

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 45370

STATE OF IDAHO,) 2018 Unpublished Opinion No. 394
)
Plaintiff-Respondent,) Filed: March 19, 2018
)
v.) Karel A. Lehrman, Clerk
)
DEVIN KADRLIK,) THIS IS AN UNPUBLISHED
) OPINION AND SHALL NOT
Defendant-Appellant.) BE CITED AS AUTHORITY
)
_____)

Appeal from the District Court of the Seventh Judicial District, State of Idaho, Madison County. Hon. Gregory W. Moeller, District Judge.

Judgment of conviction and unified sentence of ten years, with a minimum period of confinement of two years, for attempted strangulation, 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; HUSKEY, Judge;
and LORELLO, Judge

PER CURIAM

Devin Kadrlik pled guilty to attempted strangulation, Idaho Code § 18-923; and injury to a child, I.C. § 49-1301(1). For the attempted strangulation charge, the district court sentenced Kadrlik to a unified sentence of ten years with two years determinate. For the injury to a child charge, the district court imposed a concurrent sentence of 365 days of local incarceration, with credit for 180 days of prior jail service. Kadrlik asserts that the district court abused its discretion by imposing an excessive sentence for the attempted strangulation charge.

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