

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 52084

STATE OF IDAHO,	)	
	)	Filed: October 24, 2025
Plaintiff-Respondent,	)	
	)	Melanie Gagnepain, Clerk
v.	)	
	)	THIS IS AN UNPUBLISHED
JEFFREY SCOTT NALLY,	)	OPINION AND SHALL NOT
	)	BE CITED AS AUTHORITY
Defendant-Appellant.	)	

Appeal from the District Court of the First Judicial District, State of Idaho, Kootenai County. Hon. Barry W. McHugh, District Judge.

Order denying Idaho Criminal Rule 35 motion, affirmed.

Erik R. Lehtinen, State Appellate Public Defender; Stacey M. Donohue, 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

Jeffrey Scott Nally pleaded guilty to unlawful possession of a firearm, Idaho Code § 18-3316 (Count I), and entered an *Alford*¹ plea to unlawful discharge of a firearm at an occupied vehicle, I.C. § 18-3317 (Count II). In exchange for his guilty pleas, additional charges were dismissed. The district court imposed a unified sentence of five years, with a minimum period of incarceration of four years, for Count I and a unified sentence of eight years, with a minimum period of incarceration of four years, for Count II. The district court ordered the sentences to run

¹ See *North Carolina v. Alford*, 400 U.S. 25 (1970).

concurrently. Nally filed an Idaho Criminal Rule 35 motion, which the district court denied. Nally appeals.

A motion for reduction of sentence under I.C.R. 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 an I.C.R. 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 Nally's I.C.R. 35 motion, we conclude no abuse of discretion has been shown. Therefore, the district court's order denying Nally's I.C.R. 35 motion is affirmed.