

**Filed 1/26/17 by Clerk of Supreme Court
IN THE SUPREME COURT
STATE OF NORTH DAKOTA**

2017 ND 3

State of North Dakota,

Plaintiff and Appellee

v.

Andrew Rodger Moreland,

Defendant and Appellant

Nos. 20160267 & 20160268

Appeal from the District Court of Grand Forks County, Northeast Central
Judicial District, the Honorable Jon J. Jensen, Judge.

AFFIRMED.

Per Curiam.

Faye A. Jasmer, Assistant State's Attorney, Grand Forks County State's
Attorney Office, P.O. Box 5607, Grand Forks, ND 58206-5607, for plaintiff and
appellee; submitted on brief.

Mark T. Blumer, P.O. Box 7340, Fargo, ND 58106, and Russell J. Myhre, P.O.
Box 475, Valley City, ND 58072, for defendant and appellant; submitted on brief.

State v. Moreland
Nos. 20160267 & 20160268

Per Curiam.

[¶1] Andrew Moreland appealed a district court’s order denying his request to correct an illegal sentence. Moreland argues it is an illegal sentence for the district court to sentence him to the maximum period of incarceration for one offense and then to subsequently place him on probation on a second offense. Because each of Moreland’s sentences were within the statutory limits imposed by N.D.C.C. § 12.1-32-01, the district court did not abuse its discretion. We summarily affirm under N.D.R.App.P. 35.1(a)(4).

[¶2] Gerald W. VandeWalle, C.J.
Carol Ronning Kapsner
Lisa Fair McEvers
Daniel J. Crothers
Jerod E. Tufte