

(4) Committed the criminal offense of Assault and Battery With a Deadly Weapon, as alleged in Cherokee County Case No. CF-2017-867.

Following a revocation hearing on April 11, 2018, before the Honorable Lawrence Langley, Special Judge, Appellant's suspended sentence was revoked in full, seven years. Appellant appeals the revocation of his suspended sentence raising the sole proposition of error that the revocation of his suspended sentence was an abuse of discretion. We affirm the order of the District Court revoking Appellant's suspended sentence in full.

The decision to revoke a suspended sentence in whole or in part is within the sound discretion of the trial court and such decision will not be disturbed absent an abuse thereof. *Tilden v. State*, 2013 OK CR 10, ¶ 10, 306 P.3d 554, 557. "An 'abuse of discretion' has been defined by this Court as a 'clearly erroneous conclusion and judgment, one that is clearly against the logic and effect of the facts presented in support of and against the application.'" *Walker v. State*, 1989 OK CR 65, ¶ 5, 780 P.2d 1181. Appellant has not shown an abuse of discretion.

DECISION

The revocation of Appellant's suspended sentence in Cherokee County District Court Case No. CF-2017-177 is **AFFIRMED**. Pursuant to Rule 3.15, *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2019), the **MANDATE** is **ORDERED** issued upon the filing of this decision.

**REVOCAATION APPEAL FROM THE DISTRICT COURT OF
CHEROKEE COUNTY, THE HONORABLE LAWRENCE LANGLEY,
SPECIAL JUDGE**

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REVOCAATION PROCEEDINGS**

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OPINION BY: LUMPKIN, J.:

LEWIS, P.J.: Concur

KUEHN, V.P.J.: Concur

HUDSON, J.: Concur

ROWLAND, J.: Concur

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