

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 38427

STATE OF IDAHO,)	2012 Unpublished Opinion No. 356
)	
Plaintiff-Respondent,)	Filed: February 7, 2012
)	
v.)	Stephen W. Kenyon, Clerk
)	
DONNA ELLEN SIMONO,)	THIS IS AN UNPUBLISHED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, Elmore County. Hon. Richard D. Greenwood, District Judge.

Judgment of conviction and unified sentence of six years, with a minimum period of confinement of one and one-half years, for possession of a controlled substance, affirmed.

Sara B. Thomas, State Appellate Public Defender; Erik R. Lehtinen, 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; LANSING, Judge;
and MELANSON, Judge

PER CURIAM

Donna Ellen Simono was found guilty of possession of a controlled substance (methamphetamine).¹ Idaho Code § 37-2732(c)(1). The district court sentenced Simono to a unified term of six years, with a minimum period of confinement of one and one-half years. The district court suspended the sentence and placed Simono on supervised probation. Simono appeals asserting that the district court abused its discretion by imposing an excessive sentence.

¹ Simono was also found guilty of misdemeanor possession of a controlled substance and possession of drug paraphernalia, but does not challenge those convictions and sentences on appeal.

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