

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket Nos. 46799/46800/46801

STATE OF IDAHO,)
)
 Plaintiff-Respondent,) **Filed: November 4, 2019**
)
 v.) **Karel A. Lehrman, Clerk**
)
 JORDAN LAINE MARTZ,) **THIS IS AN UNPUBLISHED**
) **OPINION AND SHALL NOT**
) **BE CITED AS AUTHORITY**
 Defendant-Appellant.)
)
)

Appeal from the District Court of the First Judicial District, State of Idaho, Shoshone County. Hon. Scott Wayman, District Judge.

Orders denying I.C.R. 35 motions for reduction of sentences, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Andrea W. Reynolds, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Kenneth K. Jorgensen, Deputy Attorney General, Boise, for respondent.

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

PER CURIAM

In these consolidated appeals, Jordan Laine Martz pled guilty to three counts of rape (one count in each case). Idaho Code § 18-6101(2). The district court sentenced Martz to concurrent, unified sentence of twenty-five years with ten years determinate in each case. Martz filed Idaho Criminal Rule 35 motions for reduction of his sentences, which the district court denied. Martz appeals asserting that the district court abused its discretion by denying his Rule 35 motions.

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