

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 46701

STATE OF IDAHO,)
) **Filed: December 4, 2019**
) **Plaintiff-Respondent,**)
) **Karel A. Lehrman, Clerk**
v.)
) **THIS IS AN UNPUBLISHED**
) **ROBERT EUGENE EVERITT,**) **OPINION AND SHALL NOT**
) **BE CITED AS AUTHORITY**
) **Defendant-Appellant.**)
)
)

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Peter G. Barton, District Judge.

Judgment of conviction and unified sentence of five years with a one-year determinate term for one count of intimidating, impeding, influencing, or preventing the attendance of a witness, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Reed P. Anderson, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Kenneth K. Jorgensen, Deputy Attorney General, Boise, for respondent.

Before GRATTON, Chief Judge; HUSKEY, Judge;
and BRAILSFORD, Judge

PER CURIAM

Robert Eugene Everitt pled guilty to one count of intimidating, impeding, influencing, or preventing the attendance of a witness, Idaho Code § 18-2604, and one misdemeanor count of violation of a no-contact order, I.C. § 18-920. In exchange for his guilty plea, additional charges were dismissed. The district court imposed a unified sentence of five years with a one-year determinate term for intimidating a witness and credit for time served on the misdemeanor count. Everitt appeals, contending that his sentence for intimidating a witness is 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, Everitt's judgment of conviction and sentence are affirmed.