

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 37830

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| STATE OF IDAHO, |) | 2011 Unpublished Opinion No. 336 |
| |) | |
| Plaintiff-Respondent, |) | Filed: January 27, 2011 |
| |) | |
| v. |) | Stephen W. Kenyon, Clerk |
| |) | |
| TERRILL DENNIS NAPPO, |) | THIS IS AN UNPUBLISHED |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, Bingham County. Hon. Darren B. Simpson, District Judge.

Judgment of conviction and unified sentence of thirteen years, with a minimum period of confinement of seven years, for aggravated driving while under the influence of alcohol, drugs and/or other intoxicating substance, affirmed.

Molly J. Huskey, State Appellate Public Defender; Jason C. Pintler, 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

Terrill Dennis Nappo pled guilty to aggravated driving while under the influence of alcohol, drugs and/or other intoxicating substance. Idaho Code §§ 18-8006, 18-8004(1)(a). The district court sentenced Nappo to a unified term of thirteen years, with a minimum period of confinement of seven years to run concurrently with an expected sentence in an unrelated case from the state of Utah. Nappo appeals asserting that the district court abused its discretion by imposing an excessive sentence.

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, Nappo's judgment of conviction and sentence are affirmed.