



UNDER THE FACTS AND CIRCUMSTANCES OF THIS CASE, TWENTY-FIVE YEAR SENTENCES FOR THE OFFENSES ARE SHOCKINGLY EXCESSIVE.

After thorough consideration of this claim, the briefs of the parties, and the record on appeal, we affirm. This Court will not modify a sentence within the statutory range unless, considering all relevant circumstances, it is shocking to the conscience. *Pullen v. State*, 2016 OK CR 18, ¶ 16, 387 P.3d 922, 928. This case was tried to the court. The evidence was straightforward. Appellant presented no evidence of his own to counter the victim's claims, and he does not challenge the sufficiency of the State's evidence on appeal. He does not take issue with his criminal history, which was relevant to the court's sentence assessment. Nor does he claim the court considered irrelevant matter in assessing the sentence. Appellant's violent and dangerous conduct (pointing a pistol at another man's head, accompanied by threatening language) was committed without any known provocation. When police arrived, Appellant used threatening language with them as well. The sentences imposed by the trial court were not as harsh as those requested by the prosecutor. Considering all of these circumstances, we cannot say the sentences are shocking to the conscience. Appellant's sole claim of error is denied.

**DECISION**

The Judgment and Sentence of the District Court of Stephens County is **AFFIRMED**. Pursuant to Rule 3.15, *Rules of the Oklahoma Court of Criminal Appeals*, Title 22, Ch.18, App. (2019), the **MANDATE** is **ORDERED** issued upon the delivery and filing of this decision.

AN APPEAL FROM THE DISTRICT COURT OF STEPHENS COUNTY  
THE HONORABLE KEN GRAHAM, DISTRICT JUDGE

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**OPINION BY KUEHN, V.P.J.**

LEWIS, P.J.: CONCUR  
LUMPKIN, J.: CONCUR  
HUDSON, J.: CONCUR  
ROWLAND, J.: CONCUR

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