

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 43754

STATE OF IDAHO,) 2016 Unpublished Opinion No. 557
)
Plaintiff-Respondent,) Filed: June 3, 2016
)
v.) Stephen W. Kenyon, Clerk
)
TRISTA LEE CLAYTON,) THIS IS AN UNPUBLISHED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. Samuel A. Hoagland, District Judge.

Judgment of conviction and unified sentence of ten years, with a minimum period of confinement of three years, for possession of a controlled substance with intent to deliver, affirmed.

Sara B. Thomas, State Appellate Public Defender; Elizabeth A. Allred, 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

Trista Lee Clayton pled guilty to possession of a controlled substance with intent to deliver. I.C. § 37-2732(a). In exchange for her guilty plea, additional charges were dismissed including an allegation that she was a persistent violator. The district court sentenced Clayton to a unified term of ten years, with a minimum period of confinement of three years. Clayton filed an I.C.R 35 motion, which the district court denied. Clayton 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, Clayton's judgment of conviction and sentence are affirmed.