

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 51660

STATE OF IDAHO, )  
 )  
 Plaintiff-Respondent, ) Filed: February 21, 2025  
 )  
 v. ) Melanie Gagnepain, Clerk  
 )  
 HEIDI DIANE ARCHULETA- ) THIS IS AN UNPUBLISHED  
 THOMAS, ) OPINION AND SHALL NOT  
 ) BE CITED AS AUTHORITY  
 )  
 Defendant-Appellant. )  
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 )

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Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Patrick J. Miller, District Judge.

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

Erik R. Lehtinen, State Appellate Public Defender; Devin E. Harris, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Raúl R. Labrador, Attorney General; Kale D. Gans, Deputy Attorney General, Boise, for respondent.

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

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PER CURIAM

Heidi Diane Archuleta-Thomas pled guilty to felony possession of a controlled substance. Idaho Code § 37-2732(c). In exchange for her guilty plea, additional charges were dismissed. The district court sentenced Archuleta-Thomas to a unified term of six years, with a minimum period of confinement of one and one-half years; however, the district court suspended the sentence and placed her on probation for a period of five years. Subsequently, Archuleta-Thomas admitted to violating the terms of probation, and the district court consequently revoked probation and ordered execution of the original sentence. Archuleta-Thomas filed an Idaho Criminal Rule 35 motion, which the district court denied. Archuleta-Thomas appeals claiming the district court erred in

determining that her Rule 35 motion was not supported by new or additional information and further abused its discretion in failing to reduce her sentence.<sup>1</sup>

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 or additional information submitted with Archuleta-Thomas's Rule 35 motion, we conclude no abuse of discretion has been shown. Therefore, the district court's order denying Archuleta-Thomas's Rule 35 motion is affirmed.

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<sup>1</sup> We need not address Archuleta-Thomas's claim that the district court erred in determining that she failed to submit new or additional information with her Rule 35 motion because, alternatively, the district court addressed the merits of the motion. In addition, Archuleta-Thomas's contention that the district court misperceived her argument on the merits of the motion is without merit.