

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 37578

STATE OF IDAHO,	)	2011 Unpublished Opinion No. 338
	)	
<b>Plaintiff-Respondent,</b>	)	<b>Filed: January 28, 2011</b>
	)	
v.	)	<b>Stephen W. Kenyon, Clerk</b>
	)	
SHAWN THOMAS WHEELER,	)	<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THIS IS AN UNPUBLISHED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 First Judicial District, State of Idaho, Bonner County. Hon. John P. Luster, District Judge.

Judgment of conviction and unified sentence of six years, with a minimum period of confinement of two years, for driving under the influence of intoxicants, affirmed.

Molly J. Huskey, State Appellate Public Defender; Elizabeth Ann Allred, 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

Shawn Thomas Wheeler pled guilty to driving under the influence of intoxicants, Idaho Code §§ 18-8004(1)(a), 18-8005(6), with other charges being dismissed. The district court sentenced Wheeler to a unified term of six years, with a minimum period of confinement of two years to run concurrently with a prior case. Wheeler 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, Wheeler's judgment of conviction and sentence are affirmed.