

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 42371

STATE OF IDAHO,)	2015 Unpublished Opinion No. 398
)	
Plaintiff-Respondent,)	Filed: March 6, 2015
)	
v.)	Stephen W. Kenyon, Clerk
)	
DEREK M. STEPHENS,)	THIS IS AN UNPUBLISHED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. George A. Southworth, District Judge.

Judgment of conviction and concurrent unified sentences of eight years, with a minimum period of confinement of three years, for two counts of sexual exploitation of a child, affirmed.

Sara B. Thomas, State Appellate Public Defender; Maya P. Waldron, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

MELANSON, Chief Judge; GUTIERREZ, Judge;
and GRATTON, Judge

PER CURIAM

Derek M. Stephens pled guilty to two counts of sexual exploitation of a child. Idaho Code § 18-1507. The district court sentenced Stephens to concurrent unified sentences of eight years with three years determinate. Stephens appeals asserting that the district court abused its discretion by imposing excessive sentences.

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, Stephens' judgment of conviction and sentences are affirmed.