

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 44977

STATE OF IDAHO, ) 2018 Unpublished Opinion No. 309  
)  
Plaintiff-Respondent, ) Filed: January 8, 2018  
)  
v. ) Karel A. Lehrman, Clerk  
)  
KENNETH PATRICK ZEHM, ) THIS IS AN UNPUBLISHED  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 First Judicial District, State of Idaho, Kootenai County. Hon. Benjamin R. Simpson, Senior District Judge.

Judgment of conviction and unified sentence of ten years, with a minimum period of confinement of two years, for felony driving under the influence, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Reed P. Anderson, 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 LORELLO, Judge

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PER CURIAM

Kenneth Patrick Zehm pled guilty to felony driving under the influence. Idaho Code § 18-8004. The district court sentenced Zehm to a unified term of ten years with two years determinate. Zehm appeals asserting that the district court abused its discretion by imposing an excessive sentence.

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, Zehm's judgment of conviction and sentence are affirmed.