

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 41611

STATE OF IDAHO,)	2014 Unpublished Opinion No. 765
)	
Plaintiff-Respondent,)	Filed: October 15, 2014
)	
v.)	Stephen W. Kenyon, Clerk
)	
CHRISTOPHER DAVID REDD,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Michael E. Wetherell, District Judge.

Order denying I.C.R. 35 motion for reduction of sentence, affirmed.

Sara B. Thomas, State Appellate Public Defender; Brian R. Dickson, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Kenneth K. Jorgensen, Deputy Attorney General, Boise, for respondent.

Before GUTIERREZ, Chief Judge; LANSING, Judge;
and GRATTON, Judge

PER CURIAM

Christopher David Redd pled guilty to Trafficking in Marijuana, Idaho Code 37-2732B(a)(1)(B); manufacturing or delivery of a controlled substance where children are present, I.C. §37-2737(a); and unlawful possession of a firearm, I.C. § 18-3316. The district court sentenced Redd to an aggregate unified sentence of twenty-one years with four years determinate (on the trafficking charge, a unified sentence of twelve years with four years determinate; on the manufacturing charge, a unified sentence of five years with zero years determinate, to be served consecutive to the sentence for trafficking; and on the unlawful possession charge, a unified sentence of four years with zero years determinate, to be served consecutive to the other two

sentences). Redd filed an Idaho Criminal Rule 35 motion, which the district court denied. Redd appeals, asserting that the district court abused its discretion by denying his Rule 35 motion.

A motion for reduction of sentence under I.C.R. 35 is essentially a plea for leniency, addressed to the sound discretion of the court. *State v. Knighton*, 143 Idaho 318, 319, 144 P.3d 23, 24 (2006); *State v. Gill*, 150 Idaho 183, 186, 244 P.3d 1269, 1272 (Ct. App. 2010). In presenting a Rule 35 motion, the defendant must show that the sentence is excessive in light of new or additional information subsequently provided to the district court in support of the motion. *State v. Huffman*, 144 Idaho 201, 203, 159 P.3d 838, 840 (2007). Upon review of the record, including any new information submitted with Redd's Rule 35 motion, we conclude no abuse of discretion has been shown. Therefore, the district court's order denying Redd's Rule 35 motion is affirmed.