

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 49397

STATE OF IDAHO,)
) Filed: September 15, 2022
Plaintiff-Respondent,)
) Melanie Gagnepain, Clerk
v.)
) THIS IS AN UNPUBLISHED
SAVANA M. HOWERTON,) OPINION AND SHALL NOT
) BE CITED AS AUTHORITY
Defendant-Appellant.)
_____)

Appeal from the District Court of the Sixth Judicial District, State of Idaho, Bannock County. Hon. Robert C. Naftz, District Judge.

Judgment of conviction and unified sentence of six years, with a minimum period of confinement of three years, for delivery of a controlled substance, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Sally J. Cooley, 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; HUSKEY, Judge;
and BRAILSFORD, Judge

PER CURIAM

Savana M. Howerton pled guilty to delivery of a controlled substance. I.C. § 37-2732(a)(1)(A). In exchange for her guilty plea, an additional charge that she is a persistent violator was dismissed. The district court sentenced Howerton to a unified term of six years, with a minimum period of confinement of three years, to run concurrently with an unrelated sentence. Howerton appeals, arguing that her sentence is excessive.¹

¹ The State responds that “as the record stands, the appellate jurisdiction of this Court is not established” because the district court re-entered the judgment over two years after entry of the

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, Howerton's judgment of conviction and sentence are affirmed.

original judgment. As Howerton notes, however, her notice of appeal indicates the district court re-entered the judgment as relief ordered in a post-conviction case.