

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 50059

STATE OF IDAHO, )  
 )  
 Plaintiff-Respondent, ) **Filed: December 19, 2023**  
 )  
 v. ) **Melanie Gagnepain, Clerk**  
 ) **THIS IS AN UNPUBLISHED**  
 ERIK DEAN GUTHRIE, ) **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. Peter G. Barton, District Judge.

Judgment of conviction and unified sentence of thirty years, with five years determinate, for forcible penetration by use of a foreign object, affirmed.

Erik R. Lehtinen, Interim State Appellate Public Defender; Elizabeth A. Allred, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Raúl R. Labrador, Attorney General; John C. McKinney, Deputy Attorney General, Boise, for respondent.

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

PER CURIAM

Erik Dean Guthrie pled guilty to forcible penetration by use of a foreign object, Idaho Code § 18-6608. In exchange for his guilty plea, an additional charge and a sentencing enhancement were dismissed. The district court imposed a unified sentence of thirty years, with a minimum period of confinement of five years. Guthrie 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, Guthrie's judgment of conviction and sentence are affirmed.