

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 46996

STATE OF IDAHO, )  
 ) **Filed: April 14, 2020**  
 Plaintiff-Respondent, )  
 ) **Karel A. Lehrman, Clerk**  
 v. )  
 ) **THIS IS AN UNPUBLISHED**  
 CORDELL JASON LAMB, ) **OPINION AND SHALL NOT**  
 ) **BE CITED AS AUTHORITY**  
 Defendant-Appellant. )  
 )  
 )

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Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Jonathan Medema, District Judge.

Judgment of conviction and unified sentence of five years, with a minimum period of confinement of two years, for aggravated assault and being a persistent violator, 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.

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

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PER CURIAM

Cordell Jason Lamb was found guilty of aggravated assault. I.C. §§ 18-901(b) and 18-905(a). Thereafter, Lamb admitted to being a persistent violator. I.C. § 19-2514. The district

court sentenced Lamb to a unified term of five years, with a minimum period of confinement of two years. Lamb appeals, arguing that his sentence is excessive.<sup>1</sup>

Mindful that Lamb received the sentence he asked for, Lamb asserts that his sentence is excessive. 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).

Because Lamb received the sentence he requested, Lamb may not complain that the district court abused its discretion. Accordingly, Lamb's judgment of conviction and sentence for aggravated assault are affirmed.

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<sup>1</sup> In a consolidated case that was related to this case, Lamb pled guilty to misdemeanor driving under the influence and was sentenced to a concurrent term of ninety days. However, Lamb does not appeal from that judgment of conviction and sentence.