



I.C.R. 35. Correction or Reduction of Sentence

Idaho Criminal Rule 35. Correcting or Reducing a Sentence

(a) Illegal Sentences. The court may correct a sentence that is illegal from the face of the record at any time.

(b) Sentences Imposed in an Illegal Manner or Reduction of Sentence. Within 120 days of the entry of the judgment imposing sentence or order releasing retained jurisdiction, a motion may be filed to correct a sentence that has been imposed in an illegal manner or to reduce a sentence and the court may correct or reduce the sentence. The court may also reduce a sentence on revocation of probation or on motion made within 14 days after the filing of the order revoking probation. Motions are considered and determined by the court without additional testimony and without oral argument, unless otherwise ordered. A defendant may only file one motion seeking a reduction of sentence.

(c) Credit for Time Served. A motion to correct a court's computation of credit for time served, granted pursuant to Idaho Code § 18-309 or 19-2603, may be made at any time.

(Adopted February 22, 2017, effective July 1, 2017; amended May 14, 2019, effective July 1, 2019.)

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