

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 51863

STATE OF IDAHO,)	
)	Filed: May 27, 2025
Plaintiff-Respondent,)	
)	Melanie Gagnepain, Clerk
v.)	
)	THIS IS AN UNPUBLISHED
WILLIAM JASPER ALLEN,)	OPINION AND SHALL NOT
)	BE CITED AS AUTHORITY
Defendant-Appellant.)	
_____)	

Appeal from the District Court of the Second Judicial District, State of Idaho, Nez Perce County. Hon. Mark Monson, District Judge.

Appeal from judgment of conviction and unified sentence of four years, with a minimum period of confinement of two years, for possession of a controlled substance, dismissed.

Erik R. Lehtinen, State Appellate Public Defender; Sally J. Cooley, Deputy Appellate Public Defender, Boise, for appellant.

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

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

PER CURIAM

William Jasper Allen pled guilty to possession of a controlled substance. Idaho Code § 37-2732(c)(1). In exchange for his guilty plea, additional charges were dismissed. At sentencing, Allen requested the district court suspend his sentence and place him on probation. The district court sentenced Allen to a unified term of four years, with a minimum period of confinement of two years, but retained jurisdiction and sent Allen to participate in the rider program. Allen appeals, arguing that his sentence is excessive because the district court should have placed him on probation. During the pendency of this appeal, the district court suspended Allen's sentence and placed him on probation following the period of retained jurisdiction.

A case becomes moot when the issues presented are no longer live or the defendant lacks a legally cognizable interest in the outcome. *Murphy v. Hunt*, 455 U.S. 478, 481 (1982); *Bradshaw v. State*, 120 Idaho 429, 432, 816 P.2d 986, 989 (1991). Even where a question is moot, there are three exceptions to the mootness doctrine: (1) when there is the possibility of collateral legal consequences imposed on the person raising the issue; (2) when the challenged conduct is likely to evade judicial review and thus is capable of repetition; and (3) when an otherwise moot issue raises concerns of substantial public interest. *State v. Barclay*, 149 Idaho 6, 8, 232 P.3d 327, 329 (2010). The only relief Allen has requested on appeal cannot be granted because he has served his term, and he has not identified an exception to the mootness doctrine that would otherwise make his claim of error justiciable. As such, any judicial relief from this Court would have no effect on either party. *See id.* Accordingly, Allen's appeal from his judgment of conviction and sentence is dismissed.