

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 44389

STATE OF IDAHO,) 2017 Unpublished Opinion No. 316
)
Plaintiff-Respondent,) Filed: January 13, 2017
)
v.) Stephen W. Kenyon, Clerk
)
MICHAEL NORMAN DEMOURA,) THIS IS AN UNPUBLISHED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 five years, with a minimum period of confinement of four years, for intimidating, impeding, influencing, or preventing the attendance of a witness, and an indeterminate five-year sentence for intimidating, impeding, influencing, or preventing the attendance of a witness, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Jenny C. Swinford, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Jessica M. Lorello, Deputy Attorney General, Boise, for respondent.

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

PER CURIAM

Michael Norman Demoura pleaded guilty to two counts of intimidating, impeding, influencing, or preventing the attendance of a witness, felony, Idaho Code § 18-2604(3). The district court sentenced Demoura to a unified five-year sentence, with four years determinate, and a unified five-year indeterminate sentence, with the sentences to run consecutive to each other and to another case. The district court retained jurisdiction and after a period of retained jurisdiction, suspended the sentence, and placed Demoura on probation. Demoura appeals, contending that his sentences are 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, Demoura's judgment of conviction and sentences are affirmed.