

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 50421

STATE OF IDAHO,)	
)	Filed: July 16, 2024
Plaintiff-Respondent,)	
)	Melanie Gagnepain, Clerk
v.)	
)	THIS IS AN UNPUBLISHED
WILLIAM A. GERTEN,)	OPINION AND SHALL NOT
)	BE CITED AS AUTHORITY
Defendant-Appellant.)	
_____)	

Appeal from the District Court of the Second Judicial District, State of Idaho, Idaho County. Hon. Mark Monson, District Judge.

Judgment of conviction and concurrent, unified sentence of twenty years, with a minimum period of confinement of three years, for two counts of rape-victim is sixteen or seventeen years of age and perpetrator is three years or more older than the victim, affirmed.

Erik R. Lehtinen, State Appellate Public Defender; Ben P. McGreevy, Deputy Appellate Public Defender, Boise, for appellant.

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

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

PER CURIAM

William A. Gerten was found guilty of two counts of rape-victim is sixteen or seventeen years of age and perpetrator is three years or more older than the victim. Idaho Code § 18-6101(2). The district court imposed a concurrent, unified sentence of twenty years, with a minimum period

of confinement of three years. Gerten filed an Idaho Criminal Rule 35 motion, which the district court denied.¹ Gerten 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, Gerten's judgment of conviction and sentences are affirmed.

¹ On appeal, Gerten does not challenge the district court's denial of his Rule 35 motion for reduction of his sentence.