

**BOISE, WEDNESDAY, MAY 6, 2026, AT 10:00 A.M.**

**IN THE SUPREME COURT OF THE STATE OF IDAHO**

<b>STATE OF IDAHO,</b>	)	
	)	
<b>Plaintiff-Respondent,</b>	)	<b>Docket No. 53449</b>
	)	
<b>v.</b>	)	
	)	
<b>CHARLES DAVIS MOONEY, JR.,</b>	)	
	)	
<b>Defendant-Appellant.</b>	)	
	)	

---

Appeal from the District Court of the Third Judicial District of the State of Idaho, Canyon County. Thomas W. Whitney, District Judge.

Erik R. Lehtinen, State Appellate Public Defender, Boise, for Appellant.

Raúl R. Labrador, Idaho Attorney General, Boise, for Respondent.

---

Charles Davis Mooney, Jr., appeals from a superseding judgment of conviction entered upon his convictions for six counts of aggravated assault, four counts of felony injury to child, and one count of driving under the influence. The district court held a sentencing hearing, at which it orally pronounced a unified sentence of three years, with one and a half years determinate, less credit for all time served on each aggravated assault count. It also orally pronounced a unified sentence of two years, with one year determined, less credit for time served on each injury to child count. The aggravated assault sentences were to run consecutively with one another, and the injury to child sentences were to run concurrently with each other and the aggravated assault sentences. The district court stated that “the net of that, the overall, is that the fixed period of confinement will be [nine] years in prison. So you will not be parole eligible for [nine] years. And you will receive credit for all time served. So in this case that is 477 days.” Following the sentencing hearing, the district court entered a written judgment of conviction sentencing Mooney and granting him 477 days of time served on each individual count.

The State filed a motion to clarify the sentences, arguing that a comparison of the oral pronouncement of sentence and the written judgment of conviction revealed a difference concerning how much credit Mooney would receive for time served. As a result, the aggregate fixed portion of the sentences imposed in the written judgment of conviction did not match the aggregate fixed portion of the sentences that the district court intended to impose during the sentencing hearing. Mooney objected to the court making any adjustments or changes to the written judgment of conviction. He argued that there was no mechanism or authority for the district court to amend the judgment of conviction after it had been entered.

The district court issued a written order granting the State's motion for clarification. It found that an ambiguity existed between the oral pronouncement of the sentence and the written judgment of conviction. Thus, it rescinded the original judgment of conviction and entered a superseding judgment, increasing the individual aggravated assault sentences so that the net aggregate sentence matched what was stated at the sentencing hearing. Mooney appeals. He argues that the district court lacked jurisdiction or legal authority to change the original judgment of conviction after it was issued.