

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 42502

STATE OF IDAHO,) 2015 Unpublished Opinion No. 441
)
Plaintiff-Respondent,) Filed: March 27, 2015
)
v.) Stephen W. Kenyon, Clerk
)
DAVID WILLIAM FISCHER,) THIS IS AN UNPUBLISHED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. Richard D. Greenwood, District Judge.

Judgment of conviction and unified sentence of five years, with a minimum period of confinement of six months, for aggravated battery, affirmed.

Sara B. Thomas, State Appellate Public Defender; Jason C. Pintler, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

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

PER CURIAM

David William Fischer pled guilty to an amended charge of aggravated battery. I.C. §§ 18-903(a), 18-907(a). In exchange for his guilty plea, an additional charge that he was a persistent violator was dismissed. The district court sentenced Fischer to a unified term of five years, with a minimum period of confinement of six months, to run concurrent with an unrelated federal sentence. Fischer appeals.

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