

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 49362

STATE OF IDAHO,)
) Filed: August 31, 2022
 Plaintiff-Respondent,)
) Melanie Gagnepain, Clerk
 v.)
) THIS IS AN UNPUBLISHED
 JOHNATHAN MICHAEL BRYMAN,) 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.

Judgment of conviction and suspended, unified sentence of five years, with a minimum period of confinement of two and one-half years, for aggravated assault, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Jacob L. Westerfield, 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; HUSKEY, Judge;
and BRAILSFORD, Judge

PER CURIAM

Jonathan Michael Bryman entered an *Alford*¹ plea to aggravated assault. I.C. §§ 18-901 and 18-905. In exchange for his guilty plea, additional charges were dismissed. In accord with the parties' binding plea agreement, the district court sentenced Bryman to a unified term of five years, with a minimum period of confinement of two and one-half years. The district court retained

¹ See *North Carolina v. Alford*, 400 U.S. 25 (1970).

jurisdiction and sent Bryman to participate in the rider program. Following completion of his rider, the district court suspended the sentence and placed Bryman on probation. Bryman appeals, arguing that his sentence is excessive.²

Although Bryman received the sentence he asked for, 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 Bryman received the sentence he requested, he may not complain that the district court abused its discretion. Accordingly, his judgment of conviction and sentence are affirmed.

² Bryman also pled guilty to and was sentenced for obstructing and resisting an officer. However, he does not challenge this judgment of conviction and sentence on appeal.