

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 44666

STATE OF IDAHO,	)	2017 Unpublished Opinion No. 562
	)	
Plaintiff-Respondent,	)	Filed: August 29, 2017
	)	
v.	)	Karel A. Lehrman, Clerk
	)	
PAULINE REBECCA MATTHEWS,	)	THIS IS AN UNPUBLISHED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 Seventh Judicial District, State of Idaho, Bingham County. Hon. Darren B. Simpson, District Judge.

Judgment of conviction and unified sentence of seven years, with a minimum period of confinement of three years, for felony possession of a controlled substance, methamphetamine, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Ben P. McGreevy, 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 GRATTON, Chief Judge; GUTIERREZ, Judge;  
and HUSKEY, Judge

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PER CURIAM

Pauline Rebecca Matthews pleaded guilty to felony possession of a controlled substance, methamphetamine, Idaho Code § 37-2732(c)(1). The district court imposed a unified seven-year sentence, with three years determinate. Matthews filed an Idaho Criminal Rule 35 motion which the district court denied.<sup>1</sup> Matthews appeals, contending that the district court abused its discretion by ordering execution of her sentence rather than retaining jurisdiction.

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

<sup>1</sup> Matthews does not appeal from the denial of her Idaho Criminal Rule 35 motion.

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). Whether to retain jurisdiction is a matter within the sound discretion of the district court. *State v. Lee*, 117 Idaho 203, 205-06, 786 P.2d 596-97 (Ct. App.1990). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Matthews' judgment of conviction and sentence are affirmed.