

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 48673

STATE OF IDAHO,)
)
 Plaintiff-Respondent,) **Filed: September 14, 2021**
)
 v.) **Melanie Gagnepain, Clerk**
)
 RICK JOSEPH ANDERSON,) **THIS IS AN UNPUBLISHED**
) **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. Michael J. Reardon, District Judge.

Judgment of conviction and unified sentence of five years, with a minimum period of confinement of two and one-half years, for aggravated assault, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Jacob L. Westerfield, 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

Rick Joseph Anderson pled guilty to one count of aggravated assault, felony, Idaho Code § 18-901(a), and one count of violation of a no contact order, misdemeanor, Idaho Code § 18-920. In exchange for his guilty pleas, an additional charge was dismissed. The district court imposed a unified sentence of five years, with two and one-half years determinate, for the felony conviction and 168 days in jail for the misdemeanor conviction, with the sentences to run concurrently. Anderson appeals, contending that his 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, Anderson's judgment of conviction and sentence are affirmed.