

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 43180

STATE OF IDAHO,) 2015 Unpublished Opinion No. 718
)
Plaintiff-Respondent,) Filed: November 17, 2015
)
v.) Stephen W. Kenyon, Clerk
)
NATHANIEL ERWAN BIRD,) THIS IS AN UNPUBLISHED
) OPINION AND SHALL NOT
Defendant-Appellant.) BE CITED AS AUTHORITY
)
_____)

Appeal from the District Court of the First Judicial District, State of Idaho, Kootenai County. Hon. John T. Mitchell, District Judge.

Judgment of conviction and a unified sentence of seven years, with a minimum period of confinement of two years, for possession of a controlled substance and a concurrent unified term of five years, with a minimum period of confinement of two years, for possession of a stolen vehicle, affirmed.

Sara B. Thomas, State Appellate Public Defender; Jenny C. Swinford, 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 HUSKEY, Judge

PER CURIAM

Nathaniel Erwan Bird pled guilty to possession of a controlled substance, I.C. § 37-2732(c)(1), and possession of a stolen vehicle, I.C. § 49-228. In exchange for his guilty plea, additional charges were dismissed. The district court sentenced Bird to a unified term of seven years, with a minimum period of confinement of two years, for possession of a controlled substance, and a concurrent unified term of five years, with minimum period of confinement of two years, for possession of a stolen vehicle. Bird appeals.

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