

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket Nos. 40764/40765

STATE OF IDAHO,)	2013 Unpublished Opinion No. 750
)	
Plaintiff-Respondent,)	Filed: November 12, 2013
)	
v.)	Stephen W. Kenyon, Clerk
)	
JERRY LEE McCLAIN,)	THIS IS AN UNPUBLISHED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, Ada County. Hon. Ronald J. Wilper, District Judge.

Judgment of conviction and unified sentence of twenty years, with a minimum period of confinement of six years, for felony domestic violence in the presence of a child, affirmed.

Sara B. Thomas, State Appellate Public Defender; Justin M. Curtis, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Kenneth K. Jorgensen, Deputy Attorney General, Boise, for respondent.

Before LANSING, Judge; GRATTON, Judge;
and MELANSON, Judge

PER CURIAM

In this consolidated appeal, Jerry Lee McClain was convicted of felony domestic violence in the presence of a child, Idaho Code §§ 18-903(a), 18-918(2)(4); intimidation of a witness, I.C. § 18-2604; and violation of a no contact order, I.C. § 18-920. On remand, the district court imposed concurrent, unified sentences of twenty years with six years determinate for domestic violence, five years determinate for intimidation of a witness, and one year in the county jail for violation of a no contact order. McClain appeals, contending that his domestic violence 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, McClain's judgment of conviction and sentence are affirmed.