

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 48597

STATE OF IDAHO,)
)
 Plaintiff-Respondent,) **Filed: September 17, 2021**
)
 v.) **Melanie Gagnepain, Clerk**
) **THIS IS AN UNPUBLISHED**
 CARL ROBERT BETANCOURT,) **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. Lynn G. Norton, District Judge.

Judgment of conviction and unified sentence of seven years, with a minimum period of confinement of one and one-half years, for possession of a controlled substance, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Kiley A. Heffner, 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; GRATTON, Judge;
and BRAILSFORD, Judge

PER CURIAM

Carl Robert Betancourt entered *Alford*¹ pleas to one count of possession of a controlled substance, Idaho Code § 37-2732(c)(1), and one count of misdemeanor driving under the influence (DUI), I.C. § 18-8004. In exchange for his guilty pleas, an additional charge was dismissed. The district court imposed a unified sentence of seven years, with one and one-half years determinate, for the felony possession conviction, and six months jail for the misdemeanor DUI conviction.

¹ See *North Carolina v. Alford*, 400 U.S. 25 (1970).

The sentences were ordered to run concurrently with each other and with the sentence imposed in an unrelated case. Betancourt appeals, contending his indeterminate sentence 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). Our role is limited to determining whether reasonable minds could reach the same conclusion as the district court. *State v. Biggs*, 168 Idaho 112, 116, 480 P.3d 150, 154 (Ct. App. 2020).

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