

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 50569

STATE OF IDAHO, )  
 )  
 Plaintiff-Respondent, ) **Filed: June 6, 2024**  
 )  
 v. ) **Melanie Gagnepain, Clerk**  
 )  
 LAURENTINO HURTADO, JR., ) **THIS IS AN UNPUBLISHED**  
 ) **OPINION AND SHALL NOT**  
 ) **BE CITED AS AUTHORITY**  
 Defendant-Appellant. )  
 )  
 )

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Appeal from the District Court of the Third Judicial District, State of Idaho, Canyon County. Hon. Brent L. Whiting, District Judge.

Judgment of conviction and aggregate unified sentence of ten years, with a minimum period of incarceration of one year, for rape and forcible penetration with a foreign object, 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.

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Before HUSKEY, Judge; LORELLO, Judge;  
and TRIBE, Judge

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PER CURIAM

Laurentino Hurtado, Jr. was found guilty of rape, Idaho Code § 18-6101, and forcible penetration with a foreign object, I.C. § 18-6608. The district court imposed a unified sentence of ten years, with a minimum period of incarceration of one year, for rape and a unified sentence of five years, with a minimum period of incarceration of one year, for forcible penetration with a foreign object. The sentences were ordered to run concurrently. Hurtado appeals, contending 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, Hurtado's judgment of conviction and sentences are affirmed.