

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 42805

STATE OF IDAHO,) 2015 Unpublished Opinion No. 678
)
Plaintiff-Respondent,) Filed: October 28, 2015
)
v.) Stephen W. Kenyon, Clerk
)
SANDY KEVIN NANNEY,) THIS IS AN UNPUBLISHED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. Steven J. Hippler, District Judge.

Judgment of conviction and unified sentence of thirty years with five years determinate for arson, and concurrent unified sentence of seven years with two years determinate for malicious injury to property, affirmed.

Sara B. Thomas, State Appellate Public Defender; Eric D. Fredericksen, 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; GUTIERREZ, Judge;
and GRATTON, Judge

PER CURIAM

Sandy Kevin Nanney was found guilty of one count of arson in the third degree; two counts of malicious injury to property (one a felony and one a misdemeanor); and a persistent violator enhancement. Idaho Code §§ 18-804, 18-7001(2), 18-7001, and 19-2514. The district court sentenced Nanney to a unified sentence of thirty years with five years determinate for the arson charge, and a concurrent unified sentence of seven years with two years determinate for the malicious injury to property charges. Nanney appeals asserting that the district court abused its discretion by imposing excessive sentences.

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, Nanney's judgment of conviction and sentences are affirmed.