

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 37784

STATE OF IDAHO,)	2011 Unpublished Opinion No. 429
)	
Plaintiff-Respondent,)	Filed: April 7, 2011
)	
v.)	Stephen W. Kenyon, Clerk
)	
ASHLEY JO BEACH,)	THIS IS AN UNPUBLISHED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. Ronald J. Wilper, District Judge.

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

Molly J. Huskey, State Appellate Public Defender; Jordan E. Taylor, Deputy Appellate Public Defender, Boise, for appellant.

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

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

PER CURIAM

Ashley Jo Beach pled guilty to lewd conduct with a minor under sixteen. Idaho Code § 18-1508. The district court sentenced Beach to a unified term of twenty years with four years determinate. Beach filed an Idaho Criminal Rule 35 motion, which the district court denied. Beach 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 the new information submitted with Beach's Rule 35 motion, we conclude no abuse of discretion has been shown. Therefore, the district court's order denying Beach's Rule 35 motion is affirmed.