

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 47425

STATE OF IDAHO,	)	
	)	<b>Filed: October 14, 2020</b>
Plaintiff-Respondent,	)	
	)	<b>Melanie Gagnepain, Clerk</b>
v.	)	
	)	<b>THIS IS AN UNPUBLISHED</b>
JASON KELLEY SMITH,	)	<b>OPINION AND SHALL NOT</b>
	)	<b>BE CITED AS AUTHORITY</b>
Defendant-Appellant.	)	
	)	

---

Appeal from the District Court of the Fourth Judicial District, State of Idaho, Ada County. Hon. Steven Hippler, District Judge.

Judgment of conviction and unified life sentence, with a minimum period of confinement of twenty years, for lewd conduct with a minor under sixteen years of age with a repeat sexual offender enhancement, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Jenny C. Swinford, Deputy Appellate Public Defender, Boise, for appellant.

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

---

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

---

PER CURIAM

Jason Kelley Smith was found guilty of lewd conduct with a minor under sixteen, Idaho Code § 18-1508, and entered a guilty plea to being a repeat sexual offender, having two prior felony convictions for sexual battery against a sixteen or seventeen year old, I.C. § 19-2520G. The district court imposed a life sentence, with a minimum period of confinement of twenty years. Smith appeals, contending that his sentence is 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). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

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