



rather than speaking to the PSI investigator, his constitutional rights were violated when the district court failed to order a neuropsychological examination and MRI, and his Fourteenth Amendment right to due process was violated which resulted in the deprivation of his Fifth and Sixth Amendment rights. The district court denied Jagers' motion, finding that Jagers' sentence was not illegal pursuant to I.C.R. 35(a), and that the district court did not have jurisdiction pursuant to I.C.R. 35(b). Jagers appeals.

In *State v. Clements*, 148 Idaho 82, 86, 218 P.3d 1143, 1147 (2009), the Idaho Supreme Court held that the term "illegal sentence" under I.C.R. 35 is narrowly interpreted as a sentence that is illegal from the face of the record, i.e., does not involve significant questions of fact or require an evidentiary hearing. Idaho Criminal Rule 35 is a "narrow rule," and because an illegal sentence may be corrected at any time, the authority conferred by I.C.R. 35 should be limited to uphold the finality of judgments. *State v. Farwell*, 144 Idaho 732, 735, 170 P.3d 397, 400 (2007). Idaho Criminal Rule 35 is not a vehicle designed to reexamine the facts underlying the case to determine whether a sentence is illegal; rather, the rule only applies to a narrow category of cases in which the sentence imposes a penalty that is simply not authorized by law or where new evidence tends to show that the original sentence was excessive. *Clements*, 148 Idaho at 86, 218 P.3d at 1147.

The record supports the district court's finding that Jagers' sentence was not illegal. Therefore, the district court properly denied Jagers' motion. Accordingly, we conclude no abuse of discretion has been shown, and the district court's order denying Jagers' I.C.R. 35 motion is affirmed.