

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket Nos. 49263 & 49264

STATE OF IDAHO,)
)
) **Filed: July 6, 2022**
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) **Melanie Gagnepain, Clerk**
)
) **THIS IS AN UNPUBLISHED**
) **OPINION AND SHALL NOT**
) **BE CITED AS AUTHORITY**
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Appeal from the District Court of the Sixth Judicial District, State of Idaho, Bannock County. Hon. Javier L. Gabiola, District Judge.

Judgments of conviction and concurrent, unified sentences of seven years, with minimum periods of confinement of four years, for two counts of delivery of a controlled substance and one count of 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 LORELLO, Chief Judge; GRATTON, Judge;
and HUSKEY, Judge

PER CURIAM

In these consolidated appeals, Keldon Michael Stumpp pled guilty to two counts of delivery of a controlled substance, I.C. § 37-2732(a)(1)(A), and one count of possession of a controlled substance, I.C. § 37-27329(c)(1). In exchange for his guilty pleas, additional charges were dismissed including allegations that he is a persistent violator. The district court sentenced Stumpp to concurrent, unified terms of seven years, with minimum periods of confinement of four

years. The district court retained jurisdiction and sent Stumpp to participate in the rider program. Stumpp appeals, arguing that 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). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Stumpp's judgments of conviction and sentences are affirmed.