

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 49022

STATE OF IDAHO,)
) Filed: April 28, 2022
 Plaintiff-Respondent,)
) Melanie Gagnepain, Clerk
 v.)
) THIS IS AN UNPUBLISHED
 BRYANT SCOTT STEWART,) OPINION AND SHALL NOT
) BE CITED AS AUTHORITY
 Defendant-Appellant.)
)
)

Appeal from the District Court of the First Judicial District, State of Idaho, Kootenai County. Hon. Scott Wayman, District Judge.

Appeal from judgment of conviction and 180-day sentence for misdemeanor domestic battery, dismissed.

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

PER CURIAM

Bryant Scott Stewart pled guilty to an amended charge of misdemeanor domestic battery. I.C. § 18-118. In exchange for his guilty plea, the State agreed not to file additional charges. Because Stewart had already served 190 days, the district court sentenced Stewart to 180 days and gave him credit for all of the time served. Stewart appeals, acknowledges that he received the sentence he requested and that his appeal is now moot, but continues to assert that his sentence is excessive.

A case becomes moot when the issues presented are no longer live or the defendant lacks a legally cognizable interest in the outcome. *Murphy v. Hunt*, 455 U.S. 478, 481 (1982); *Bradshaw v. State*, 120 Idaho 429, 432, 816 P.2d 986, 989 (1991). Even where a question is moot, there are three exceptions to the mootness doctrine: (1) when there is the possibility of collateral legal consequences imposed on the person raising the issue; (2) when the challenged conduct is likely to evade judicial review and thus is capable of repetition; and (3) when an otherwise moot issue raises concerns of substantial public interest. *State v. Barclay*, 149 Idaho 6, 8, 232 P.3d 327, 329 (2010). Stewart has not advanced an exception to the mootness doctrine and the only relief he has requested on appeal cannot be granted because Stewart has served his term. Therefore, any judicial relief from this Court would have no effect on either party. *See id.*

Accordingly, Stewart's appeal from his judgment of conviction and sentence is dismissed.