

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 37527

STATE OF IDAHO,)	2011 Unpublished Opinion No. 449
)	
Plaintiff-Respondent,)	Filed: April 22, 2011
)	
v.)	Stephen W. Kenyon, Clerk
)	
DUSTYN GONZALO LOPEZ,)	THIS IS AN UNPUBLISHED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. Michael R. McLaughlin, District Judge.

Judgment of conviction and suspended unified sentence of five years, with a minimum period of confinement of two years, for injury to jails, affirmed.

Molly J. Huskey, State Appellate Public Defender; Justin M. Curtis, 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

Dustyn Gonzalo Lopez was convicted of injury to jails, Idaho Code §§ 18-7018, 18-204. The district court imposed a unified sentence of five years, with a minimum period of confinement of two years, and retained jurisdiction. At the end of the retained jurisdiction period, the district court suspended Lopez’s sentence and placed him on supervised probation for five years. Lopez appeals, contending that the district court abused its discretion in failing to reduce the underlying sentence following his completion of retained jurisdiction.

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 a 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, Lopez's judgment of conviction and sentence are affirmed.