IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 48901

STATE OF IDAHO,)
) Filed: March 30, 2022
Plaintiff-Respondent,)
) Melanie Gagnepain, Clerk
v.)
) THIS IS AN UNPUBLISHED
KEVIN DION WHEELER,) OPINION AND SHALL NOT
) BE CITED AS AUTHORITY
Defendant-Appellant.)
)

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

Judgment of conviction and consecutive determinate life sentences for five counts of lewd conduct with a minor under sixteen and consecutive determinate terms of twenty-five years for two counts of sexual abuse of a child under sixteen years of age, <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 LORELLO, Chief Judge; GRATTON, Judge; and BRAILSFORD, Judge

PER CURIAM

Kevin Dion Wheeler was found guilty of five counts of lewd conduct with a minor under sixteen, I.C. § 18-1508, and two counts of sexual abuse of a child under age sixteen years, I.C. § 18-1506. The district court sentenced Wheeler to consecutive determinate life terms for the five counts of lewd conduct and consecutive determinate terms of twenty-five years for the two counts of sexual abuse of a child under sixteen years. Wheeler appeals, arguing that his sentences are 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). Our role is limited to determining whether reasonable minds could reach the same conclusion as the district court. *State v. Biggs*, 168 Idaho 112, 116, 480 P.3d 150, 154 (Ct. App. 2020). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Wheeler's judgment of conviction and sentences are affirmed.