

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 50379

STATE OF IDAHO,)
)
 Plaintiff-Respondent,) **Filed: July 10, 2024**
)
 v.) **Melanie Gagnepain, Clerk**
)
 ALBERTO ESPINOZA,) **THIS IS AN UNPUBLISHED**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. Michael J. Reardon, District Judge.

Judgment of conviction and unified sentence of five years, with a minimum period of incarceration of two years, for possession of a controlled substance, affirmed.

Erik R. Lehtinen, State Appellate Public Defender; Kiley Heffner, Deputy Appellate Public Defender, Boise, for appellant.

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

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

PER CURIAM

Alberto Espinoza was found guilty of felony possession of a controlled substance, Idaho Code § 37-2732(c), and misdemeanor possession of paraphernalia, I.C. § 37-2734A. For the possession of a controlled substance conviction, the district court imposed a unified sentence of five years, with a minimum period of incarceration of two years, and retained jurisdiction. After completing the period of retained jurisdiction, Espinoza was placed on probation for three years. On the misdemeanor conviction, the district court imposed concurrent thirty days of jail. Espinoza appeals, contending that his underlying 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, Espinoza's judgment of conviction and sentence are affirmed.