## IN THE COURT OF APPEALS OF THE STATE OF IDAHO

## Docket No. 43972

STATE OF IDAHO,	) 2016 Unpublished Opinion No. 683	
Plaintiff-Respondent,	) Filed: September 14, 2016	
v.	) Stephen W. Kenyon, Clerk	
BRIAN RAY MC CLURE,	) ) THIS IS AN UNPUBLISHED ) OPINION AND SHALL NOT	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. Deborah A. Bail, District Judge.

Judgment of conviction and unified sentence of five years, with a minimum period of confinement of two years, for a charge of battery on a correctional officer, and a unified five-year indeterminate sentence, for a second charge of battery on a correctional officer, affirmed.

Eric D. Fredericksen, Interim State Appellate Public Defender; Brian R. Dickson, Deputy Appellate Public Defender, Boise, for appellant.

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

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

## PER CURIAM

Brian Ray McClure pleaded guilty to two counts of battery on a correctional officer, Idaho Code §§ 18-915(2), 18-903. The district court imposed a unified five-year sentence, with two years determinate, and an indeterminate five-year sentence, with the sentences to run consecutively. McClure appeals, contending that his sentences are 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, McClure's judgment of conviction and sentences are affirmed.