

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 51098

STATE OF IDAHO,)
)
 Plaintiff-Respondent,) **Filed: July 10, 2024**
)
 v.) **Melanie Gagnepain, Clerk**
)
 KATO DIEU,) **THIS IS AN UNPUBLISHED**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. Derrick O’Neill, District Judge.

Judgment of conviction and aggregate unified sentence of fifteen years, with a minimum period of incarceration of four years, for aggravated assault with the use of a deadly weapon and destruction and/or concealment of evidence, affirmed.

Erik R. Lehtinen, State Appellate Public Defender; Salley 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 GRATTON, Chief Judge; HUSKEY, Judge;
and LORELLO, Judge

PER CURIAM

Kato Dieu pled guilty to aggravated assault, Idaho Code §§ 18-902, -905(a), committed with the use of a deadly weapon, I.C. § 19-2520, and destruction and/or concealment of evidence, I.C. § 18-2603. In exchange for his guilty plea, additional charges were dismissed. The district court imposed a unified sentence of fifteen years, with a minimum period of incarceration of four years, and a determinate four-year sentence, respectively. The sentences were ordered to run concurrently. Dieu 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, Dieu's judgment of conviction and sentences are affirmed.