

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 43166

STATE OF IDAHO, ) 2016 Unpublished Opinion No. 313  
 )  
Plaintiff-Respondent, ) Filed: January 7, 2016  
 )  
v. ) Stephen W. Kenyon, Clerk  
 )  
GEORGE ROARK, ) THIS IS AN UNPUBLISHED  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 Third Judicial District, State of Idaho, Washington County. Hon. Susan E. Wiebe, District Judge.

Judgment of conviction and unified sentence of ten years, with a minimum period of confinement of three years, for felony operating a motor vehicle while under the influence of alcohol, affirmed.

Sara B. Thomas, State Appellate Public Defender; Brian R. Dickson, Deputy Appellate Public Defender, Boise, for appellant.

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

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Before GUTIERREZ, Judge; GRATTON, Judge;  
and HUSKEY, Judge

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PER CURIAM

George Roark was found guilty of felony operating a motor vehicle while under the influence of alcohol, Idaho Code §§ 18-8004, 18-8005(9). The district court imposed a unified sentence of ten years, with a minimum period of confinement of three years. Roark 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, Roark's judgment of conviction and sentence are affirmed.