

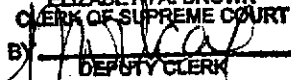
IN THE COURT OF APPEALS OF THE STATE OF NEVADA

NINOS ANTHONY ADAM,
Appellant,
vs.
THE STATE OF NEVADA,
Respondent.

No. 70384

FILED

OCT 19 2016

ELIZABETH A. BROWN
CLERK OF SUPREME COURT
BY  DEPUTY CLERK

ORDER OF AFFIRMANCE

This is an appeal from a judgment of conviction entered pursuant to a guilty plea of eluding a police officer. Second Judicial District Court, Washoe County; Connie J. Steinheimer, Judge.

Appellant Ninos Adam claims the district court abused its discretion by failing to suspend his sentence and grant him probation. The granting of probation is discretionary. *See* NRS 176A.100(1)(c). *See generally Houk v. State*, 103 Nev. 659, 664, 747 P.2d 1376, 1379 (1987) (“The sentencing judge has wide discretion in imposing a sentence . . .”). This court will refrain from interfering with the sentence imposed “[s]o long as the record does not demonstrate prejudice resulting from consideration of information or accusations founded on facts supported only by impalpable or highly suspect evidence.” *Silks v. State*, 92 Nev. 91, 94, 545 P.2d 1159, 1161 (1976).

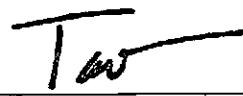
The sentence imposed in this case of 24 to 60 months is within the parameters provided by the relevant statutes, *see* NRS 484B.550(3), and Adam fails to demonstrate the district court relied on impalpable or highly suspect evidence. The district court was allowed to consider the dismissed kidnapping charge pursuant to the guilty plea agreement.


16-90125

Considering Adam's six prior felony convictions, we conclude the district court did not abuse its discretion in declining to suspend the sentence and place Adam on probation. Accordingly, we

ORDER the judgment of conviction AFFIRMED.


_____, C.J.
Gibbons.


_____, J.
Tao


_____, J.
Silver

cc: Hon. Connie J. Steinheimer, District Judge
Washoe County Alternate Public Defender
Attorney General/Carson City
Washoe County District Attorney
Washoe District Court Clerk