

IN THE SUPREME COURT OF THE STATE OF NEVADA

BRADFORD TRUMAN HINES,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 56409

FILED

NOV 08 2010

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY 
DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction entered pursuant to a plea of no contest of one count of attempted second-degree kidnapping.¹ Fourth Judicial District Court, Elko County; Andrew J. Puccinelli, Judge.

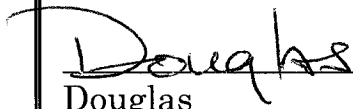
Appellant Bradford Truman Hines contends that the district court abused its discretion by sentencing him to the maximum prison term allowed by statute, imposing the sentence to run consecutive to his federal sentence, and basing its sentencing decision on highly suspect or impalpable evidence. Hines' 48- to 120-month prison sentence falls within


¹We note that the judgment of conviction contains two clerical errors: first, it indicates that Hines entered his plea before he committed the crime and, second, it improperly states that attempted second-degree kidnapping is defined by NRS 200.340 (providing the penalty for aiding and abetting). Following this court's issuance of its remittitur, the district court shall enter a corrected judgment of conviction. See NRS 176.565 (providing that clerical errors in judgments may be corrected at any time); Buffington v. State, 110 Nev. 124, 126, 868 P.2d 643, 644 (1994) (explaining that the district court does not regain jurisdiction following an appeal until the supreme court issues its remittitur).

the parameters of the relevant statutes. See NRS 193.330(1)(a)(2); NRS 200.310(2). Hines has not demonstrated that the district court abused its discretion by imposing this sentence to run consecutive to his federal sentence, see NRS 176.045(1), nor has he shown that the district court relied solely on highly suspect or impalpable evidence, see Denson v. State, 112 Nev. 489, 492, 915 P.2d 284, 286 (1996). Therefore, we conclude that the district court did not abuse its discretion at sentencing, see Houk v. State, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987), and we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Hardesty


_____, J.
Douglas


_____, J.
Pickering

cc: Hon. Andrew J. Puccinelli, District Judge
Attorney General/Carson City
Elko County District Attorney
Lockie & Macfarlan, Ltd.
Elko Co. Clerk