

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 42412

STATE OF IDAHO,) 2015 Unpublished Opinion No. 447
)
 Plaintiff-Respondent,) Filed: March 30, 2015
)
 v.) Stephen W. Kenyon, Clerk
)
 CALVIN LAMONT BERNARD,) THIS IS AN UNPUBLISHED
) OPINION AND SHALL NOT
 Defendant-Appellant.) BE CITED AS AUTHORITY
)

Appeal from the District Court of the Fifth Judicial District, State of Idaho, Minidoka County. Hon. Jonathan P. Brody, District Judge.

Judgment of conviction and unified ten-year sentence with two and one-half-year determinate term for second degree arson, affirmed.

Sara B. Thomas, State Appellate Public Defender; Kimberly E. Smith, 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

Calvin Lamont Bernard was convicted of second degree arson, Idaho Code § 18-803. The district court imposed a unified sentence of ten years with two and one-half years determinate. Bernard filed an Idaho Criminal Rule 35 motion for reduction of sentence with was denied. Bernard 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, Bernard's judgment of conviction and sentence are affirmed.