

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 48974

STATE OF IDAHO,)
)
 Plaintiff-Respondent,) **Filed: February 22, 2022**
)
 v.) **Melanie Gagnepain, Clerk**
) **THIS IS AN UNPUBLISHED**
 BRINTON SCOTT TAYLOR,) **OPINION AND SHALL NOT**
) **BE CITED AS AUTHORITY**
 Defendant-Appellant.)
)
)

Appeal from the District Court of the Third Judicial District, State of Idaho, Canyon County. Hon. Thomas W. Whitney, District Judge.

Order denying Idaho Criminal Rule 35 motion, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Elizabeth A. Allred, Deputy Appellate Public Defender, Boise, for appellant.

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

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

PER CURIAM

Brinton Scott Taylor pleaded guilty to sexual abuse of a child under sixteen years of age, Idaho Code § 18-1506. The district court imposed a unified sentence of nine years, with two years determinate. Taylor filed an Idaho Criminal Rule 35 motion, which the district court denied. Taylor 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 Taylor's I.C.R. 35 motion, we conclude no abuse of discretion has been shown. Therefore, the district court's order denying Taylor's I.C.R. 35 motion is affirmed.