

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 48973

STATE OF IDAHO,)
) Filed: May 26, 2022
Plaintiff-Respondent,)
) Melanie Gagnepain, Clerk
v.)
) THIS IS AN UNPUBLISHED
STEVEN J. BENNETT,) OPINION AND SHALL NOT
) BE CITED AS AUTHORITY
Defendant-Appellant.)
_____)

Appeal from the District Court of the Third Judicial District, State of Idaho, Canyon County. Hon. Gene A. Petty, District Judge.

Judgment and concurrent unified sentence of thirty years, with a minimum period of confinement of twelve years, for lewd conduct with a child under sixteen years and concurrent, unified sentence of twenty-five years, with a minimum period of confinement of twelve years, for sexual abuse of a minor under sixteen years, affirmed.

Eric D. Fredericksen, State Appellate Public Defender; Elizabeth A. Allred, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Kacey L. Jones, Deputy Attorney General, Boise, for respondent.

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

PER CURIAM

Steven J. Bennett was found guilty of lewd conduct with a child under sixteen years, I.C. § 18-1808, and sexual abuse of a minor under sixteen years, I.C. § 18-1506. The district court sentenced Bennett to a unified term of thirty years, with a minimum period of confinement of twelve years, for lewd conduct with a child under sixteen years and a concurrent, unified term of

twenty-five years, with a minimum period of confinement of twelve years, for sexual abuse of a minor under sixteen years. Bennett 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, Bennett's judgment of conviction and sentences are affirmed.