

SUMMARY STATEMENT
State of Idaho v. George Maxwell Kiefer
Docket No. 51850

In this case arising out of Ada County, the Court of Appeals affirmed George Maxwell Kiefer's judgment of conviction and sentence for aggravated battery, as well as the district court's order denying Kiefer's I.C.R. 35 motion. Kiefer pled guilty to aggravated battery. In exchange for his plea, an additional charge was dismissed. The district court sentenced Kiefer to a unified term of seven years, with a minimum period of confinement of two years, to be served consecutively to an unrelated sentence. Kiefer filed a Rule 35 motion requesting a reduction of his sentence. Kiefer supported his Rule 35 motion with documents detailing his mental health diagnoses and treatment plans, along with multiple letters in which he set forth his version of events and expressed remorse. The district court denied the motion.

On appeal, Kiefer argued his sentence is excessive in light of his mental health. According to Kiefer, the record revealed that the district court abused its sentencing discretion by failing to adequately consider his mental health diagnoses. The Court disagreed and held that the district court expressly acknowledged Kiefer's mental health as well as other mitigating and aggravating factors when it imposed his sentence. Because the record shows the district court considered the evidence before it, the Court declined to reweigh the evidence. Kiefer further contended that the district court erred in denying his Rule 35 motion because it did not explicitly discuss the mental health records he submitted in support of his motion. The Court was unpersuaded and held that the district court did not abuse its discretion in concluding that other factors, including Kiefer's criminal history and the severity of the aggravated battery, warranted imposition of his sentence.

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