

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 37765

STATE OF IDAHO,)	2011 Unpublished Opinion No. 368
)	
Plaintiff-Respondent,)	Filed: February 24, 2011
)	
v.)	Stephen W. Kenyon, Clerk
)	
GREGORY DAVID HARTER,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Fifth Judicial District, State of Idaho, Cassia County. Hon. Michael R. Crabtree, District Judge.

Judgment of conviction and unified sentence of twenty years, with a minimum period of confinement of ten years, for lewd and lascivious conduct with a minor, affirmed.

Molly J. Huskey, State Appellate Public Defender; Justin M. Curtis, Deputy Appellate Public Defender, Boise, for appellant.

Hon. Lawrence G. Wasden, Attorney General; Lori A. Fleming, Deputy Attorney General, Boise, for respondent.

Before GRATTON, Chief Judge; LANSING, Judge;
and MELANSON, Judge

PER CURIAM

Gregory David Harter pled guilty to lewd and lascivious conduct with a minor. I.C. § 18-1508. The district court sentenced Harter to a unified term of twenty years, with a minimum period of confinement of ten years. Harter filed an I.C.R. 35 motion for reduction, which the district court denied. Harter appeals, challenging the excessiveness of his sentence.

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). Applying these standards, and having reviewed the record in this case, we cannot say that the district court abused its discretion.

Therefore, Harter's judgment of conviction and sentence are affirmed.