

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 50163

STATE OF IDAHO,)
)
 Plaintiff-Respondent,) **Filed: July 27, 2023**
)
 v.) **Melanie Gagnepain, Clerk**
)
 ROBYN MARIE MILLER,) **THIS IS AN UNPUBLISHED**
) **OPINION AND SHALL NOT**
) **BE CITED AS AUTHORITY**
 Defendant-Appellant.)
)
)

Appeal from the District Court of the Seventh Judicial District, State of Idaho, Bingham County. Hon. Stevan H. Thompson, District Judge.

Judgment of conviction and suspended, unified sentence of four years, with a minimum period of confinement of one year, for possession of a controlled substance, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Jason C. Pintler, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Raúl R. Labrador, Attorney General; Kenneth K Jorgensen, Deputy Attorney General, Boise, for respondent.

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

PER CURIAM

Robyn Marie Miller was found guilty of possession of a controlled substance. I.C. § 37-2732(c)(1). As she requested, the district court sentenced Miller to a unified term of four years, with a minimum period of confinement of one year. However, the district court suspended the sentence and placed her on probation. Miller appeals, arguing that her sentence is excessive.

Although Miller received the sentence she asked for, she 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 Miller received the sentence she requested, she may not complain that the district court abused its discretion. Accordingly, Miller's judgment of conviction and sentence are affirmed.