

IN THE UTAH COURT OF APPEALS

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State of Utah,	)	MEMORANDUM DECISION
	)	(Not For Official Publication)
Plaintiff and Appellee,	)	
	)	Case No. 20080478-CA
v.	)	
	)	F I L E D
Gregory Maurice Ward,	)	(June 18, 2009)
	)	
Defendant and Appellant.	)	<span style="border: 1px solid black; padding: 2px;">2009 UT App 164</span>

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Third District, Salt Lake Department, 071908607, 081900984  
The Honorable Deno G. Himonas

Attorneys: Lori J. Seppi and Scott A. Wilson, Salt Lake City,  
            for Appellant  
            Mark L. Shurtleff and Ryan D. Tenney, Salt Lake City,  
            for Appellee

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Before Judges Greenwood, Thorne, and Orme.

PER CURIAM:

Gregory Maurice Ward appeals his sentence after pleading guilty to two counts of theft.<sup>1</sup> Ward asserts that the trial court abused its discretion by failing to place him on probation and, instead, sentencing him to prison. We affirm.

Appellate courts "traditionally afford the trial court wide latitude and discretion in sentencing." State v. Woodland, 945 P.2d 665, 671 (Utah 1997). A trial court's sentencing decision will be reversed only for an abuse of the court's discretion. See State v. Helms, 2002 UT 12, ¶ 8, 40 P.3d 626. A trial court abuses its discretion where "no reasonable [person] would take the view adopted by the trial court." State v. Schweitzer, 943 P.2d 649, 651 (Utah Ct. App. 1997). In considering a sentence, there is no entitlement or right to probation, but rather, granting probation is "within the complete discretion of the trial court." State v. Rhodes, 818 P.2d 1048, 1049 (Utah Ct. App. 1991).

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<sup>1</sup>This court consolidated Ward's separate appeals from trial court cases numbered 071908607 and 081900984.

Ward has not demonstrated that the trial court abused its discretion in sentencing him to prison with two concurrent sentences. Given Ward's extensive criminal history, background, character, multiple parole violations, prior probation violation, and the fact that he threatened victims with a knife, we cannot say that the trial court went beyond what a reasonable person could view as appropriate when sentencing Ward to prison.

Affirmed.

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Pamela T. Greenwood,  
Presiding Judge

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William A. Thorne Jr.,  
Associate Presiding Judge

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Gregory K. Orme, Judge