

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 40692

STATE OF IDAHO,)	2013 Unpublished Opinion No. 657
)	
Plaintiff-Respondent,)	Filed: September 4, 2013
)	
v.)	Stephen W. Kenyon, Clerk
)	
EARL JOHN O’DANIEL,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Third Judicial District, State of Idaho, Canyon County. Hon. Juneal C. Kerrick, District Judge.

Judgment of conviction and unified sentence of twenty years, with a minimum period of confinement of five years, for sexual battery of a minor child sixteen or seventeen years of age, affirmed.

Sara B. Thomas, State Appellate Public Defender; Jason C. Pintler, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Kenneth K. Jorgensen, Deputy Attorney General, Boise, for respondent.

Before LANSING, Judge; GRATTON, Judge;
and MELANSON, Judge

PER CURIAM

Earl John O’Daniel was found guilty of sexual battery of a minor child sixteen or seventeen years of age. I.C. § 18-1508A. The district court sentenced O’Daniel to a unified term of twenty years, with a minimum period of confinement of five years, to be served concurrently with another sentence. O’Daniel appeals.

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). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, O'Daniel's judgment of conviction and sentence are affirmed.