

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 52883

STATE OF IDAHO, )  
 ) **Filed: March 27, 2026**  
 ) **Plaintiff-Respondent,** )  
 ) **Melanie Gagnepain, Clerk**  
 v. )  
 ) **THIS IS AN UNPUBLISHED**  
 ) **JUNE MARIE SPENCER,** ) **OPINION AND SHALL NOT**  
 ) **BE CITED AS AUTHORITY**  
 ) **Defendant-Appellant.** )  
 )

---

Appeal from the District Court of the Third Judicial District, State of Idaho, Payette County. Hon. Kiley Stuchlik, District Judge.

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

Erik R. Lehtinen, State Appellate Public Defender; Abigael E. Schulz, 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

June Marie Spencer pled guilty to possession of a controlled substance. I.C. § 37-2732(c)(1). The district court sentenced Spencer to a unified term of four years, with a minimum period of confinement of one year. The district court suspended Spencer’s sentence and placed her on probation. Thereafter, Spencer violated the terms of her probation. The district court revoked Spencer’s probation and ordered execution of her original sentence. At the disposition hearing, the parties agreed that pursuant to I.C.R. 35, Spencer’s sentence should be reduced to an indeterminate term of three years. The district court granted the parties’ request and reduced Spencer’s sentence to an indeterminate term of three years. Spencer then filed an I.C.R. 35 motion

for reduction of her sentence, which the district court denied. Mindful that Spencer did not submit any additional information in support of her motion, she 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). Spencer acknowledges she did not satisfy this standard. Therefore, the district court's order denying Spencer's Rule 35 motion is affirmed.