



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).

Jimenez argues the case should be remanded to provide the district court the opportunity to correct the written judgment of conviction. The State asserts a remand is inappropriate because Jimenez must first make a motion to correct the judgment of conviction in the district court and then, should the district court decline to grant the motion, file an appeal. Where there is a discrepancy between the oral pronouncement and the written order, the oral pronouncement controls. *State v. Watts*, 131 Idaho 782, 786, 963, P.2d 1219, 1223 (Ct. App. 1998). Thus, we will analyze the sentence as orally pronounced. Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

However, we note that Idaho Criminal Rule 36 allows the district court to correct clerical errors in a judgment at any time. Here, the district court made a clerical error in the written judgment of conviction by indicating the state sentence would run consecutively to the federal sentence after orally stating the opposite at the sentencing hearing. Because that motion has not been presented to the district court, the district court has not had an opportunity to rule on the issue, and thus, the issue is not yet properly before this Court.

Therefore, Jimenez's judgment of conviction and sentence are affirmed.