

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket Nos. 41752/41753

STATE OF IDAHO,	)	2015 Unpublished Opinion No. 385
	)	
Plaintiff-Respondent,	)	Filed: March 3, 2015
	)	
v.	)	Stephen W. Kenyon, Clerk
	)	
JESSE DARRELL CLINE,	)	THIS IS AN UNPUBLISHED
	)	OPINION AND SHALL NOT
Defendant-Appellant.	)	BE CITED AS AUTHORITY
	)	

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Appeal from the District Court of the First Judicial District, State of Idaho, Kootenai County. Hon. Richard S. Christensen, District Judge.

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

Sara B. Thomas, State Appellate Public Defender; Kimberly E. Smith, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

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

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PER CURIAM

In Docket No. 41752, Jesse Darrell Cline pled guilty to attempted grand theft by possession of stolen property, Idaho Code §§ 18-2403(4), 18-2407(1)(b), 19-2514. In Docket No. 41753 Cline pled guilty to burglary, I.C. § 18-1401. The district court sentenced Cline to concurrent unified sentences of seven years with three years determinate for attempted grand theft by possession of stolen property and ten years with three years determinate for burglary. Cline filed an Idaho Criminal Rule 35 motion in each case, which the district court denied. Cline appeals asserting that the district court abused its discretion by denying his Rule 35 motions.

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 Cline's Rule 35 motion, we conclude no abuse of discretion has been shown. Therefore, the district court's order denying Cline's Rule 35 motions is affirmed.