

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket Nos. 38322 & 38323

STATE OF IDAHO,	)	2011 Unpublished Opinion No. 615
	)	
<b>Plaintiff-Respondent,</b>	)	<b>Filed: September 14, 2011</b>
	)	
v.	)	<b>Stephen W. Kenyon, Clerk</b>
	)	
<b>DOUGLAS RICHARD NAY,</b>	)	<b>THIS IS AN UNPUBLISHED</b>
	)	<b>OPINION AND SHALL NOT</b>
<b>Defendant-Appellant.</b>	)	<b>BE CITED AS AUTHORITY</b>
	)	

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Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Deborah A. Bail, District Judge.

Judgments of conviction and concurrent unified sentence of fifteen years, with a minimum period of confinement of ten years, for vehicular manslaughter and a unified sentence of life imprisonment, with a minimum period of confinement of seven years, for delivery of a controlled substance, affirmed.

Molly J. Huskey, State Appellate Public Defender; Jordan E. Taylor, Deputy Appellate Public Defender, Boise, for appellant.

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

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

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PER CURIAM

In these consolidated cases, Douglas Richard Nay pled guilty to vehicular manslaughter. I.C. §§ 18-4006(3)(b) and 18-4006(3)(a), and delivery of a controlled substance, I.C. § 37-2732(a). In exchange for his guilty pleas, additional charges were dismissed. The district court sentenced Nay to a unified term of fifteen years, with a minimum period of confinement of ten years, for vehicular manslaughter and a concurrent unified life sentence, with a minimum period of confinement of seven years, for delivery of a controlled substance. Nay filed I.C.R. 35 motions for reduction of his sentences, which the district court denied. Nay 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, Nay's judgments of conviction and sentences are affirmed.