

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 46705

STATE OF IDAHO, )  
 ) **Filed: December 2, 2019**  
 ) **Plaintiff-Respondent,** )  
 ) **Karel A. Lehrman, Clerk**  
v. )  
 ) **THIS IS AN UNPUBLISHED**  
JOSE G. OLIVO, ) **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 twenty years, with a minimum period of confinement of five years, for second degree kidnapping and a concurrent indeterminate sentence of five years for unlawful possession of a firearm, affirmed.

Robyn Fyffe, Boise, for appellant.

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

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Before GRATTON, Chief Judge; LORELLO, Judge;  
and BRAILSFORD, Judge  
\_\_\_\_\_

PER CURIAM

Jose G. Olivo pled guilty to second degree kidnapping, I.C. §§ 18-2403(1), 18-2407(1)(b), and 18-2409 and unlawful possession of a firearm, I.C. § 18-3316. In exchange for his guilty plea, additional charges were dismissed. The district court sentenced Olivo to a unified term of twenty years, with a minimum period of confinement of five years, for second degree kidnapping and a concurrent indeterminate term of five years for unlawful possession of a firearm. Olivo appeals, arguing that his sentences are 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, Olivo's judgment of conviction and sentences are affirmed.