

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket Nos. 43038 & 43039

STATE OF IDAHO,)	2015 Unpublished Opinion No. 776
)	
Plaintiff-Respondent,)	Filed: December 30, 2015
)	
v.)	Stephen W. Kenyon, Clerk
)	
BRIAN WILLIAM PLANT, JR.,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Jason D. Scott, District Judge.

Orders denying I.C.R. 35 motions for reduction of sentences, affirmed.

Sara B. Thomas, State Appellate Public Defender; Reed P. Anderson, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before MELANSON, Chief Judge; GUTIERREZ, Judge;
and HUSKEY, Judge

PER CURIAM

In these consolidated cases, Brian William Plant, Jr. pled guilty to one count of sexual exploitation of a child, I.C. § 18-1507(2(a), and one count of sexual battery of a minor child, I.C. § 18-1508A. In exchange for his guilty pleas, additional charges were dismissed. The district court sentenced Plant to a unified term of ten years, with a minimum period of confinement of four years, for sexual exploitation of a child and a concurrent unified term of twenty years, with a minimum period of confinement of four years, for sexual battery of a minor child. Plant filed I.C.R 35 motions for reduction of his sentences, which the district court denied. Plant 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 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 information submitted with Plant's Rule 35 motions, we conclude no abuse of discretion has been shown. Therefore, the district court's orders denying Plant's Rule 35 motions are affirmed.