

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 38597

STATE OF IDAHO,)	2011 Unpublished Opinion No. 701
)	
Plaintiff-Respondent,)	Filed: November 15, 2011
)	
v.)	Stephen W. Kenyon, Clerk
)	
NATHAN NICHOLAS HELBURN,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Seventh Judicial District, State of Idaho, Bonneville County. Hon. Joel E. Tingey, District Judge.

Judgment of conviction and unified life sentence, with a minimum period of confinement of ten years, for second degree murder, affirmed.

Molly J. Huskey, 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.

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

PER CURIAM

Nathan Nicholas Helburn was convicted of second degree murder, Idaho Code §§ 18-4001; 18-4002; 18-4003. The district court sentenced Helburn to a unified life sentence, with a minimum period of confinement of ten years. Helburn 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, Helburn's judgment of conviction and sentence are affirmed.