

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 52591

STATE OF IDAHO, )  
 )  
 Plaintiff-Respondent, )  
 )  
 v. )  
 )  
 JOEL CRAIG LORANGER, )  
 )  
 Defendant-Appellant. )  
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 )

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Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Cynthia Yee-Wallace, District Judge.

Order denying (in part) Idaho Criminal Rule 35 motion, affirmed.

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

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

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

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PER CURIAM

Joel Craig Loranger was found guilty of felony driving under the influence (Idaho Code §§ 18-8004, -8005(6)). The district court sentenced Loranger to a unified term of ten years, with a minimum period of confinement of five years, but suspended the sentence and placed Loranger on probation. The district court also suspended Loranger’s driving privileges for three years, with one year absolute.

Subsequently, Loranger admitted to violating the terms of the probation, and the district court revoked and reinstated Loranger on probation. The district court suspended Loranger’s driving privileges for three years, with one year absolute, beginning December 5, 2024 (the date of the entry of the order revoking and reinstating probation). Loranger filed an Idaho Criminal

Rule 35 motion requesting the removal of the “period of absolute suspension contained” in the special conditions of his probation. After a hearing on the motion, the district court denied Loranger’s request to remove the three-year driver’s license suspension and for a restricted driver’s license. However, the district court amended the order revoking and reinstating probation so the three-year license suspension recommenced on October 24, 2023 (Loranger’s sentencing date). Loranger appeals, arguing the district court abused its discretion in denying his motion (in part) by not removing the absolute driving suspension and/or by not granting him restricted driving privileges.

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, including any new or additional information submitted with Loranger’s Rule 35 motion, we conclude no abuse of discretion has been shown. Therefore, the district court’s order denying (in part) Loranger’s Rule 35 motion is affirmed.