

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 38233

STATE OF IDAHO,	)	2011 Unpublished Opinion No. 583
	)	
<b>Plaintiff-Respondent,</b>	)	<b>Filed: August 22, 2011</b>
	)	
v.	)	<b>Stephen W. Kenyon, Clerk</b>
	)	
JASON KENNETH WALLACE,	)	<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THIS IS AN UNPUBLISHED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. Cheri C. Copsey, District Judge.

Judgment of conviction and unified sentence of twenty-five years, with a minimum period of confinement of ten years, for felony operating a motor vehicle while under the influence of alcohol and/or drugs, affirmed.

Molly J. Huskey, State Appellate Public Defender; Diane M. Walker, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Jessica M. Lorello, Deputy Attorney General, Boise, for respondent.

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

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PER CURIAM

Jason Kenneth Wallace was found guilty of felony operating a motor vehicle while under the influence of alcohol and/or drugs, Idaho Code §§ 18-8004, 18-8005(9), with a persistent violator enhancement. The district court sentenced Wallace to a unified term of twenty-five years, with a minimum period of confinement of ten years. Wallace 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, Wallace's judgment of conviction and sentence are affirmed.