

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 44695

STATE OF IDAHO,) 2017 Unpublished Opinion No. 625
)
Plaintiff-Respondent,) Filed: October 25, 2017
)
v.) Karel A. Lehrman, Clerk
)
DAVID THOMAS,) THIS IS AN UNPUBLISHED
) OPINION AND SHALL NOT
Defendant-Appellant.) BE CITED AS AUTHORITY
)
_____)

Appeal from the District Court of the Sixth Judicial District, State of Idaho, Franklin County. Hon. Mitchell W. Brown, District Judge.

Judgment of conviction and unified sentence of six years, with a minimum period of confinement of two years, for sexual abuse of a child under the age of sixteen years, affirmed.

Eric D. Fredericksen, 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.

Before GRATTON, Chief Judge; GUTIERREZ, Judge;
and HUSKEY, Judge

PER CURIAM

Davis Thomas pled guilty to sexual abuse of a child under the age of sixteen years. Idaho Code § 18-1506(1)(a). The district court sentenced Thomas to a unified term of six years with two years determinate. Thomas appeals asserting that the district court abused its discretion by imposing an excessive sentence.¹

¹ Thomas also filed an Idaho Criminal Rule 35 motion for reduction of sentence which the district court denied. Thomas does not appeal from the denial of the motion.

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, Thomas's judgment of conviction and sentence are affirmed.