

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 48795

STATE OF IDAHO, )  
 )  
 Plaintiff-Respondent, ) **Filed: February 2, 2022**  
 )  
 v. ) **Melanie Gagnepain, Clerk**  
 )  
 DANIEL JOSEPH SMITH, ) **THIS IS AN UNPUBLISHED**  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. Steven J. Hippler, District Judge.

Judgment of conviction and unified sentence of ten years, with a minimum period of confinement of two and one-half years, for possession of a controlled substance 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 GRATTON, Judge; HUSKEY, Judge;  
and BRAILSFORD, Judge

---

PER CURIAM

Daniel Joseph Smith pled guilty to possession of a controlled substance with intent to deliver, Idaho Code § 37-2732(a). In exchange for his guilty plea, an additional charge was dismissed. The district court imposed a unified term of ten years with two and one-half years determinate to be served concurrently with any other sentence Smith was serving. Smith 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, Smith's judgment of conviction and sentence are affirmed.