

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 45091

STATE OF IDAHO,) 2018 Unpublished Opinion No. 306
)
Plaintiff-Respondent,) Filed: January 5, 2018
)
v.) Karel A. Lehrman, Clerk
)
ROBERT CUTLER,) THIS IS AN UNPUBLISHED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. Melissa Moody, District Judge.

Judgment of conviction and concurrent unified sentences of ten years with four years determinate for operating a motor vehicle while under the influence of alcohol and/or drugs and fifteen years with four years determinate for trafficking in 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.

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

PER CURIAM

Robert Cutler pled guilty to felony operating a motor vehicle while under the influence of alcohol and/or drugs (two or more convictions within ten years), Idaho Code §§ 18-8004, 18-8005(6); and trafficking in methamphetamine, I.C. § 37-2732B(a)(4). The district court imposed concurrent unified sentences of ten years with four years determinate for driving under the influence and fifteen years with four years determinate for trafficking. Cutler filed a motion for

reconsideration, which the district court denied. Cutler 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, Cutler's judgment of conviction and sentences are affirmed.