

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 38487

STATE OF IDAHO,)	2011 Unpublished Opinion No. 627
)	
Plaintiff-Respondent,)	Filed: September 21, 2011
)	
v.)	Stephen W. Kenyon, Clerk
)	
ROBIN BRIAN TIRRELL,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Sixth Judicial District, State of Idaho, Bannock County. Hon. Robert C. Naftz, District Judge.

Judgment of conviction and unified sentence of ten years, with a minimum period of confinement of four years, for felony driving under the influence of alcohol and/or drugs, affirmed.

Molly J. Huskey, State Appellate Public Defender; Spencer J. Hahn, 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 GUTIERREZ, Judge

PER CURIAM

Robin Brian Tirrell pled guilty to felony driving under the influence of alcohol and/or drugs. Idaho Code §§ 18-8004, 18-8005(5). The district court sentenced Tirrell to a unified term of ten years, with a minimum period of confinement of four years and retained jurisdiction. Following the period of retained jurisdiction, the district court suspended Tirrell’s sentence and placed him on supervised probation for four years. Tirrell appeals asserting that the district court abused its discretion by imposing and suspending an excessive underlying 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, Tirrell's judgment of conviction and sentence are affirmed.