

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 42324

STATE OF IDAHO,) 2015 Unpublished Opinion No. 409
)
Plaintiff-Respondent,) Filed: March 13, 2015
)
v.) Stephen W. Kenyon, Clerk
)
DEWAYNE NOBLE BANKS,) THIS IS AN UNPUBLISHED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. Patrick H. Owen, District Judge.

Judgment of conviction and unified sentence of two years, with a minimum period of confinement of one year, for attempting to intimidate a witness, affirmed.

Sara B. Thomas, State Appellate Public Defender; Sally J. Cooley, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

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

PER CURIAM

Dewayne Noble Banks pled guilty to an amended charge of attempting to intimidate a witness. I.C. §§ 18-2604(3), 18-306. The district court sentenced Banks to a unified term of two years, with a minimum period of confinement of one year. Banks appeals.¹

¹ Banks also pled guilty and was sentenced for two counts of violating a no-contact order. However, he does not challenge those sentences on appeal.

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