

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 38594

STATE OF IDAHO,	)	2012 Unpublished Opinion No. 355
	)	
Plaintiff-Respondent,	)	Filed: February 6, 2012
	)	
v.	)	Stephen W. Kenyon, Clerk
	)	
ARNOLDO BELTRAN,	)	THIS IS AN UNPUBLISHED
	)	OPINION AND SHALL NOT
Defendant-Appellant.	)	BE CITED AS AUTHORITY
	)	

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Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Patrick H. Owen, District Judge.

Judgment of conviction and unified sentence of ten years, with a minimum period of confinement of five years, for felony driving under the influence of alcohol, affirmed.

Sara B. Thomas, State Appellate Public Defender; Shawn F. Wilkerson, 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 GRATTON, Chief Judge; LANSING, Judge;  
and GUTIERREZ, Judge

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PER CURIAM

Arnoldo Beltran was convicted of felony driving under the influence of alcohol, Idaho Code §§ 18-8004, 18-8005(9). The district court sentenced Beltran to a unified term of ten years, with a minimum period of confinement of five years. Beltran filed an Idaho Criminal Rule 35 motion for reduction of sentence which was denied. Beltran 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, Beltran's judgment of conviction and sentence are affirmed.