

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 45147

STATE OF IDAHO,) 2017 Unpublished Opinion No. 668
)
Plaintiff-Respondent,) Filed: December 15, 2017
)
v.) Karel A. Lehrman, Clerk
)
JOSHUA ROSS WILKINSON,) THIS IS AN UNPUBLISHED
) OPINION AND SHALL NOT
Defendant-Appellant.) BE CITED AS AUTHORITY
)

Appeal from the District Court of the Fifth Judicial District, State of Idaho, Minidoka County. Hon. Michael R. Crabtree, District Judge.

Judgment of conviction and unified sentence of seven years, with a minimum period of confinement of one year, for possession of a controlled substance with intent to deliver, 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.

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

PER CURIAM

Joshua Ross Wilkinson pled guilty to possession of a controlled substance with intent to deliver. Idaho Code § 37-2732(a)(1)(A). The district court sentenced Wilkinson to a unified term of seven years with one year determinate. Wilkinson appeals asserting that the district court abused its discretion by imposing an excessive sentence.

Mindful that Wilkinson received the sentence he asked for, Wilkinson asserts that the district court erred by imposing an excessive sentence. The doctrine of invited error applies to estop a party from asserting an error when his or her own conduct induces the commission of the

error. *State v. Atkinson*, 124 Idaho 816, 819, 864 P.2d 654, 657 (Ct. App. 1993). One may not complain of errors one has consented to or acquiesced in. *State v. Caudill*, 109 Idaho 222, 226, 706 P.2d 456, 460 (1985); *State v. Lee*, 131 Idaho 600, 605, 961 P.2d 1203, 1208 (Ct. App. 1998). In short, invited errors are not reversible. *State v. Gittins*, 129 Idaho 54, 58, 921 P.2d 754, 758 (Ct. App. 1996). This doctrine applies to sentencing decisions as well as rulings made during trial. *State v. Griffith*, 110 Idaho 613, 614, 716 P.2d 1385, 1386 (Ct. App. 1986).

Therefore, because Wilkinson received the sentence he requested, he may not complain that the district court abused its discretion. Accordingly, the judgment of conviction and sentence are affirmed.