

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 44951

STATE OF IDAHO, ) 2017 Unpublished Opinion No. 551  
 )  
Plaintiff-Respondent, ) Filed: August 18, 2017  
 )  
v. ) Karel A. Lehrman, Clerk  
 )  
JEREMIAH WAYNE JONES, ) THIS IS AN UNPUBLISHED  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. Richard D. Greenwood, District Judge.

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

Eric D. Fredericksen, State Appellate Public Defender; Andrea W. Reynolds, 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 GRATTON, Chief Judge; GUTIERREZ, Judge;  
and HUSKEY, Judge  
\_\_\_\_\_

PER CURIAM

Jeremiah Wayne Jones pled guilty to unlawful possession of a firearm. Idaho Code § 18-3316. The district court sentenced Jones to a unified sentence of five years with two years determinate. Jones filed an Idaho Criminal Rule 35 motion for a reduction of sentence, which the district court denied. Jones appeals asserting that the district court abused its discretion in denying his motion and that he provided additional information to the district court regarding his mental health.

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