

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 44592

STATE OF IDAHO,)	2017 Unpublished Opinion No. 561
)	
Plaintiff-Respondent,)	Filed: August 29, 2017
)	
v.)	Karel A. Lehrman, Clerk
)	
CLINT TERRELL OXIER,)	THIS IS AN UNPUBLISHED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. Steven J. Hippler, District Judge.

Order denying Idaho Criminal Rule 35 motion, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Reed P. Anderson, Deputy Appellate Public Defender, Boise, for appellant.

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

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

PER CURIAM

Clint Terrell Oxier was found guilty of three counts of lewd conduct with a child under sixteen, Idaho Code § 18-1508. The district court imposed three concurrent, unified life sentences, with twenty years determinate. Oxier filed an Idaho Criminal Rule 35 motion, which the district court denied. Oxier appeals.

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. Allbee*, 115 Idaho 845, 846, 771 P.2d 66, 67 (Ct. App. 1989). In presenting an I.C.R. 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 Oxier's I.C.R. 35 motion, we conclude no abuse of discretion has been shown. Therefore, the district court's order denying Oxier's I.C.R. 35 motion is affirmed.