

SUPREME COURT OF THE STATE OF UTAH

State v. Featherston

2026 UT 13 · No. No. 20240050 · Decided May 7, 2026

SUMMARY

The Utah Supreme Court holds that Utah's general savings statute and related precedent prevent a defendant from receiving the benefit of an ameliorative sentencing amendment enacted after sentencing, even while a direct appeal remains pending. The court declines to adopt the common law amelioration doctrine and affirms James Paul Featherston's sentence for aggravated kidnapping.

CASE DETAILS

COURT	Supreme Court of the State of Utah
WRITING FOR THE COURT	Justice Petersen; Chief Justice Durrant; Justice Hagen; Associate Chief Justice Pohlman; Judge Mabey
JURISDICTION	Utah Supreme Court
DECIDED	May 7, 2026
DOCKET	No. 20240050
DISPOSITION	affirmed
PROCEDURAL POSTURE	Direct appeal from the denial of a Utah Rule of Criminal Procedure 22(e) motion seeking resentencing under a later statutory amendment reducing the penalty for aggravated kidnapping.
STANDARD OF REVIEW	The denial of a Rule 22(e) motion is reviewed for correctness, with no deference to the district court. A lower court's interpretation of binding case law is also reviewed for correctness.
PRECEDENTIAL VALUE	Published precedential opinion
PARTIES	James Paul Featherston v. State of Utah

TOPICS

- sentencing
- statutory interpretation
- criminal procedure
- appellate procedure
- rule of lenity

PRACTICE AREAS

- criminal law
- criminal procedure
- sentencing
- statutory interpretation
- appellate procedure

QUESTIONS PRESENTED

1. Whether Utah should adopt the common-law amelioration doctrine so that a defendant receives the benefit of a statutory penalty reduction enacted while the defendant's direct appeal is pending.
2. Whether Utah's general savings statute preserves a criminal penalty incurred at sentencing and therefore forecloses resentencing under a later ameliorative amendment.
3. Whether the court should overrule its precedent holding that ameliorative sentencing amendments apply if enacted before sentencing but not after sentencing.
4. Whether the rule of lenity required resentencing in the absence of an identified statutory ambiguity.

HOLDINGS

1. Utah's common-law amelioration doctrine cannot be adopted to the extent it would require resentencing after an ameliorative amendment enacted after sentencing, because it conflicts with Utah's general savings statute.
2. Under Utah precedent, a criminal penalty is incurred at sentencing, so a later ameliorative amendment does not affect the sentence already imposed.
3. The court declined to overrule its precedent because Featherston did not challenge the statutory interpretation underlying that precedent or offer an alternative reading, and the precedent was persuasive and well entrenched.
4. The rule of lenity does not require resentencing because Featherston identified no ambiguity in the applicable statute.

KEY QUOTATIONS

“no penalty is incurred until the defendant is convicted, judgment entered and sentence imposed.” (§ 27)

“Under Utah law, the general savings statute and our precedent interpreting it provide that a criminal penalty is incurred at sentencing and is preserved regardless of later ameliorative amendments.” (§ 42)

FACTUAL BACKGROUND

Featherston pleaded guilty to aggravated kidnapping based on unlawful detention and received a sentence of fifteen years to life. At the time of his resentencing, the offense was classified as a first-degree felony. While his appeal was pending, the legislature amended the statute to reduce the offense classification to a third-degree felony. Featherston sought resentencing under the reduced penalty, but the district court denied the motion.

PROCEDURAL HISTORY

Featherston pleaded guilty to aggravated kidnapping based on unlawful detention and was sentenced to fifteen years to life when the offense was classified as a first-degree felony. The court of appeals previously remanded for resentencing after the State conceded that it had breached the plea agreement during sentencing; the district court again imposed the same sentence. While Featherston's subsequent appeal was pending, the legislature reduced the offense to a third-degree felony. After the court of appeals affirmed, Featherston moved for resentencing under Rule 22(e), but the district court denied relief. The Utah Supreme Court affirmed.

DISPOSITION

affirmed

CASES CITED

- State v. Houston, 2015 UT 40, 353 P.3d 55
- State v. Labrum, 2025 UT 12, 568 P.3d 1075
- State v. Tapp, 490 P.2d 334 (Utah 1971)
- Beard v. Banks, 542 U.S. 406 (2004)
- State v. Guard, 2015 UT 96, 371 P.3d 1
- State v. Cooke, 2025 UT 6, 567 P.3d 541
- People v. Shultz, 460 N.W.2d 505 (Mich. 1990)
- State v. Miller, 464 P.2d 844 (Utah 1970)
- Belt v. Turner, 483 P.2d 425 (Utah 1971)
- Rutherford v. Talisker Canyons Fin. Co., 2019 UT 27, 445 P.3d 474
- State v. Saxton, 519 P.2d 1340 (Utah 1974)
- State v. Atkinson, 532 P.2d 215 (Utah 1975)
- Robbins v. Cook, 734 P.2d 415 (Utah 1986)
- State v. Losee, 2012 UT App 213, 283 P.3d 1055
- State v. Rasabout, 2015 UT 72, 356 P.3d 1258
- Eldridge v. Johndrow, 2015 UT 21, 345 P.3d 553

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