

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 43221

STATE OF IDAHO, ) 2016 Unpublished Opinion No. 316  
 )  
Plaintiff-Respondent, ) Filed: January 8, 2016  
 )  
v. ) Stephen W. Kenyon, Clerk  
 )  
SHAWN PAUL BEERY, ) THIS IS AN UNPUBLISHED  
 ) OPINION AND SHALL NOT  
Defendant-Appellant. ) BE CITED AS AUTHORITY  
 )  
\_\_\_\_\_ )

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Cheri C. Copsey, District Judge.

Judgment of conviction and unified sentence of fifteen years, with a minimum period of confinement of five years, for enticement of a child through use of the internet or other communication device and judgment of conviction and consecutive indeterminate term of ten years for or sexual exploitation of a child, affirmed.

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

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

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Before MELANSON, Chief Judge; GRATTON, Judge;  
and HUSKEY, Judge  
\_\_\_\_\_

PER CURIAM

In District Court Case No. CR-2014-6895, Shawn Paul Beery pled guilty to enticement of a child through use of the internet or other communication device. I.C. § 18-1509A. In District Court Case No. CR-2014-8428, Beery pled guilty to sexual exploitation of a child. I.C. § 18-1507(2)(a). In exchange for his guilty pleas, additional charges were dismissed. The district court sentenced Beery to a unified term of fifteen years, with a minimum period of confinement

of ten years, for enticement of a child through use of the internet or other communication device and a consecutive indeterminate term of ten years for sexual exploitation of a child. Beery 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, Beery's judgments of conviction and sentences are affirmed.