

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 51714

STATE OF IDAHO,)	
)	Filed: May 1, 2025
Plaintiff-Respondent,)	
)	Melanie Gagnepain, Clerk
v.)	
)	THIS IS AN UNPUBLISHED
STANLEY CJ CARPENTER,)	OPINION AND SHALL NOT
)	BE CITED AS AUTHORITY
Defendant-Appellant.)	
)	

Appeal from the District Court of the Sixth Judicial District, State of Idaho, Franklin County. Hon. Cody L. Brower, District Judge.

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

Erik R. Lehtinen, State Appellate Public Defender; Kiley A. Heffner, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Raúl R. Labrador, Attorney General; Kacey L. Jones, Deputy Attorney General, Boise, for respondent.

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

PER CURIAM

Stanley CJ Carpenter pled guilty to two counts of felony possession of a controlled substance. Idaho Code § 37-2732(c)(1). The district court sentenced Carpenter to concurrent, unified terms of six years, with minimum periods of confinement of three years; however, the district court suspended the sentences and placed Carpenter on a period of probation for five years. Subsequently, Carpenter admitted to violating the terms of probation; the district court revoked probation, executed the previously suspended sentences, and retained jurisdiction. In September 2023, the district court received a letter from the Idaho Department of Correction recommending the district court relinquish jurisdiction. After a review hearing, the district court relinquished

jurisdiction. Carpenter subsequently filed an Idaho Criminal Rule 35 motion, which the district court denied. Carpenter appeals.

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).

Mindful of *State v. Flores*, 162 Idaho 298, 301-02, 396 P.3d 1180, 1183-84 (2017), Carpenter asserts that the district court abused its discretion by denying his Rule 35 motion. The Idaho Supreme Court in *Flores* explained that a Rule 35 operates narrowly “to permit the correction, modification, or reduction of criminal sentences in certain instances.” *Flores*, 162 Idaho at 301, 396 P.3d at 1183. Carpenter’s request for jurisdiction to be reinstated does not constitute a correction, modification, or reduction of a criminal sentence under Rule 35 and thus cannot be heard pursuant to a Rule 35. Therefore, the district court’s order denying Carpenter’s Rule 35 motion is affirmed.