

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 46294

STATE OF IDAHO, )  
 )  
 ) **Filed: August 20, 2019**  
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 ) **Karel A. Lehrman, Clerk**  
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 ) **THIS IS AN UNPUBLISHED**  
 ) **OPINION AND SHALL NOT**  
 ) **BE CITED AS AUTHORITY**  
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Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Samuel Hoagland, District Judge.

Judgment of conviction and aggregate unified sentence of forty years, with a minimum period of confinement of ten years, for robbery and use of a firearm or deadly weapon during the commission of a crime, 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; LORELLO, Judge;  
and BRAILSFORD, Judge

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PER CURIAM

Joseph Elwyn Graham was found guilty of robbery, I.C. §§ 18-6501 and 18-6502, and use of a firearm or deadly weapon during the commission of a crime, I.C. § 19-2520. The district court sentenced Graham to an aggregate unified sentence of forty years, with a minimum period of confinement of ten years. Graham appeals, arguing that his sentence is excessive.<sup>1</sup>

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<sup>1</sup> Graham was also found guilty of and sentenced for misdemeanor fraudulent use of a financial transaction card. However, he does not challenge this sentence on appeal.

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