

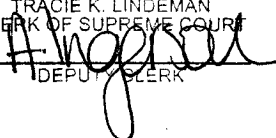
IN THE SUPREME COURT OF THE STATE OF NEVADA

BENJAMIN DAVID EDWARDS,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 59038

FILED

JAN 12 2012

TRACIE K. LINDEMAN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

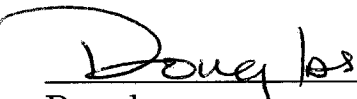
ORDER OF AFFIRMANCE


This is an appeal from a judgment of conviction, pursuant to a guilty plea, of domestic battery with a deadly weapon and battery with a deadly weapon. Second Judicial District Court, Washoe County; Patrick Flanagan, Judge.

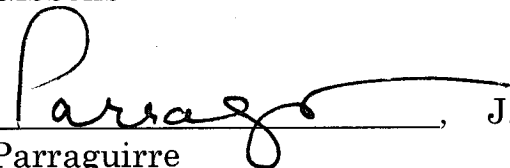
Appellant Benjamin David Edwards contends that the district court abused its discretion by not following the Division of Parole and Probation's sentencing recommendation and ignoring defense counsel prior to imposing the maximum sentence on each count and ordering them to run consecutively. This court will not disturb a district court's sentencing determination absent an abuse of discretion. See Parrish v. State, 116 Nev. 982, 989, 12 P.3d 953, 957 (2000). Edwards has not alleged that the district court relied solely on impalpable or highly suspect evidence or that the sentencing statutes are unconstitutional. See Chavez v. State, 125 Nev. 328, 348, 213 P.3d 476, 489-90 (2009). Moreover, Edwards' prison terms of 48-120 months fall within the parameters provided by the relevant statute, see NRS 200.481(2)(e)(1), and it is within the district court's discretion to impose consecutive sentences, see NRS

176.035(1). We conclude that the district court did not abuse its discretion at sentencing, and we

ORDER the judgment of conviction AFFIRMED.


_____, J.
Douglas


_____, J.
Gibbons


_____, J.
Parraguirre

cc: Hon. Patrick Flanagan, District Judge
Washoe County Alternate Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk