

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 48243

STATE OF IDAHO,)
) **Filed: June 15, 2021**
) **Plaintiff-Respondent,**)
) **Melanie Gagnepain, Clerk**
v.)
) **THIS IS AN UNPUBLISHED**
MANUEL JACUINDE,) **OPINION AND SHALL NOT**
) **BE CITED AS AUTHORITY**
) **Defendant-Appellant.**)
)
_____)

Appeal from the District Court of the Fifth Judicial District, State of Idaho, Cassia County. Hon. Michael P. Tribe, District Judge.

Judgment of conviction and unified sentence of five years, with a minimum period of confinement of two years, for grand theft, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Jason C. Pintler, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Jennifer Jensen, Deputy Attorney General, Boise, for respondent.

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

PER CURIAM

Manuel Jacuinde pled guilty to grand theft. I.C. § 18-2704(1)(b). The district court sentenced Jacuinde to a unified term of five years, with a minimum period of confinement of two years; retained jurisdiction; and ordered his sentence to run concurrent with an unrelated sentence. Jacuinde appeals, arguing that his sentence is excessive.

Mindful that Jacuinde received the sentence he asked for, Jacuinde asserts that his sentence is excessive. The doctrine of invited error applies to estop a party from asserting an error when his 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 Jacuinde received the sentence he requested, Jacuinde may not complain that the district court abused its discretion. Accordingly, Jacuinde's judgment of conviction and sentence are affirmed.