

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 50069

STATE OF IDAHO,)
)
 Plaintiff-Respondent,) **Filed: June 8, 2023**
)
 v.) **Melanie Gagnepain, Clerk**
)
 MASSON CORRY FISHER,) **THIS IS AN UNPUBLISHED**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. Jason D. Scott, District Judge.

Judgment of conviction and unified sentence of ten years, with a minimum period of incarceration of two years and three months, for operating a motor vehicle while under the influence of alcohol (one felony conviction within fifteen years) and a persistent violator enhancement, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Kiley A. Heffner, 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; GRATTON, Judge;
and HUSKEY, Judge

PER CURIAM

Masson Corry Fisher was found guilty of operating a motor vehicle while under the influence of alcohol (one felony conviction within fifteen years), Idaho Code §§ 18-8004, 18-8005(9), and he admitted to a persistent violator enhancement, I.C. § 19-2514. The district court imposed a unified sentence of ten years, with two years and three months determinate. Fisher 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, Fisher's judgment of conviction and sentence are affirmed.