

IN THE COURT OF APPEALS OF THE
STATE OF OREGON

STATE OF OREGON,
Plaintiff-Respondent,

v.

JAMISON JOHN MILLER,
Defendant-Appellant.

Marion County Circuit Court
18CR68294; A170797

Susan M. Tripp, Judge.

Argued and submitted October 9, 2020.

Jason E. Thompson argued the cause for appellant. Also on the brief was Thompson Law, LLC.

Dashiell L. Farewell, Assistant Attorney General, argued the cause for respondent. Also on the brief were Ellen F. Rosenblum, Attorney General, and Benjamin Gutman, Solicitor General.

Before Lagesen, Presiding Judge, and James, Judge, and Kamins, Judge.

PER CURIAM

Affirmed.

PER CURIAM

Defendant appeals a judgment revoking his probation. In his first assignment of error, he contends that the trial court abused its discretion in revoking his probation. We conclude otherwise and reject that assignment without further written discussion. In his second assignment of error, he contends that the court lacked the authority to deny him eligibility for “good time” reductions in his sentence under ORS 137.750(1). He acknowledges that we rejected the same argument in *State v. Berger*, 284 Or App 156, 392 P3d 792 (2017), but argues that that decision is incorrect and should be overruled. We are not persuaded. Because *Berger* requires us to reject defendant’s argument, we affirm.

Affirmed.