

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 38637

STATE OF IDAHO,)	2011 Unpublished Opinion No. 762
)	
Plaintiff-Respondent,)	Filed: December 30, 2011
)	
v.)	Stephen W. Kenyon, Clerk
)	
JOSE RAMON HERNANDEZ-GARCIA,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fifth Judicial District, State of Idaho, Jerome County. Hon. John K. Butler, District Judge.

Judgment of conviction and suspended unified sentence of four years, with a minimum period of confinement of one year, for battery on a police officer, affirmed.

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

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

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

PER CURIAM

Jose Ramon Hernandez-Garcia was found guilty of battery on a police officer. I.C. § 18-915(3), 18-903(a), (c). The district court sentenced Hernandez-Garcia to a unified term of four years, with a minimum period of confinement of one year. The district court retained jurisdiction and, after Hernandez-Garcia successfully completed his rider, suspended the sentence and placed Hernandez-Garcia on probation. Hernandez-Garcia appeals.

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, Hernandez-Garcia's judgment of conviction and sentence are affirmed.