

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 40835

STATE OF IDAHO,)	2013 Unpublished Opinion No. 756
)	
Plaintiff-Respondent,)	Filed: November 20, 2013
)	
v.)	Stephen W. Kenyon, Clerk
)	
ALEJANDRO AGUILAR-PENALOZA,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Seventh Judicial District, State of Idaho, Bonneville County. Hon. Joel E. Tingey, District Judge.

Judgment of conviction and sentence of four years indeterminate for felony driving under the influence, affirmed.

Sara B. Thomas, State Appellate Public Defender; Erik R. Lehtinen, Chief, Appellate Unit, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Kenneth K. Jorgensen, Deputy Attorney General, Boise, for respondent.

Before LANSING, Judge; GRATTON, Judge;
and MELANSON, Judge

PER CURIAM

Alejandro Aguilar-Penalozapled guilty to felony driving under the influence. Idaho Code §§ 18-8004, 18-8005(9), and 18-8008. The district court sentenced Aguilar-Penalozato an indeterminate term of four years. Aguilar-Penalozappeals asserting that the district court abused its discretion by imposing an excessive sentence.

Sentencing is a matter for the trial court’s discretion. Both our standard of review and the factors to be considered in evaluating the reasonableness of the sentence are well established and need not be repeated here. See *State v. Hernandez*, 121 Idaho 114, 117-18, 822 P.2d 1011, 1014-15 (Ct. App. 1991); *State v. Lopez*, 106 Idaho 447, 449-51, 680 P.2d 869, 871-73 (Ct. App. 1984); *State v. Toohill*, 103 Idaho 565, 568, 650 P.2d 707, 710 (Ct. App. 1982). When reviewing

the length of a sentence, we consider the defendant's entire sentence. *State v. Oliver*, 144 Idaho 722, 726, 170 P.3d 387, 391 (2007). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Aguilar-Penalzoza's judgment of conviction and sentence are affirmed.