

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 48549

STATE OF IDAHO,)	
)	Filed: December 2, 2021
Plaintiff-Respondent,)	
)	Melanie Gagnepain, Clerk
v.)	
)	THIS IS AN UNPUBLISHED
TODD ALEXANDER HAMILTON,)	OPINION AND SHALL NOT
)	BE CITED AS AUTHORITY
Defendant-Appellant.)	
)	

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

Order denying of Idaho Criminal Rule 35 motion, affirmed.

Maya Legal, PLLC; Maya P. Waldron, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Mark W. Olson, Deputy Attorney General, Boise, for respondent.

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

PER CURIAM

Todd Alexander Hamilton pleaded guilty to grand theft, Idaho Code § 18-2403(1), -2407(1)(b), -2409, -204. The district court imposed a unified sentence of three years, with a minimum period of confinement of six months. Hamilton filed an Idaho Criminal Rule 35 motion requesting the district court to place him on probation and order 180 days of jail, which the district court denied. Hamilton 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 an I.C.R. 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 Hamilton's I.C.R. 35 motion, we conclude no abuse of discretion has been shown. Therefore, the district court's order denying Hamilton's I.C.R. 35 motion is affirmed.