IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 47828

STATE OF IDAHO,	
) Filed: March 15, 2021
Plaintiff-Respondent,	
) Melanie Gagnepain, Clerk
v.	
) THIS IS AN UNPUBLISHED
DWAYNE CHARLES CHRISTIANSEN,	OPINION AND SHALL NOT
	BE CITED AS AUTHORITY
Defendant-Appellant.	

Appeal from the District Court of the Seventh Judicial District, State of Idaho, Bonneville County. Hon. Dane H. Watkins, Jr., District Judge.

Judgment of conviction and suspended unified sentence of six years, with a minimum period of confinement of two years, for possession of a controlled substance, <u>affirmed</u>.

Eric D. Fredericksen, State Appellate Public Defender; Andrea W. Reynolds, Deputy Appellate Public Defender, Boise, for appellant.

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

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

PER CURIAM

Dwayne Charles Christiansen was found guilty of possession of a controlled substance. I.C. § 37-2732(c)(1). The district court sentenced Christiansen to a unified term of six years, with a minimum period of confinement of two years, but suspended the sentence and placed him on probation. Christiansen appeals, arguing that the district court erred in not granting him a withheld judgment.

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).

After a person has been convicted of a crime, a district court may, in its discretion, withhold judgment. I.C. § 19-2601(3); *State v. Edghill*, 134 Idaho 218, 219, 999 P.2d 255, 256 (Ct. App. 2000); *State v. Trejo*, 132 Idaho 872, 880, 979 P.2d 1230, 1238 (Ct. App. 1999). Refusal to grant a withheld judgment will not be deemed an abuse of discretion if the trial court has sufficient information to determine that a withheld judgment would be inappropriate. *State v. Geier*, 109 Idaho 963, 965, 712 P.2d 664, 666 (Ct. App. 1985).

Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion. Therefore, Christiansen's judgment of conviction and suspended sentence are affirmed.