

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 42123

STATE OF IDAHO,	)	2014 Unpublished Opinion No. 808
	)	
Plaintiff-Respondent,	)	Filed: November 7, 2014
	)	
v.	)	Stephen W. Kenyon, Clerk
	)	
ERNEST ALEXANDER BERCIER, JR.,	)	THIS IS AN UNPUBLISHED
	)	OPINION AND SHALL NOT
Defendant-Appellant.	)	BE CITED AS AUTHORITY
	)	

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

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

Sara B. Thomas, State Appellate Public Defender; Kimberly E. Smith, 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 GUTIERREZ, Chief Judge; LANSING, Judge;  
and GRATTON, Judge

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PER CURIAM

Ernest Alexander Bercier, Jr. was convicted of felony driving under the influence of alcohol, Idaho Code §§ 18-8004, 18-8005(9). The district court sentenced Bercier to a unified term of eight years, with a minimum period of confinement of four years. Bercier 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, Bercier's judgment of conviction and sentence are affirmed.