

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 52477

STATE OF IDAHO,	)
	) Filed: October 20, 2025
Plaintiff-Respondent,	)
	) Melanie Gagnepain, Clerk
v.	)
	) THIS IS AN UNPUBLISHED
DONYA LANAY TANNER,	) 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. Joseph W. Borton, District Judge.

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

Erik R. Lehtinen, State Appellate Public Defender; Jacob L. Westerfield, Deputy Appellate Public Defender, Boise, for appellant.

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

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

PER CURIAM

Donya Lanay Tanner pled guilty to possession of a controlled substance. I.C. § 37-2732(c). In exchange for her guilty plea, additional charges were dismissed and the State agreed not to pursue an allegation that Tanner is a persistent violator. The district court sentenced Tanner to a unified term of seven years, with a minimum period of confinement of one year. Tanner filed an I.C.R. 35 motion, which the district court denied. Mindful that she did not provide any new or additional information in support of her motion, Tanner appeals and argues that the district court erred in denying her Rule 35 motion.

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). Upon review of the record, we conclude no abuse of discretion has been shown. Therefore, the district court's order denying Tanner's Rule 35 motion is affirmed.