

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 50685

STATE OF IDAHO,)
)
 Plaintiff-Respondent,) **Filed: December 19, 2023**
)
 v.) **Melanie Gagnepain, Clerk**
)
 DAWNTAYA JEAN STACE,) **THIS IS AN UNPUBLISHED**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. Peter G. Barton, District Judge.

Judgment of conviction and unified sentence of seven years, with a minimum period of incarceration of three years, for aggravated battery, affirmed.

Erik R. Lehtinen, Interim State Appellate Public Defender; Sally J. Cooley, 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

Dawntaya Jean Stace pled guilty to aggravated battery, Idaho Code §§ 18-903(a), -907(1)(a), -204. The district court imposed a unified sentence of seven years, with a minimum period of incarceration of three years. Stace appeals, contending that the district court abused its discretion by imposing an excessive sentence and by failing to retain jurisdiction.

Sentencing is a matter for the trial court's discretion. That discretion includes the trial court's decision regarding whether a defendant should be placed on probation and whether to retain jurisdiction. I.C. § 19-2601(3), (4); *State v. Reber*, 138 Idaho 275, 278, 61 P.3d 632, 635 (Ct. App. 2002); *State v. Lee*, 117 Idaho 203, 205-06, 786 P.2d 594, 596-97 (Ct. App. 1990). 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).

The record in this case shows that the district court did not abuse its discretion in sentencing Stace and properly considered the information before it and determined that retaining jurisdiction was not appropriate. Therefore, Stace's judgment of conviction and sentence are affirmed.