

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 49209

STATE OF IDAHO, )  
 ) Filed: September 23, 2022  
 Plaintiff-Respondent, )  
 ) Melanie Gagnepain, Clerk  
 v. )  
 ) THIS IS AN UNPUBLISHED  
 TYRELL TODD FISHER, ) OPINION AND SHALL NOT  
 ) BE CITED AS AUTHORITY  
 Defendant-Appellant. )  
 )  
 )

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Appeal from the District Court of the Seventh Judicial District, State of Idaho, Madison County. Hon. Steve W. Boyce, District Judge.

Judgment of conviction and unified sentence of four years, with a minimum period of confinement of two years, for introduction of major contraband into a correctional facility, 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.

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

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PER CURIAM

Tyrell Todd Fisher pled guilty to introduction of major contraband into a correctional facility. I.C. § 18-2510(3)(a). In exchange for his guilty plea, an additional charge was dismissed. In accord with the plea bargain and sentence recommendation of both parties, the district court sentenced Fisher to a unified term of four years, with a minimum period of confinement of two years, to run concurrently with other unrelated sentences. Fisher filed an I.C.R. 35 motion for reduction of his sentence, which was denied. Fisher appeals, arguing that his sentence is excessive.

Although Fisher received the sentence the parties recommended at the time of sentencing, he asserts that the district court erred in 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 Fisher received the sentence he requested, he may not complain that the district court abused its discretion. Accordingly, Fisher's judgment of conviction and sentence are affirmed.