IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 47990

| STATE OF IDAHO, |) |
|-----------------------|----------------------------|
| Plaintiff-Respondent, |) Filed: February 19, 2021 |
| |) Melanie Gagnepain, Clerk |
| v. |) |
| |) THIS IS AN UNPUBLISHED |
| WILLIAM J. GILMAN, |) OPINION AND SHALL NOT |
| |) BE CITED AS AUTHORITY |
| Defendant-Appellant. | |
| |) |

Appeal from the District Court of the Fifth Judicial District, State of Idaho, Shoshone County. Hon. Scott L. Wayman, District Judge.

Judgment of conviction and concurrent, unified sentences of life with twenty years determinate for one count of lewd conduct with a child under sixteen and one count of forcible penetration with a foreign object, <u>affirmed</u>.

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

William J. Gilman entered *Alford*¹ pleas to one count of lewd conduct with a child under sixteen, Idaho Code § 18-1508, and one count of forcible penetration by use of a foreign object, I.C. § 18-6608(1). The district court imposed a unified life sentence with twenty years determinate for each count, to be served concurrently. Gilman appeals, contending that his sentences are excessive.

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¹ See North Carolina v. Alford, 400 U.S. 25 (1970).

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, Gilman's judgment of conviction and sentences are affirmed.