

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 43999

STATE OF IDAHO,) 2016 Unpublished Opinion No. 659
)
Plaintiff-Respondent,) Filed: August 25, 2016
)
v.) Stephen W. Kenyon, Clerk
)
BRUCE WAYNE COSTA,) THIS IS AN UNPUBLISHED
) OPINION AND SHALL NOT
Defendant-Appellant.) BE CITED AS AUTHORITY
)
_____)

Appeal from the District Court of the Third Judicial District, State of Idaho, Canyon County. Hon. George A. Southworth, District Judge.

Judgment of conviction and unified sentence of twelve years, with a minimum period of confinement of five years, for aggravated battery, affirmed.

Eric D. Fredericksen, Interim 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.

Before MELANSON, Chief Judge; GUTIERREZ, Judge;
and GRATTON, Judge

PER CURIAM

Bruce Wayne Costa pled guilty to aggravated battery. I.C. §§ 18-903(b) and 18-907(a) and/or (b). In exchange for his guilty plea, additional charges were dismissed. The district court sentenced Costa to a unified term of twelve years, with a minimum period of confinement of five years. Costa 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, Costa's judgment of conviction and sentence are affirmed.