

IN THE SUPREME COURT OF THE STATE OF IDAHO
Docket No. 42219

STATE OF IDAHO,)	
)	
Plaintiff-Respondent,)	Boise, January 2016 Term
)	
v.)	2016 Opinion No. 13
)	
JORGE ENRIQUE RODRIGUEZ,)	Filed: February 25, 2016
)	
Defendant-Appellant.)	Stephen W. Kenyon, Clerk
)	

Appeal from the District Court of the Second Judicial District, State of Idaho, Nez Perce County. Hon. Carl B. Kerrick, District Judge.

Judgment of conviction and sentence, affirmed.

Sara B. Thomas, State Appellate Public Defender, Boise, for appellant. Jason Pintler argued.

Hon. Lawrence G. Wasden, Idaho Attorney General, Boise, for respondent. Jessica Lorello argued.

PER CURIAM.

Rodriguez makes the same argument as the Appellant in *State v. McIntosh*, No. 41910 (Idaho Feb. 25, 2016); and upon the authority of that case, and for the reasons therein stated, we affirm the district court.