

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 51252

STATE OF IDAHO, )  
 ) **Filed: June 3, 2024**  
 ) **Plaintiff-Respondent,** )  
 ) **Melanie Gagnepain, Clerk**  
v. )  
 ) **THIS IS AN UNPUBLISHED**  
AUTUMN MARIE HOPKINS, ) **OPINION AND SHALL NOT**  
 ) **BE CITED AS AUTHORITY**  
 ) **Defendant-Appellant.** )  
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Appeal from the District Court of the First Judicial District, State of Idaho, Kootenai County. Hon. John T. Mitchell, District Judge.

Order denying I.C.R. 35 motion for reduction of sentence, affirmed.

Erik R. Lehtinen, State Appellate Public Defender; Ben P. McGreevy, Deputy Appellate Public Defender, Boise, for appellant.

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

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Before HUSKEY, Judge; LORELLO, Judge;  
and TRIBE, Judge

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PER CURIAM

Autumn Marie Hopkins pled guilty to possession of a controlled substance. I.C. § 37-2732(c)(1). In exchange for her guilty plea, an additional charge was dismissed. The district court sentenced Hopkins to a unified term of seven years, with a minimum period of confinement of three years, but retained jurisdiction and sent Hopkins to participate in the rider program. Prior to completion of the rider, the district court relinquished jurisdiction. Hopkins filed an I.C.R. 35 motion, which the district court denied. “Mindful of the applicable authorities,” Hopkins appeals and argues that the district court erred in denying her Rule 35 motion.

A motion for reduction of sentence under Rule 35 is essentially a plea for leniency, addressed to the sound discretion of the court. *State v. Knighton*, 143 Idaho 318, 319, 144 P.3d 23, 24 (2006); *State v. Allbee*, 115 Idaho 845, 846, 771 P.2d 66, 67 (Ct. App. 1989). In presenting a Rule 35 motion, the defendant must show that the sentence is excessive in light of new or additional information subsequently provided to the district court in support of the motion. *State v. Huffman*, 144 Idaho 201, 203, 159 P.3d 838, 840 (2007). Upon review of the record, including any new information submitted with Hopkins's Rule 35 motion, we conclude no abuse of discretion has been shown. Therefore, the district court's order denying Hopkins's Rule 35 motion is affirmed.