

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 43012

STATE OF IDAHO,) 2015 Unpublished Opinion No. 613
)
Plaintiff-Respondent,) Filed: September 2, 2015
)
v.) Stephen W. Kenyon, Clerk
)
JASON CHRISTOPHER KEARNS,) THIS IS AN UNPUBLISHED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 one year determinate for trafficking in marijuana, affirmed.

Sara B. Thomas, State Appellate Public Defender; Erik R. Lehtinen, 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; GUTIERREZ, Judge;
and GRATTON, Judge

PER CURIAM

Jason Christopher Kearns pled guilty to trafficking in marijuana. Idaho Code §§ 37-2732B(a)(1), 18-204. The district court sentenced Kearns to a unified term of five years with one year determinate. Kearns appeals asserting that the district court abused its discretion by imposing an excessive indeterminate portion of his 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, Kearns's judgment of conviction and sentence are affirmed.