

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 52303

STATE OF IDAHO,)	
)	Filed: January 6, 2026
Plaintiff-Respondent,)	
)	Melanie Gagnepain, Clerk
v.)	
)	THIS IS AN UNPUBLISHED
AARON JAMES CARLEY,)	OPINION AND SHALL NOT
)	BE CITED AS AUTHORITY
Defendant-Appellant.)	
)	

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

Order revoking probation and directing execution of underlying sentence, affirmed; order denying Idaho Criminal Rule 35 motion, affirmed.

Erik R. Lehtinen, State Appellate Public Defender; Justin M. Curtis, Deputy Appellate Public Defender, Boise, for appellant.

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

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

PER CURIAM

Aaron James Carley was found guilty of felony possession of a controlled substance, methamphetamine, Idaho Code § 37-2732(c), and possession of drug paraphernalia, I.C. § 37-2734A. The district court imposed a unified sentence of four years, with a minimum period of incarceration of one year,¹ suspended the sentence, and placed Carley on probation. Subsequently, Carley admitted to violating terms of the probation, and the district court consequently revoked

¹ For the possession of drug paraphernalia charge, the district court sentenced Carley to 104 days county jail with credit for time served of 104 days. Carley does not challenge this sentence on appeal.

probation and retained jurisdiction. Following a period of retained jurisdiction, the district court suspended the sentence and placed Carley back onto probation. Carley again admitted to violating terms of the probation and at the disposition hearing, requested the district court revoke his probation and execute the underlying sentence but reduce the indeterminate portion of the sentence by one year pursuant to Idaho Criminal Rule 35. The district court revoked Carley's probation, denied his I.C.R. 35 motion, and ordered execution of the original sentence. On appeal, Carley does not challenge the district court's decision to revoke probation, but argues only that the district court abused its discretion when it denied his I.C.R. 35 motion and failed to reduce the indeterminate portion of his underlying sentence.

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 Carley's I.C.R. 35 motion, we conclude no abuse of discretion has been shown.

Therefore, the district court's order revoking probation and directing execution of Carley's previously suspended sentence and denial of Carley's I.C.R. 35 motion are affirmed.