

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 49680

STATE OF IDAHO,)
) **Filed: February 24, 2023**
 Plaintiff-Respondent,)
) **Melanie Gagnepain, Clerk**
 v.)
) **THIS IS AN UNPUBLISHED**
 TIMOTHY JOSEPH CHARBONEAU,) **OPINION AND SHALL NOT**
) **BE CITED AS AUTHORITY**
 Defendant-Appellant.)
)
)

Appeal from the District Court of the Seventh Judicial District, State of Idaho, Bingham County. Hon. Darren B. Simpson, District Judge.

Judgment of conviction and consecutive, unified sentences of seven years with two years determinate for possession of methamphetamine; five years with three years determinate for unlawful possession of a firearm; and five years with three years determinate for fleeing or attempting to elude a police officer, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Jason C. Pintler, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Raúl R. Labrador, Attorney General; Kenneth K. Jorgensen, Deputy Attorney General, Boise, for respondent.

Before LORELLO, Chief Judge; HUSKEY, Judge;
and BRAILSFORD, Judge

PER CURIAM

Timothy Joseph Charboneau pled guilty to possession of methamphetamine, Idaho Code § 37-2732(c)(1); unlawful possession of a firearm, I.C. § 18-3316(1); and fleeing or attempting to elude a police officer, I.C. § 49-1404(2). In exchange for his guilty pleas, additional charges were dismissed, including an allegation that he was a persistent violator. The district court imposed consecutive, unified sentences of seven years with two years determinate for possession of methamphetamine; five years with three years determinate for unlawful possession of a firearm;

and five years with three years determinate for eluding a police officer. Charboneau filed an Idaho Criminal Rule 35 motion for reduction of his sentences, which the district court denied. Charboneau appeals, contending 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, Charboneau's judgment of conviction and sentences are affirmed.