

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 38548

STATE OF IDAHO,	)	2011 Unpublished Opinion No. 758
	)	
<b>Plaintiff-Respondent,</b>	)	<b>Filed: December 29, 2011</b>
	)	
v.	)	<b>Stephen W. Kenyon, Clerk</b>
	)	
HENRY VILLEGAS,	)	<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THIS IS AN UNPUBLISHED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 Seventh Judicial District, State of Idaho, Bonneville County. Hon. Joel E. Tingey, District Judge.

Judgment of conviction and unified sentence of three years, with a minimum period of confinement of one year, for burglary, 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.

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

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PER CURIAM

Henry Villegas pled guilty to burglary. Idaho Code § 18-1401. The district court sentenced Villegas to a unified term of three years, with a minimum period of confinement of one year, suspended the sentence and placed Villegas on probation. Villegas 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, Villegas's judgment of conviction and sentence are affirmed.