

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 40772

STATE OF IDAHO,)	2014 Unpublished Opinion No. 307
)	
Plaintiff-Respondent,)	Filed: January 6, 2014
)	
v.)	Stephen W. Kenyon, Clerk
)	
JAMES HIRAM KOUNTZ,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the First Judicial District, State of Idaho, Kootenai County. Hon. Charles W. Hosack, District Judge.

Judgment of conviction and unified sentence of twenty years, with a minimum period of confinement of four years, for aggravated battery with use of a deadly weapon during the commission of a crime and a persistent violator sentencing enhancement, affirmed.

Sara B. Thomas, State Appellate Public Defender; Jason C. Pintler, Deputy Appellate Public Defender, Boise, for appellant.

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

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

PER CURIAM

James Hiram Kountz was convicted of aggravated battery with use of a deadly weapon during the commission of a crime and a persistent violator sentencing enhancement, Idaho Code § 18-907. The district court sentenced Kountz to a unified term of twenty years, with a minimum period of confinement of four years. Kountz appeals, contending that his sentence is excessive.

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