

1 that is illegal from the face of the record, i.e., does not involve significant questions of fact or
2 require an evidentiary hearing. Idaho Criminal Rule 35 is a “narrow rule,” and because an illegal
3 sentence may be corrected at any time, the authority conferred by Rule 35 should be limited to
4 uphold the finality of judgments. *State v. Farwell*, 144 Idaho 732, 735, 170 P.3d 397, 400
5 (2007). Rule 35 is not a vehicle designed to re-examine the facts underlying the case to
6 determine whether a sentence is illegal; rather, the rule only applies to a narrow category of cases
7 in which the sentence imposes a penalty that is simply not authorized by law or where new
8 evidence tends to show that the original sentence was excessive. *Clements*, 148 Idaho at 87, 218
9 P.3d at 1148.

10 The record supports the district court’s finding that Gable’s sentence was not illegal from
11 the face of the record and the district court properly denied Gable’s motion. Accordingly, the
12 district court’s order denying Gable’s Rule 35 motion is affirmed.