

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 47836

STATE OF IDAHO,)
) Filed: February 10, 2021
Plaintiff-Respondent,)
) Melanie Gagnepain, Clerk
v.)
) THIS IS AN UNPUBLISHED
TERRI KATHERINE WEBER,) 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. Richard D. Greenwood, District Judge.

Judgment of conviction and unified sentence of five years with one year determinate for possession of marijuana with intent to deliver, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Justin M. Curtis, 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

Terri Katherine Weber was found guilty of possession of marijuana with intent to deliver, Idaho Code § 37-2732(a)(1)(B), and misdemeanor possession of drug paraphernalia, I.C. § 37-2734A. The district court imposed a unified five-year sentence with one year determinate for possession of marijuana with intent to deliver and thirty days in jail with thirty days’ credit for time served for misdemeanor possession of drug paraphernalia. The district court also ordered a period of retained jurisdiction. Weber appeals, contending that her sentence for possession of marijuana with intent to deliver 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, Weber's judgment of conviction and sentence are affirmed.