

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 48110

STATE OF IDAHO, )  
 ) **Filed: June 15, 2021**  
 Plaintiff-Respondent, )  
 ) **Melanie Gagnepain, Clerk**  
 v. )  
 ) **THIS IS AN UNPUBLISHED**  
 SARAH MARIA L. GREEN, ) **OPINION AND SHALL NOT**  
 ) **BE CITED AS AUTHORITY**  
 Defendant-Appellant. )  
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 )

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Appeal from the District Court of the First Judicial District, State of Idaho, Kootenai County. Hon. Scott L. Wayman, District Judge.

Judgment and concurrent, unified sentences of five years, with minimum periods of confinement of two years, for two counts of criminal possession of a financial transaction card, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Ben P. McGreevy, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; John C. McKinney, Deputy Attorney General, Boise, for respondent.

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

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PER CURIAM

Sarah Maria L. Green pled guilty to two counts of criminal possession of a financial transaction card. I.C. § 18-3125(3), (6). In exchange for her guilty plea, additional charges were dismissed. The district court sentenced Green to concurrent, unified terms of five years, with minimum periods of confinement of two years, and retained jurisdiction. Green filed an I.C.R. 35 motion, which the district court denied. Green appeals, arguing that her sentence is excessive and

that the district court abused its discretion by retaining jurisdiction rather than placing her on probation.

First, Green's claim that the district court abused its discretion by retaining jurisdiction rather than placing her on probation is moot since Green was placed on probation at the conclusion of her period of retained jurisdiction. *See Bradshaw v. State*, 120 Idaho 429, 432, 816 P.2d 986, 989 (1991) (explaining that a case becomes moot when the issues presented are no longer live or the defendant lacks a legally cognizable interest in the outcome).

Second, with respect to Green's challenge to the length of her underlying sentence, Green has failed to show she is entitled to relief. 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, Green's judgment of conviction and sentence are affirmed.