the Fourteenth Amendment’s Due Process Clause.” (12)

“Because the district court lacked a valid procedural foundation to revoke Robertson’s probation, the resulting disposition judgment cannot stand.” (14)

FACTUAL BACKGROUND

Robertson pleaded guilty to felony possession and was ultimately placed on probation after serving a period of retained jurisdiction. Following an earlier admitted probation violation, the district court continued probation and required her to complete a treatment-court program. The State later sought to terminate her from Bonneville County Wood Court and revoke her probation based on alleged program violations. Robertson signed treatment-court forms waiving a termination hearing, but the forms did not clearly state that the waiver also relinquished

her separate right to a probation-revocation hearing. The district court revoked probation and imposed a modified sentence without conducting that hearing.

PROCEDURAL HISTORY

Robertson pleaded guilty to felony possession, was sentenced, and was later placed on probation. After an earlier probation violation, the district court continued probation and required treatment-court participation. When the State sought her termination from Wood Court and revocation of probation, Robertson signed forms waiving a treatment-court termination hearing. The district court then proceeded directly to disposition, revoked probation, and imposed a modified sentence without a separate probation-revocation hearing. The Court of Appeals affirmed under the Idaho Rules for Treatment Courts but did not address the constitutional issue. The Idaho Supreme Court vacated and remanded.

DISPOSITION

vacated

REMAND INSTRUCTIONS

Vacate the district court's order revoking probation and executing the modified sentence, and remand for the district court to hold a probation-revocation hearing.

CASES CITED

- State v. Barrett, 163 Idaho 449, 451, 414 P.3d 1188, 1190 (2018)
- State v. James, 148 Idaho 574, 576, 225 P.3d 1169, 1171 (2010)
- State v. Anderson, 144 Idaho 743, 746, 170 P.3d 886, 889 (2007)
- Herrera v. Estay, 146 Idaho 674, 678-79, 201 P.3d 647, 651-52 (2009)
- United States v. Shamsid-Deen, 61 F.4th 935, 945 (11th Cir. 2023)
- Missouri Pacific Railway Co. v. Humes, 115 U.S. 512, 519 (1885)
- Mathews v. Eldridge, 424 U.S. 319, 333 (1976)
- Morrissey v. Brewer, 408 U.S. 471, 472, 482, 484-89 (1972)
- Goldberg v. Kelly, 397 U.S. 254, 267-71 (1970)
- Gagnon v. Scarpelli, 411 U.S. 778, 782 (1973)
- State v. Kelsey, 115 Idaho 311, 314, 766 P.2d 781, 784 (1988)
- State v. Rogers, 144 Idaho 738, 740-43, 170 P.3d 881, 883-86 (2007)
- Steele v. State, 153 Idaho 783, 786, 291 P.3d 466, 469 (2012)
- Smith v. State, 146 Idaho 822, 834 n.11, 203 P.3d 1221, 1233 n.11 (2009)
- United States v. Doe, 155 F.3d 1070, 1074 (9th Cir. 1998)
- Moran v. Burbine, 475 U.S. 412, 421 (1986)
- State v. Goullette, 173 Idaho 869, 876, 550 P.3d 277, 284 (2024)
- State v. Bainbridge, 108 Idaho 273, 276, 698 P.2d 335, 338 (1985)

- State v. Beeks, 159 Idaho 223, 227, 358 P.3d 784, 788 (Ct. App. 2015)
- State v. Perry, 150 Idaho 209, 224, 226, 245 P.3d 961, 976, 978 (2010)
- Puckett v. United States, 556 U.S. 129, 134 (2009)
- Wainwright v. Sykes, 433 U.S. 72, 89 (1977)
- United States v. Correa-Torres, 326 F.3d 18, 25 (1st Cir. 2003)
- United States v. LeBlanc, 175 F.3d 511, 518 (7th Cir. 1999)
- United States v. Dodson, 25 F.3d 385, 390 (6th Cir. 1994)
- State v. Robertson, No. 50854, 2024 WL 4576350, at *2-*6 (Idaho Ct. App. Oct. 25, 2024)

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