IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 50036

) Filed: August 24, 2023
STATE OF IDAHO,)
) Melanie Gagnepain, Clerk
Plaintiff-Respondent,)
) THIS IS A SUBSTITUTE
v.) UNPUBLISHED OPINION
) AND SHALL NOT BE CITED
BRANDON STEVEN DONLIN,) AS AUTHORITY
) THE COURT'S PRIOR OPINION
Defendant-Appellant.) DATED AUGUST 21, 2023, IS HEREBY
) WITHDRAWN
)

Appeal from the District Court of the Fifth Judicial District, State of Idaho, Jerome County. Hon. Rosemary Emory, District Judge.

Judgment of conviction and unified sentence of twenty years, with a minimum period of incarceration of seven years, for lewd conduction with a child under sixteen, <u>affirmed</u>.

Eric D. Fredericksen, State Appellate Public Defender; Jacob L. Westerfield, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Raúl R. Labrador, Attorney General; Kenneth K. Jorgensen, Deputy Attorney General, Boise, for respondent.

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

PER CURIAM

Brandon Steven Donlin pled guilty to lewd conduct with a child under sixteen, Idaho Code § 18-1508. The district court imposed a unified sentence of twenty years, with a minimum period of incarceration of seven years. Donlin 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). 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, Donlin's judgment of conviction and sentence are affirmed.