

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 48836

STATE OF IDAHO,)
)
) **Filed: January 25, 2022**
)
) **Plaintiff-Respondent,**)
) **Melanie Gagnepain, Clerk**
)
) **v.**)
) **THIS IS AN UNPUBLISHED**
) **BILLY ANDREW MOORE,**) **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. Steven J. Hippler, District Judge.

Judgment of conviction and unified sentence of thirty years with fifteen years determinate for lewd conduct and a concurrent term of ten years determinate for sexual exploitation, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Emily M. Joyce, Deputy Appellate Public Defender, Boise, for appellant.

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

Before GRATTON, Judge; HUSKEY, Judge;
and BRAILSFORD, Judge

PER CURIAM

Billy Andrew Moore pled guilty to one count of lewd conduct with a minor under sixteen, Idaho Code § 18-1508; and one count of sexual exploitation of a child, I.C. § 18-1507(2)(c). In exchange for his guilty plea, additional charges were dismissed. The district court imposed a unified term of thirty years with fifteen years determinate for lewd conduct and a concurrent term of ten years determinate for sexual exploitation. Moore appeals, contending that his sentence is excessive.

Although Moore received the sentence he asked for, he asserts that the district court erred by imposing an excessive sentence. 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).

Therefore, because Moore received the sentence he requested, he may not complain that the district court abused its discretion. Accordingly, Moore's judgment of conviction and sentence are affirmed.