

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket Nos. 48669 & 48670

STATE OF IDAHO,)
)
 Plaintiff-Respondent,)
)
 v.)
)
 BRANDON J. PJESKY,)
)
 Defendant-Appellant.)
)
)

Appeal from the District Court of the First Judicial District, State of Idaho, Kootenai County. Hon. John T. Mitchell, District Judge.

Order revoking probation and sentence of a unified term of ten years, with a minimum period of confinement of three years, for felony driving under the influence, affirmed; judgment of conviction and consecutive unified sentence of five years, with a minimum period of confinement of two years, for aggravated assault, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Emily M. Joyce, 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 LORELLO, Judge

PER CURIAM

In Docket No. 48670, Brandon J. Pjesky pled guilty to felony driving under the influence (DUI). I.C. § 18-8004 and 18-8005(6). The district court withheld judgment and placed Pjesky on probation for four years.

In Docket No. 48669, Pjesky pled guilty to an amended charge of aggravated assault. I.C. §§ 18-901 and 18-905. As a result of this guilty plea, the district court revoked Pjesky's

withheld judgment and probation for his DUI. The district court entered a judgment of conviction and sentenced Pjesky to a unified term of ten years, with a minimum period of confinement of three years, for felony DUI and sentenced Pjesky to a unified term of five years, with a minimum period of confinement of two years, for aggravated assault to run consecutive to his sentence for DUI. The district court retained jurisdiction in both cases and sent Pjesky to participate in the rider program. On appeal, Pjesky does not challenge the district court's decision to revoke probation, but argues only that both of his sentences are 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).

Therefore, Pjesky's judgments of conviction and sentences for felony DUI and aggravated assault are affirmed.