

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 41767

STATE OF IDAHO,)	2014 Unpublished Opinion No. 682
)	
Plaintiff-Respondent,)	Filed: August 20, 2014
)	
v.)	Stephen W. Kenyon, Clerk
)	
HEATH LANNY LAKE,)	THIS IS AN UNPUBLISHED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. Melissa Moody, District Judge.

Judgment of conviction and unified sentence of seven years, with a minimum period of confinement of six years, for possession of a controlled substance, affirmed.

Sara B. Thomas, State Appellate Public Defender; Reed P. Anderson, Deputy Appellate Public Defender, Boise, for appellant.

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

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

PER CURIAM

Heath Lanny Lake was charged with two counts of possession of a controlled substance with intent to deliver and one misdemeanor count of possession of drug paraphernalia. Pursuant to a plea agreement, he pleaded guilty to one count of possession of a controlled substance, Idaho Code § 37-2732(c), and the other charges were dismissed. The district court sentenced Lake to a unified term of seven years with a minimum period of confinement of six years. Lake appeals, contending that his sentence is excessive.

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, Lake's judgment of conviction and sentence are affirmed.