

**Filed 10/21/20 by Clerk of Supreme Court**

**IN THE SUPREME COURT  
STATE OF NORTH DAKOTA**

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2020 ND 214

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State of North Dakota,

Plaintiff and Appellee

v.

Melford Ernest Trefethren, Jr.,

Defendant and Appellant

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No. 20200116

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Appeal from the District Court of Cass County, East Central Judicial District,  
the Honorable Steven E. McCullough, Judge.

AFFIRMED.

Per Curiam.

Derek K. Steiner, Assistant State's Attorney, Fargo, ND, for plaintiff and  
appellee.

Kiara C. Kraus-Parr, Grand Forks, ND, for defendant and appellant.

**State v. Trefethren**  
**No. 20200116**

**Per Curiam.**

[¶1] Melford Ernest Trefethren, Jr. appeals from a criminal judgment sentencing him to twenty years of imprisonment, first to serve two years with the balance suspended, and a concurrent sentence on a second charge to serve two years of imprisonment. We summarily affirm under N.D.R.App.P. 35.1(a)(4) and (7).

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[¶2] In March 2020, Trefethren pleaded guilty to possession with intent to manufacture or deliver marijuana and possession of a schedule I hallucinogenic. On Count I, Trefethren was sentenced to twenty years of imprisonment, first to serve two years with the balance suspended and credit for time served, and two years of supervised probation. On Count II, Trefethren was sentenced to serve a concurrent sentence with Count I for two years of imprisonment with credit for time served.

[¶3] On appeal, Trefethren argues the district court abused its discretion by imposing the sentence without adequately considering the sentencing factors set forth in statute. We summarily affirm under N.D.R.App.P. 35.1(a)(4) and (7); *see State v. Lyon*, 2020 ND 34, ¶ 7, 938 N.W.2d 908 (“[A] district court need not explicitly reference the factors listed in § 12.1-32-04.”) (citation omitted).

[¶4] Jon J. Jensen, C.J.  
Daniel J. Crothers  
Gerald W. VandeWalle  
Jerod E. Tufte  
Lisa Fair McEvers