

## SUMMARY STATEMENT

*State v. Blacker*

Docket No. 49994-2022

Joseph R. Blacker pled guilty to attempted rape, Idaho Code § 18-6101. During the sentencing hearing, the district court reviewed the victim impact statement; summarized Blacker's presentence investigation report (PSI) and both the adult and juvenile psychosexual evaluation (PSE); and considered the mitigating and aggravating factors. The district court sentenced Blacker to a unified term of fifteen years, with eleven years determinate.

Blacker appealed the sentence, arguing that the district court abused its discretion by finding Blacker to be an extraordinary high risk to reoffend, by failing to consider the option of a blended sentence, and by placing too much weight on the protection of society factor over other sentencing factors. Blacker also argues the district court erred by denying his Idaho Criminal Rule 35(b) motion.

The Court of Appeals held the district court's finding of an extraordinary high risk of re-offense is supported by the evidence and that the district court did not otherwise abuse its sentencing discretion. Further, the Court held that the district court did not abuse its discretion in denying Blacker's Rule 35 motion.

\*\*\*This summary constitutes no part of the opinion of the Court, but has been prepared by court staff for the convenience of the public.\*\*\*