

IN THE COURT OF APPEALS OF THE STATE OF IDAHO

Docket No. 38439

STATE OF IDAHO,)	2011 Unpublished Opinion No. 660
)	
Plaintiff-Respondent,)	Filed: October 14, 2011
)	
v.)	Stephen W. Kenyon, Clerk
)	
CHRISTOPHER LEE PENAGOS,)	THIS IS AN UNPUBLISHED
)	OPINION AND SHALL NOT
Defendant-Appellant.)	BE CITED AS AUTHORITY
)	

Appeal from the District Court of the Sixth Judicial District, State of Idaho, Bannock County. Hon. Robert C. Naftz, District Judge.

Judgment of conviction and unified sentence of eighteen years, with a minimum period of confinement of six years, for sexual battery of a minor child sixteen or seventeen years of age, affirmed.

Molly J. Huskey, State Appellate Public Defender; Jordan E. Taylor, 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 GUTIERREZ, Judge

PER CURIAM

Christopher Lee Penagos pled guilty to sexual battery of a minor child sixteen or seventeen years of age. Idaho Code § 18-1508A(1)(c). The district court sentenced Penagos to a unified term of eighteen years, with a minimum period of confinement of six years. Penagos appeals asserting that the district court abused its discretion by imposing an excessive 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, Penagos's judgment of conviction and sentence are affirmed.