

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 45706

STATE OF IDAHO,)
) **Filed: October 4, 2018**
) **Plaintiff-Respondent,**)
) **Karel A. Lehrman, Clerk**
 v.)
) **THIS IS AN UNPUBLISHED**
) **LORENA OCAMPO-GARCIA,**) **OPINION AND SHALL NOT**
) **BE CITED AS AUTHORITY**
) **Defendant-Appellant.**)
)

Appeal from the District Court of the Seventh Judicial District, State of Idaho, Bonneville County. Hon. Dane H. Watkins, District Judge.

Order denying Idaho Criminal Rule 35 motion for reduction of sentence, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Brian R. Dickson, 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 LORELLO, Judge

PER CURIAM

Lorena Ocampo-Garcia pled guilty to felony injury to a child, Idaho Code § 18-1501, with an enhancement for infliction of great bodily injury, I.C. § 19-2520B. The district court imposed a unified sentence of fifteen years, with a minimum period of confinement of three years. Ocampo-Garcia filed an Idaho Criminal Rule 35 motion for reduction of sentence, which the district court denied. Ocampo-Garcia 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 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 Ocampo-Garcia's Rule 35 motion, we conclude no abuse of discretion has been shown. Therefore, the district court's order denying Ocampo-Garcia's Rule 35 motion is affirmed.