

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 37968

STATE OF IDAHO,)	2011 Unpublished Opinion No. 549
)	
Plaintiff-Respondent,)	Filed: July 18, 2011
)	
v.)	Stephen W. Kenyon, Clerk
)	
JAMES H. BERNER,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Second Judicial District, State of Idaho, Idaho County. Hon. John H. Bradbury, District Judge.

Judgment of conviction and unified sentence of ten years, with a minimum period of confinement of nine years, for felony domestic battery, affirmed.

Molly J. Huskey, State Appellate Public Defender; Diane M. Walker, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Jessica M. Lorello, Deputy Attorney General, Boise, for respondent.

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

PER CURIAM

James H. Berner was found guilty of felony domestic battery. Idaho Code §§ 18-903, 18-918(2)(a). The district court sentenced Berner to a unified term of ten years, with a minimum period of confinement of nine years. Berner appeals.

Sentencing is a matter for the district 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, Berner's judgment of conviction and sentence are affirmed.