

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 47376

STATE OF IDAHO, )  
 ) **Filed: April 10, 2020**  
 ) **Plaintiff-Respondent,** )  
 ) **Karel A. Lehrman, Clerk**  
v. )  
 ) **THIS IS AN UNPUBLISHED**  
 ) **OPINION AND SHALL NOT**  
 ) **BE CITED AS AUTHORITY**  
 ) **JOHN ROY LOPEZ,** )  
 ) **Defendant-Appellant.** )  
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Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Michael J. Reardon, District Judge.

Judgment of conviction and unified sentence of twenty years, with a minimum period of confinement of five years, for possession of heroin with intent to deliver, and concurrent five-year determinate sentences for felony eluding a peace officer and unlawful possession of a firearm, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Elizabeth Ann Allred, Deputy Appellate Public Defender, Boise, for appellant.

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

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Before GRATTON, Judge; LORELLO, Judge;  
and BRAILSFORD, Judge

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PER CURIAM

John Roy Lopez pled guilty to possession of heroin with the intent to deliver, felony eluding a peace officer, and unlawful possession of a firearm. Idaho Code §§ 37-2732(a), 49-1404(a)(b), 18-3316. The district court sentenced Lopez to a unified sentence of twenty years with five years determinate for possession of heroin with the intent to deliver, and concurrent five-year determinate sentences for felony eluding a peace officer and unlawful possession of a firearm. Lopez appeals asserting that the district court abused its discretion by imposing excessive sentences.

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, Lopez's judgment of conviction and sentences are affirmed.