

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 45287

STATE OF IDAHO,) 2018 Unpublished Opinion No. 350
)
Plaintiff-Respondent,) Filed: February 6, 2018
)
v.) Karel A. Lehrman, Clerk
)
CASSANDRA LYNN POINTER,) THIS IS AN UNPUBLISHED
) OPINION AND SHALL NOT
Defendant-Appellant.) BE CITED AS AUTHORITY
)
_____)

Appeal from the District Court of the First Judicial District, State of Idaho, Kootenai County. Hon. John T. Mitchell, District Judge.

Judgment of conviction and suspended unified sentence of four years, with a minimum period of confinement of two years, for possession of a controlled substance, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Andrea W. Reynolds, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before GUTIERREZ, Judge; HUSKEY, Judge;
and LORELLO, Judge

PER CURIAM

Cassandra Lynn Pointer pled guilty to possession of a controlled substance. I.C. § 37-2732c(1). In exchange for her guilty plea, an additional charge was dismissed. The district court sentenced Pointer to a unified term of four years, with a minimum period of confinement of two years. However, the district court retained jurisdiction and sent Pointer to participate in the rider program. Following successful completion of her retained jurisdiction, the district court suspended Pointer's sentence and placed her on probation. Mindful that Pointer is currently on

probation, she appeals, arguing her sentence is excessive and that the district court should have placed her on probation at the time of sentencing.¹

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

¹ Pointer also pled guilty to and was sentenced for petit theft. However, she does not challenge this sentence on appeal.